

HQ/1519(Sec)
8th November, 1944.

Amendment to
D.C.C./P(44)4

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

DEPUTY COMMISSIONERS' WEEKLY CONFERENCE

RELATIONS WITH THE GERMAN POPULATION, AND LIVING CONDITIONS
IN GERMANY OF CONTROL COMMISSION STAFFS.

1. In paragraph 1 of the covering note by the Secretariat delete the last sentence and substitute:-

"It has been compiled from various papers put forward by the Military Divisions and from a document intended for eventual issue by SHAEF to Army Group Commanders".

2. In paragraph 3 of Appendix 'A' delete from the words "we understand" to the end of the paragraph and substitute:-

"forms part of the current draft of the 'Post-Hostilities Handbook governing Policy & Procedure for The Military Occupation of Western Germany' prepared by G-3 SHAEF and intended for eventual issue by SHAEF to Army Group Commanders".

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GA amended 8/11/44.

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D.C.C./P(44)4

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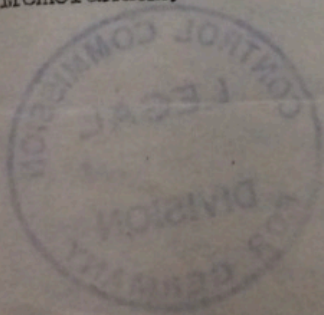
CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

DEPUTY COMMISSIONERS' WEEKLY CONFERENCE

RELATIONS WITH THE GERMAN POPULATION, AND LIVING
CONDITIONS IN GERMANY OF CONTROL COMMISSION STAFFS

(Note by the Secretariat)

1. The Annexed Memorandum on Relations with the German population, and living conditions in Germany of Control Commission Staffs, is circulated for consideration at the next weekly meeting. It has been compiled from various papers put forward by the Military Divisions and from a document which purports to be an order issued by SCAEF. *by SHAEF to army g.p. commanders intended for eventual issue*
2. It is intended that this Memorandum in its final form shall be submitted to the ACAO Committee, as representing the views of the Control Commission (British Element), with a request that the Committee shall consider it with a view to formulating a British policy in this matter.
3. In the meantime, the Secretariat will be glad to receive any comments which Divisions may wish to make on the Memorandum.



(Sgd.) J.St.J. ROTHAM.

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MEMORANDUM BY THE DEPUTY COMMISSIONERS (PLANNING).

1. We shall be glad if the Committee can consider the three annexures to this Memorandum. They are:-

(i) Annexure I

Suggested instructions on the relations which are to prevail between the Germans and members of the Allied Expeditionary Forces and Control Staffs.

(ii) Annexure II

A summary of the administrative measures which will be necessary if the policy outlined in Annexure I is followed.

(iii) Annexure III

The legal opinion of the Acting Chief of the Legal Division in this Commission about the question of prohibition of marriage to Germans referred to in the last paragraph of this Memorandum.

2. The matters covered by Annexure I are of wide application since it is desirable that, so far as possible in the Zones, and certainly in Berlin itself, the instructions issued to British, American and Russian troops and Control Staffs should conform. We would therefore suggest that, if the Committee are satisfied that there is need for some such general instructions as are set out in Appendix 'A', they should, after discussion, be forwarded in their approved form as a British draft for consideration by the European Advisory Commission.

3. The Committee will wish to know on what the suggested instructions in Annexure I are based. The instructions in their present form are a combination of the points made in a document entitled "Policy on Relations between Allied Occupying Forces and Inhabitants of Germany" which, ^{forms part of the} ~~current draft of the 'Post-Hostilities Handbook governing Policy & Procedure for The Military Occupation of Western Germany' prepared by G-3 SHAEF & intended for eventual issue by SHAEF to Army Group Commanders.~~ ^{we understand, has been issued by SHAEF to Army Group Commanders, and of certain additional points raised in the course of discussion and consideration within this Commission.}

4. It is realised that in trying to lay down a code of instructions on a topic such as this, there will almost certainly be controversial matter, but it is submitted that some general principles should be laid down and that it is highly desirable that agreement, if only in very broad terms, should be reached upon them by the three occupying Powers.

5. Annexure II dealing with the administrative measures which would flow from the principles in Annexure I, if accepted, is of internal interest only. We would emphasise that in our opinion if the policy of segregation proposed in Appendix 'A' is to be pursued over any period of time, it will be essential if the numbers and quality of the Control Services are to be maintained, for proper domestic arrangements to be made for those officers and men and civilians who are expected to remain in Germany.

Finally, we would draw attention to the question of prohibiting marriage to Germans covered in Annexure III. It would appear from the legal opinion in this Annexure that it would be perfectly possible to prevent marriage, not only between Occupying Forces personnel and Germans, but also between British civilian members of the Control Commission and Germans.

The SHAEF instruction referred to at paragraph 2 above contained such a condition at paragraph 7 (b) which read "Marriage with Germans or personnel of other enemy countries is prohibited". The final paragraph, No.10, of the same instruction reads as follows:

"The provisions of this Memorandum will apply to all personnel of the Allied Expeditionary Forces, including Army, Navy and Air Forces and all civilians under military control".

We submit the question for the guidance of the Committee, particularly in regard to civilian personnel.

ANNEXURE I

RELATIONS WITH THE GERMAN POPULATION, AND LIVING
CONDITIONS IN GERMANY OF CONTROL COMMISSION STAFFS

1. The German mental attitude during the previous occupation of Germany ranged from hatred, through friendliness, to fawning subservience. In the coming occupation, all attitudes of mind may be encountered, differing with persons and localities, and changing from time to time. However, because of this war's greater air-bombing damage and possibly ground combat with Germany, and because of the intense Nazi indoctrination, German hatred may be far deeper and more universal than in 1918. Also, the whole country will be occupied, as compared to only a small fraction in 1918.
2. It is essential for all members of the Allied forces of occupation and Control staffs in Germany to realise that not only the officers and men of the German armed forces, but also all German civilians, have been drilled to believe that 'All's fair in war' and that war never comes to an end, even during the intervals of time which we call peace. They have been taught that whatever is good for Germany is right, and that a permanent and unceasing struggle between nations for power (Macht) is a law of nature. Whilst, therefore, they regard the normal virtues of civilised life as appropriate to their relations amongst themselves, they are taught to reject the idea that laws of humanity exist, which should restrain them in their relations to other nations. If done for patriotic ends, 'killing is no murder' and every form of deceit or intimidation in their relations with non-Germans is not only permissible but meritorious.

What evidence is there that the bulk do not respect the laws of God?
3. Germans are also taught 'blind obedience' (blinder Gehorsam) to their leaders, so that they feel no responsibility for carrying out orders of extreme brutality towards their enemies. Indeed their advocates of total war have even claimed that extreme brutality towards enemies is the most merciful course in the end, since they believe it to be the quickest and least expensive way of breaking the enemy's will to resist. Hence the appalling record of massacre, torture, shooting of hostages, etc., combined with deliberate starvation of whole populations (e.g. Greek, /Polish.....

Polish, Russian) which have disgraced the German name since 1939. The fact that they have not had the opportunity to do the same to us, though they had the will, makes it even more important for us to remember what they have done to our Allies.

4. This deep-seated German attitude of mind may manifest itself in two ways. First, there may be attempts at resistance by violence. These may take the form of resistance by any German military forces not immediately under control and the occupying forces must be prepared for civil disorders, including sniping and assaults on individuals, sabotage, provoked riots, perhaps even organised raids. Hidden arms will undoubtedly be available. Secondly, there may once again be attempts by the Germans to 'organise sympathy', as they so successfully did after 1918. The German in defeat will never admit that he is only reaping what he has sown. He will explain away his aggressions as necessary reactions to 'encirclement' by his neighbours, or he will place the responsibility for the war on any shoulders but his own (probably, on this occasion after they have fallen from power, on the Nazis). He will do everything to arouse sympathy for his own economic impoverishment, resulting directly from his own war, without a thought for the miseries of poverty and undernourishment which he has mercilessly inflicted on others for the past five years. The German is as pertinacious in argument as in warmaking, and will have his 'facts' carefully marshalled and ready.

5. It follows that, however externally polite or reasonable or trustworthy German officers or civilians may appear to be during the period of occupation, it would be foolish of us to place any confidence in appearances. Because of their belief in a continuous state of war Germans distinguish sharply between a 'sham' fight - such as boxing or any other-sport - and the real thing, the incessant struggle between the nations for mastery.

At the same time, most Germans are well aware of our very different attitude and of our genuine desire for a genuine peace. They will

/certainly

certainly play up to it and try to use it to gain concessions which would make their task of preparing for the next struggle easier. There is nothing more difficult than to change one's own way of thinking and behaving. Yet, without in the least adopting German ways of thought and behaviour, it is essential that, on this occasion, we should not allow our easy good nature to be imposed upon.

*- We with
should be.*

6. The following attitude will, therefore, be adopted by all members of the Allied forces of occupation and Control staffs:-

- (a) All Germans, whether officers, ORs or civilians, will be treated with cold correctness.
- (b) No social intercourse of any kind with Germans will take place.
- (c) Strict, complete and immediate obedience must be exacted to all orders given. Excuses or evasions must be promptly punished.
- (d) For matters affecting the work of the Commission a German's 'word of honour' must not be accepted.
- (e) Whenever in the presence of Germans, all members of the Commission must insist on receiving the external courtesies due to their rank.
- (f) Any action, attitude, or remarks derogatory to an Ally must be treated as a punishable offence.
- (g) No member of the Control Commission should salute German officers, except in the course of duty, when the normal rules of international courtesy current on active service should be applied.
- (h) Guards of honour should not be paraded for German officials.
- (i) When German officers are sent for on board any Allied warship the side should not be piped.
- (j) In orders or signals, forms of politeness or requests, such as may be customary within our own services should be omitted.
- (k) There must be no hand-shaking with Germans, who will try to do so at every opportunity. Hand-shaking in Germany, and on the Continent generally, takes place much oftener than in this country.
- (l) German women should be treated with courtesy (subject of course to non-fraternisation). Such behaviour is good propoganda and will contrast with the German tendency to treat women as inferiors.
- (m) Subject to (g), (h), (i), (j) and (k) above the normal orders in force as regards inter-national courtesy on active service will

/be.....

be followed.

- (n) As part of the policy of lowering the prestige of the military leaders, German officers should not be allowed to carry swords or small dirks.
- (o) For the same reason German commanders should not carry flags on their cars, boats, etc.
- (p) The Heil Hitler salute is forbidden.
- (q) Germans holding or appointed to official positions, such as police, administrative or military positions, will be made to understand that they hold office by consent of Allied authorities, and only so long as they conform to Allied instructions and requirements.

ANNEXURE II

ADMINISTRATIVE MEASURES ARISING FROM NON-FRATERNIZATION POLICY

1. The policy of non-fraternization outlined in Annexure I will involve certain administrative measures, such as e.g.,

(a) The obtaining of separate quarters for Control Commission staffs by the use of permanent barracks, schools, and other public buildings, by requisition of hotels, private buildings and houses, or by the use of hatted or tented camps. Permanent quarters will be so located as to minimize contact with the German population.

(b) The provision, whenever possible, of church services conducted by Allied chaplains. When this is not possible, attendance at German churches will be permitted; in such cases, separate seating will be provided for the Control Commission staffs.

2. The policy of segregation from the Civilian population will be a difficult one to maintain over a period of time, involving as it does considerable sacrifice by those who are asked to carry it out. In order to mitigate it as far as possible, the greatest possible attention will be paid to the following:-

(a) Education

General educational work should be undertaken to cover subjects of general culture and military or civilian utility (arts, science, handicrafts, etc.)

(b) Recreation

(i) Recreation under control of Allied forces will be strongly encouraged. All facilities practicable will be provided.

(ii) Forms and means of such recreation may well include:-

Military competitions and shows.

Athletic sports, including tournaments.

Entertainments:

Theatres and Cinemas, the former including both professional and military amateur talent.

Restaurants, cafes, cafeterias, canteens and beer gardens.

! why?

Why? unless you should provide. This does not follow from Annex I as it is not a policy and should be there.

Reason, result in indigenous theatre, etc.

Suggest leave in indigenous hands.

/Service.....

Service clubs, with facilities for reading,
writing, games, radio, refreshments, dancing,
entertainments, etc.

Development of other forms of entertainment,
including as many bands as can be made available.

(c) Facilities.

The taking over of suitable local entertainment facilities,
wholly or partly, in accordance with the circumstances of
the case. *why?*

3. Leave

Leaves of more than 48 hours duration will normally be for destina-
tions outside Germany. In Germany itself, leave would have to be spent
at a recreation centre under Allied control and not at German establish-
ments. Leave should be on as liberal a scale as possible, at least
pending the arrival in Germany of the families of Officers and men of
the Control Commission. *why?*

4.

It must be recognised that, unless the military situation inside
Germany forbids it, there will soon be strong pressure from many sides,
to allow wives and families of members of the Control Commission to join
them in Germany. It is considered, that, more especially if it is
intended rigidly to adhere to the policy of segregation outlined above,
it should be the aim to arrange that, as soon as circumstances permit,
the Control Commission staffs should be joined by their families.

ANNEXURE III

STATEMENT BY CHIEF OF LEGAL DIVISION.

Marriage with Germans.

In my opinion the legal position is as follows:-

- (a) If a member of the British Forces in Germany enters into a marriage in the German form with a German woman according to German marriage procedure, this is a marriage which the English Courts would recognise as valid. The validity of such a marriage would not be in any way affected by the fact that such a marriage involved disobedience of an order issued by the Military Authorities.
- (b) In order to prevent members of the Forces from marrying German women:-
 - (i) The Military Commander should issue an order forbidding it.
In my opinion such an order would be a legal order under the Army Act to members of a force occupying Germany both before and after a surrender, since the order would directly relate to the performance of military duties.
 - (ii) The Military Commander should order the German Marriage authorities in his area not to allow such marriages to be solemnised before their marriage registries, etc.
- (c) Rather different considerations will affect a civilian employed in the service of the Control Commission, but the Control Commission could issue an appropriate order to the German authorities (of (b) (ii) above) and could issue directions to civilians a breach of which would justify the termination of the employment of the civilian concerned.

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