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10 Jan 45.

To: A/Chief, Legal Division.

SUBJECT: Relations with Germans.

57058

I refer to the draft paper attached to HQ/1519 (Sec) dated 19 Dec 44, and in particular to paragraph 10 thereof, which reads:-

"It is the policy of the Allies to break up the German military caste. Members of the Allied Forces will not salute any German Officer or official. No military honours or marks of respect are to be paid to them".

The policy of which this paragraph is the expression appears to be based on two assumptions viz:-

- a. That although the profession of arms is, even in the twentieth century, an honourable profession yet the behaviour of the German Armed Forces has been such as to exclude them from the brotherhood of arms and to render the German Armed Forces unworthy to receive these acts of courtesy usual between the military representatives of civilised nations and
- b. That the Germans as a people are imbued with a peculiar respect for uniforms and military ceremonial as such irrespective of who is wearing the uniform.

Without attempting to discuss the validity or otherwise of these two assumptions I submit that if they do in fact represent the basis of the policy of the Allied Governments on this question it would be desirable to clear our minds as to these implications and to apply the policy consistently throughout and not merely piecemeal. In this connection I submit the following suggestions for your consideration:-

- 1. If the Germans are imbued with this peculiar respect for uniforms surely the wearing of uniforms should be prohibited at the earliest possible moment. Once the German Armed Forces have been demobilised there can be no good reason for German Staff Officers continuing to wear uniform any more than it has been found necessary for British Officers working in the War Office to wear uniform in peace time. The prohibition of the wearing of uniform and the consequent appearance of German Officers in civilian clothing might, on the assumption set out above, have some effect in destroying the romantic appeal of the Army to the German public.
- 2. The Armed Forces are not the only people who wear uniform in Germany. Almost every type of Civil Servant wears uniform of some kind or another e.g. postal officials, railway officials and the junior functionaries in most of the Ministries. Is there any really valid reason for the wearing of uniform by any German personnel except the ordinary uniformed police?

The respective functions of e.g. railway officials and of postmen could surely be indicated by the wearing of a suitable brassard over civilian clothes. After all station masters in this country have managed to work quite efficiently in top hats and frock coats.

- 3. The same considerations which apply to uniforms also apply to medals and decorations. Is there any reason why the wearing of these should not be prohibited. This raises a further point of whether a distinction should be drawn between medals and decorations conferred in the war of 1914-18 and those conferred by the Nazi Government. It is not very clear whether the

official view is that the German Armed Forces have been outside the "brotherhood of arms" since 1914 or only since Hitler's advent. In view of the various Inter-Services goodwill missions (such as General Sir Ian Hamilton's) which took place between the two wars the former view would appear somewhat difficult to sustain. If the latter view is accepted might it not be desirable to draw a sharp distinction between those decorations which may be assumed to have been conferred for honourable fighting in the previous war and those conferred by Hitler - presumably for acts of "thuggery"?

4. There seems to be an inconsistency in the decision to require German military personnel to salute Allied Officers. Every British private soldier is told when he joins the Army that the giving of salutes to superior officers is not a sign of subservience or submission by the junior to his superior but the exercise by the junior of his privilege as a free warrior to give a military greeting to his brother in arms, however exalted. It seems curious that we should extend this privilege to the German Armed Forces whose members we have already declared to be "outside the pale". Surely it would be more logical and more calculated to produce the results aimed at if German military personnel were to be treated for all purposes as civilians and all military courtesies dispensed with? I do not suppose that Hitler would have allowed the inhabitants of a conquered country to give the so-called "German salute" to German Officers. Why should we extend such a privilege to the Germans?
5. In the same way I submit that not only should the Allies refrain from acts of military courtesy e.g. guards of honour, etc. when dealing with high German Officers but the Germans should be sternly forbidden to indulge in any such antics either among themselves or under the pretext of showing respect to the Allies. One does not hold up an honoured flag to be saluted by outcasts or accept with avidity the compliments of criminals.
6. One point which is likely to arise and to cause difficulty is the line to be taken in regard to war memorials e.g. the memorial at Munich which though originally commemorating German warriors of the past has become associated very closely with the national ceremonies of the Hitler regime. There is obvious objection to Allied personnel saluting such a memorial, yet failure to do so would surely provide first class material for anti-Allied propaganda. Even the Germans, it will be said, respected the tomb of the unknown warrior in Paris: can the Allies stoop to insult the dead?

I put forward these points for your consideration because I am doubtful whether the very far reaching implications of the decision to be taken on this question have been fully explored. Doubtless many other cases could be quoted where difficulties are likely to arise, and I think it is most important that we should all go to Germany with a very clear idea in our minds as to how we are going to react in any reasonably foreseeable circumstances and what the consequences of our actions are likely to be.

Incidentally there is the further point that you can bring a horse to the water but you cannot make him drink. If we lay it down that German Officers are to salute us what are we going to do if they fail to comply? It is idle to say that we shall then put them in prison or impose other similar sanctions. A ~~sanction~~ of this kind would run like wild fire through the German Army and we should find ourselves faced with thousands of well meaning patriots who would be prepared to go to jail rather than comply with the order. This would not only deprive us of the services of the Germans in question and give us the extremely difficult problem of housing and feeding them in prison but would surely also tend to render us rather ridiculous.

I should think that if our line is to be one of cold disapproval and reserve it would be much better to "go the whole hog" and dispense with all military ceremonial whatsoever.

RM/BRC.

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