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THE RULES OF ENGAGEMENT:
GERMAN WOMEN AND BRITISH OCCUPIERS, 1945-1949

By
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DISSERTATION

Submitted to the Faculty of Arts
In partial fulfillment of the requirements for
Doctor of Philosophy
Wilfrid Laurier University

2009

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Your file Votre référence

ISBN: 978-0-494-49972-6

Our file Notre référence

ISBN: 978-0-494-49972-6

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ABSTRACT

This dissertation is a document based administrative study of the British occupation of Germany, 1945-49, and its impact on specific areas of the lives of German women who were living in the British zone. The study examines the effect of British occupation policy on the regulation of marriage, prostitution and venereal disease, and German women's organizations. British occupation strategies were unique; although the British worked with the Americans on many levels they maintained separate policy approaches. The British brought their own social perspectives and systems to Germany and attempted to impose them on German social and civil procedures. German women were often the targets of the re-ordering of German society and were viewed and treated as the embodiment of the failure of Germany. They were widely persecuted as prostitutes and the carriers of disease for example. Thus gender roles, victory/defeat and nationality can be seen to intersect in specific and traditional ways. British women involved in the occupation also endeavoured to impose systems of traditional British gender roles through distinctive approaches to women's voluntary organizations. The traditional model of social activism of middle-class British women, such as Townswomen's Guilds, were singularly offered to German women as the proper way to exercise power within society. Despite the British effort to re-model German women in a British image, German women contested these definitions and categories in many ways. The British were forced to adapt their methods and policies in the face of this opposition.

Acknowledgements

First and foremost I need to thank my dissertation supervisor, Erich Haberer, for his wisdom, guidance and patience. His support and vision has been invaluable in the completion of this project. I also wish to thank Cindy Comacchio for her support, encouragement and guidance throughout my doctoral program and thank Gary Bruce for his efforts to improve this study. I wish to express my sincere gratitude to Maria Höhn for her guidance and comments on my dissertation.

My archival research in Germany was greatly assisted by Frau Kirsten Hoffman in Hannover whose own efforts, and those of her staff, made it possible to gain some insight into the experience of Germans living in the British zone of occupation. The staff at the British Archives in Kew, London, was also extremely helpful in locating a great many files on the occupation period.

In addition, I wish to express much gratitude to my friends and colleagues at Nipissing University and most particularly, Mark Crane, Stephen Connor and Katrina Srigley. My thanks also go to Sheri Connor for the invaluable pajama party. For ongoing support and encouragement I thank Gord Morrell, Bill Hjelholt, Patti Tuck, Wayne Donison and the numerous SGI members who sent *daimoku* from wherever they were, especially Karen Aline, Lela, Glenn, the Corbeil group and Cynthia. Thanks to Neil and Chris for being there.

This thesis is dedicated to Daisaku Ikeda, President of the *Soka Gakkai*.

ABBREVIATIONS

BE	British Element
BIB	British Interests Branch
BNA	British Nationality Act
CAO	Chief Administrative Officer
CC	Control Commission
C-in-C	Commander in Chief
ACC	Allied Control Council
A&LG	Administration and Local Government
APM	Assistant Provost Marshall
BAOR	British Army of the Rhine
CCG	Control Commission Germany
CCL	Control Council Law
CCS	Combined Chiefs of Staff
CDS	Civic Development Section
CDU	<i>Christlich-Demokratische Union</i>
COGA	Control Group for Germany and Austria
CLO	Chief Legal Officer
CO	Commanding Officer
COS	Chief of Staff
COSSAC	Chief of Staff, Supreme Allied Command
DAPM	Deputy Assistant Provost Marshall
DMS	Director of Medical Services
DP	Displaced person
DPM	Deputy Provost Marshall
DRC	Deputy Regional Commissioner
EAC	European Advisory Committee
FDP	<i>Freie Demokratische Partei</i>
FMA	Foreign Marriages Act
FO	Foreign Office
GED	German Education Department
GGD	German General Department
G-5	General Staff for Civil Affairs
HMCG	His (Her) Majesty's Consul General
HO	Home Office
HQ	Headquarters
IA&C	Internal Affairs and Communications
ISD	Internal Service Department
JCS	Joint Chiefs of Staff
K	Kreis/District
KIO	<i>Kreis</i> Inspecting Officer
KPD	<i>Kommunistische Partei Deutschlands</i>

LAD	Legal Advice and Drafting
L/R	Land/Region
LAU	Local Administration Unit
MG	Military Government
MGD	Military Government Detachment
MO	Medical Officer
NAAFI	Navy Army Air Force Institute
n.d	no date
Nds	Niedersachsen
OR	Ordinary Recruit
PAC	Prevention Ablution Center
PH	Public Health
PHB	Public Health Branch
PHO	Principal Health Officer
PHW	Public Health & Welfare
PS	Public Safety
PSO	Public Safety Officer
RB	Regional Branch
RAC	Regional Administrative Commandant
RAO	Regional Administrative Officer
RIO	Regional Intelligence Officer
RM	Reich Marks
RMP	Royal Military Police
RO	Routine Order
SHAEF	Supreme Headquarters of the Allied Expedition Force
SED	<i>Sozialistische Einheitspartei Deutschlands</i>
SO	Standing Order
SPD	<i>Sozialdemokratische Partei Deutschlands</i>
SPSO	Senior Public Safety Officer
SRO	Standing Routine Order
UNRRA	United Nations Relief and Rehabilitation Administration
WA	Women's Affairs
WO	War Office
ZECO	Zonal Executive Control Office

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Chapter 1: Introduction

In July 1945 Winston Churchill surveyed Berlin, a city referred to by one resident as “that rubble heap near Potsdam.” Churchill observed that “the passengers in his motorcade grew sick, utterly stunned by the stark display of carnage in the humbled German city.”¹

The canals were choked with bodies and refuse....From urban center to rural village, Germany looked charred and ravaged. Bomb-gutted Cologne and Nuremberg were hardly recognizable. Ninety-three percent of the houses in Dusseldorf [sic] were totally destroyed. ...In Dresden mounds of bodies had to be bulldozed into mass graves or burned on huge makeshift grills, so great was the toll and the fear of epidemic disease....An American army air corpsman flying low over the country at the end of the war could not spot streets or homes in Mannheim – only tossed dirt.” Another asked “Where do the people live?”²

These are some of the images that remain of Germany at what is often described as “the end of the war.” The assumption that the end of official military hostilities was in fact the end of the war is problematic, however, when we look at the details of the occupation period. Hostilities did not cease; they took a different form. Physical violence was frequent, access to food became political, German public and private spaces were regulated by British laws, orders and police, and the two sides stole from each other and damaged property frequently. Armies may have stopped fighting, but war on the domestic front continued for Germans, albeit in these different forms. The experience of German women in the British occupied zone between 1945 and 1949 clearly illustrates that hostility between these two groups continued, although in the immediate post-war years, it was German women who were often the focus rather than male soldiers. These

¹ Thomas Paterson, *On Every Front* (Norton & Co.: New York & London, 1992), p. 3.

² *Ibid*, p. 5.

women were blamed for the venereal disease among the troops and persecuted because of it. Many were abandoned with the children of those same troops, forbidden to marry British fathers who acknowledged their children, and were patronized by British women who believed they had defeated the patriarchy in their own country and could show German women how to do this for themselves. There were very few areas of life where German women felt that peace had returned to their lives.

Occupation policy added to the turmoil of German women's lives in significant ways both because of the manner in which it was developed and because of the underlying assumptions of gender that also informed British conceptions of "German." A significant part of British policy was developed "on the spot" due to lack of wartime planning and was influenced by relationships "on the ground," both formal and informal. As these relationships changed, so did British occupation policy. Through examining the extensive debates and discussions between various departments of the British administration and the implementation of specific measures, my thesis will make clear how traditional ideas of gender difference influenced British policy and how this policy, in turn, influenced the conditions of German women's social and economic status. This thesis is thus a document focused administrative study of specific areas of interaction between British occupiers and German women including marriage, prostitution and attempts to control venereal disease.

From the beginning of occupation planning, bodies such as the European Advisory Council (EAC) developed an occupation strategy which reflected the

idea that it would be a period of transition, opening a new path for Germany. This transition was to involve the re-education of the German people. The German police state was destroyed and, as agreed in negotiations at Potsdam, the aim of the occupation was to achieve the four main goals of disarmament, demilitarization, denazification, and democratization. It has been firmly established by historians of the Potsdam conference that disagreement among the Allies precluded agreement on what was “to be done” with the German threat to peace in Europe.³ As a result, the principles of occupation were in some respects deliberately vague in order to prolong the illusion of Allied solidarity. They were also vague because it was understood, if not officially sanctioned, that each occupier would have a different approach to “democracy” and some of the differences in the Allies’ approaches were officially and deliberately codified within the agreement. As an example, the Commanders-in-Chief “[i]n matters exclusively affecting his own zone.....shall exercise supreme authority in accordance with directives received from his own government....”⁴ The general goals developed at Potsdam as guiding principles for the occupation left significant room for each of the occupying powers to plan and carry out policy in their own way. Though planning for the post-war period began much earlier than Potsdam, these efforts did not resolve Allied differences on post-war policy. In the end, the pressures of both war and peace resulted in an incomplete planning

³ See for example, James L. Gormly, *From Potsdam to the Cold War: Big Three Diplomacy, 1945-1947* (Wilmington, Del: SR Books, 1990) and Gar Aperovitz, *Atomic Diplomacy: Hiroshima and Potsdam*, (New York: Vintage, 1967).

⁴ *Foreign Relations of the United States Diplomatic Papers (FRUS) The Conference of Berlin (The Potsdam Conference) 1945*, vol. II, p. 775.

process that had serious consequences for the occupation. These consequences are a major theme of this study.

While historical interpretation of this period has frequently focused on the establishment of the cold war with the U.S. as the central player,⁵ recent scholarship includes a larger and more realistic appraisal of the British role in the creation of cold war politics. Historians such as Anne Deighton and Ian Turner have shifted the focus of Cold War historiography to illuminating Britain's unique role in the development of post-war western policy.⁶ They suggest that the initial period of 1945-47, before the U.S. took center stage, was one during which the British agenda was equally important and influential in the unfolding of the cold war. Similarly, early work by Barbara Marshall on the German civil service makes it clear that Britain's role in the civil development of Germany was equally

⁵ For example, contemporary foreign policy makers Dean Acheson, *Present at the Creation: My Years in the State Department* (New York: Norton & Co, 1969) and George F. Kennan, *Memoirs* (London: Hutchinson & Co, 1968); 'revisionists' include Aperovitz,; Joyce Kolko and Gabriel Kolko, *The Limits of Power: The World and United States Foreign Policy, 1945-1954* (New York: Harper & Row, 1972); John Lewis Gaddis *The United States and the Origins of the Cold War* (New York: Columbia University Press, 1972); 'post-revisionists' Melvyn P. Leffler, *A Preponderance of Power: National Security, the Truman Administration and the Cold War* (Stanford, CA: Stanford University Press, 1992); Vojtech Mastny, *The Cold War and Soviet Insecurity. The Stalin Years* (New York: Oxford University Press, 1996); Arnold Offner *Another Such Victory: President Truman and the Cold War, 1945-1953* (Stanford, CA: Stanford University Press, 2002); Vladislav Zubok and Constantine Pleshakov, *Inside the Kremlin's Cold War, From Stalin to Khrushchev* (London & Cambridge: Harvard University Press, 1996); John Lewis Gaddis, *We Now Know, Rethinking Cold War History* (Oxford, New York: Oxford University Press, 1997); and the collection edited by Melvyn P. Leffler and David S. Painter, *Origins of the Cold War, An International History* (New York & London: Routledge, 1994).

⁶ Anne Deighton, *The Impossible Peace* (Clarendon Press: Oxford, 1990) and Ian Turner ed., *Reconstruction in Post-War Germany* (Berg: Oxford, New York & Munich, 1989). Also Patricia Meehan, *Strange enemy people: Germans under the British, 1945-1950* (London and Chester Springs: Peter Owen Publishers, 2001); Jeremy Noakes, Peter Wende and Jonathan Wright eds., *Britain and Germany in Europe, 1949-1990* (Oxford, New York and London: Oxford University Press, 2002).

significant.⁷ A main theme of her argument is that British long-term plans for democratization were blocked at several points, one of the main difficulties being disagreement with the U.S. on the future of German political priorities. Differences in the American and British approaches are also emphasized by F.S.V. Donnison, the official historian of the British administrative postwar organization.⁸ Marshall argues that appointing what the British considered to be politically trustworthy German administrators and giving them a great deal of power worked in favour of German traditionalism and that instead of introducing democracy at the local level the British made the German administrators more authoritarian and powerful. The British dismissed or relieved politically suspect personnel strictly on the advice of the local administrators that they had appointed. In a recent study of the American experience in Germany during this period, Rebecca Boehling has suggested that jurisdictional rivalry between the U.S. Treasury and Justice Departments on one hand and the War and State departments on the other led to problematic training and ambiguous instructions in the American Zone. She suggests that this allowed numerous local-level German administrators and the U.S. Military Government officials, who appointed and approved them, to grant priority to material reconstruction over political and social democratization. This prioritization ultimately meshed with Western concerns regarding communism and the concurrent decline in concern with Nazism. German municipalities were the first level of administrative occupation

⁷ Barbara Marshall, "British Democratisation Policy in Germany", in Turner, p. 189-214.

⁸ F. S. V. Donnison, *Civil Affairs and Military Government Central Organization and Planning* (London: Her Majesty's Stationery Office, 1966) and F. S. V. Donnison, *Civil Affairs and Military Government North-West Europe 1944-1946* (London: Her Majesty's Stationery Office, 1961).

for the allies and local German administrators argued that material recovery involved order, efficiency and an avoidance of politics. Thus, often the local administrators were in a position to effect change or retain the old political, economic and social structures.⁹

Historical interpretation of Germany's social and cultural history in this period has also been concerned almost exclusively with the American sector, since the U.S. is generally considered to have been the major cultural influence in the western occupied zones.¹⁰ There is very little available regarding the unique British contribution. That is one of the gaps that this study seeks to fill. There are indeed many areas where the British differed both in interpretation and agenda from the Americans. Each Commander-in-Chief (C-in-C) for example, was responsible for the "educational journey" of the Germans within his zone. The U.S. statement of policy regarding education was that it was to be part of a "comprehensive program for rehabilitation." The first point in the statement was "[t]he political and moral re-education of the German people will foster the reestablishment of universally valid principles of justice."¹¹ David Welch argues

⁹ Rebecca Boehling, *A Question of Priorities: Democratic Reforms and Economic Recovery in Postwar Germany* (Oxford, Providence: Berghahn Books, 1996).

¹⁰ These include Robert G. Moeller ed., *West Germany Under Construction: Politics, Society and Culture in the Adenauer Era* (Ann Arbor: University of Michigan Press, 1997); Stephen Brockmann & Frank Trommler eds., *Revisiting Zero Hour 1945: The Emergence of Postwar German Culture* (Washington D.C.: American Institute for Contemporary German Studies, 1996); Petra Goedde, *GI's and Germans, Culture, Gender and Foreign Relations, 1945-1949* (New Haven: Yale University Press, 2003); Maria Höhn, *GI's and Fräuleins, The German-American Encounter in 1950's West Germany* (Chapel Hill and London: The University of North Carolina Press, 2002); Elizabeth Heineman, *What Difference Does a Husband Make? Women and Marital Status in Nazi and Postwar Germany* (Berkeley, Los Angeles and London: University of California Press, 1999); as well as many studies of the rebirth of the German film industry, newspapers and consumerism.

¹¹ *FRUS*, vol. I, p. 485.

that “the rationale behind Britain’s policy of re-education was to change the political behaviour and social outlook of the German people by means of a fundamental restructuring of all the means of opinion and communication.” In other words, the notion of re-education was all-encompassing. It included the idea of responsible government and was to be accomplished partly through the “projection of Britain.”¹² This “projection” was no doubt contested by different groups in particular ways in Britain, but is clearly in evidence as an agreed upon idea in the official records, the organization of social space and the structures through which this education was carried out. These structures include the organization of women’s groups along lines of British upper class voluntarism, traditional hierarchies of class, and the policies developed on an ongoing basis. The intent of the British occupiers to project their own social structures as the basis of peacetime order will be repeatedly demonstrated throughout this paper.

The occupying powers had, in addition, differing policies on race and gender. Maria Höhn’s study *GI’s and Fräuleins* is a significant contribution to an understanding of their impact on the post-1945 development of West Germany. She suggests that “Americanization” rather than simply “westernization” was a measurable outcome evidenced by the interplay between gender and race. She supports this through an examination of the definition of prostitution which she contends came to signify a relationship between a black GI and a white woman. Central to this argument is her suggestion that Germans transferred their racial prejudice from Jews to blacks and that this attitude was learned from American

¹² David Welch, “*Priming the Pump of British Democracy. British ‘Re-education’ Policy in Germany after the Second World War*”, in Turner, *Reconstruction*, p. 221.

practices of segregation and judgment of those same relationships. She demonstrates through the recorded testimony of local officials that this attitude progressed from a position of greater racial tolerance across colour lines in the late 1940's to one of entrenched racial prejudice by about 1955.¹³ The issue of race is one that is notably different in the two zones. The racial attitudes of the British were predominantly informed from a history of colonialism rather than a history of slavery. Prostitution did not have the same racial overtones as it did for the Americans in this context and this will be illustrated in chapter six. Although this study will not be a comparative one, there are specific issues where the difference illustrates a point and comparison is useful. The differences between the British and the American approaches should not be over-stated; however, some areas of discussion, for example the behaviour of American and British troops or the approach to marriage regulations, demonstrate the unique British approach. This in turn adds to our understanding of the complex problems faced by German women in this period.

This study will thus focus on one area of the experiences of German women in the immediate postwar. Sexuality, prostitution and marriage were aspects of life that had a multitude of significant influences alongside the occupation. Continuities and discontinuities from the Nazi regime, discussion of links between sexual repression or licentiousness and the Holocaust are extremely complex and important topics in themselves and have been the

¹³ Maria Höhn, *GI's and Fräuleins* (Chapel Hill & London: The University of North Carolina Press), p. 14.

subject of extensive examination by Dagmar Herzog and Annette Timm.¹⁴ The complexity of defeat and consequent occupation experiences form one part of our understanding of the immediate post-war period in which the German people had to come to terms with the war's violence and its victims. Historians such as Sabine Behrenbeck remind us that it is important to ask "what period Germans perceived as the era of violence, who was seen as victims and who as perpetrators of violence."¹⁵ Behrenbeck's work seeks to answer the question of "what was the legacy of war in the German mind?"¹⁶ While these themes are not specifically addressed in what is essentially an administrative study of British occupation policies and their impact on German women, there can be no doubt that occupation with all its violence and difficulties is one of the legacies.

That the occupation was seen as connected to the war and not a time of peace is supported by a number of other historians, particularly those of women's history, who suggest a periodization of 1943-48 with 1945 being only the point at which the bombs stopped, not the point at which the war stopped.¹⁷ Behrenbeck goes so far as to argue that post-war deprivation was more traumatizing than many parts of the war had been, particularly until 1944. She points out that "[i]n the private sphere, stories of hunger, cold and privation and of the varied efforts

¹⁴ Dagmar Herzog, "Sexuality, Memory, Morality" in *History and Memory* 2005 17(1-2), and "Desperately Seeking Normality: Sex and Marriage in the Wake of the War" in *Life After Death, Approaches to a Cultural and Social History of Europe During the 1940's and 1950's* ed. Richard Bessel and Dirk Schumann, (Washington D.C. and Cambridge: The German Historical Institute and Cambridge University Press, 2003); Annette Timm "Sex with a Purpose: Prostitution, Venereal Disease, and Militarized Masculinity in the Third Reich" in *Journal of the History of Sexuality* Jan-Apr 2002, vol. 11 Issue 1/2.

¹⁵ Sabine Behrenbeck, "Between Pain and Silence: Remembering the Victims of Violence in Germany after 1949" in Bessel and Schumann, p. 39.

¹⁶ Ibid.

¹⁷ Moeller, *West Germany*; Heineman.

to procure the necessities of life were told and repeated.” Particularly in the absence of a government to create an “official” memory through official ceremonies or monuments, this memory was created through families or in other parts of the private sphere.¹⁸ In this sense, the years 1945-49 were a transition for German women who were technically not at war though certainly not at peace. “Especially in the early occupation period through 1947,” Atina Grossman notes, “much that would seem settled by the 1950’s...was still open and fluid; nothing about the postwar order was fixed.”¹⁹ This includes a social and sexual order.

This study thus engages the recent shift of historical enquiry that has moved beyond a focus on high politics and international relations in this period of Germany’s history to begin to illuminate the kinds of events that were experienced on the level of an attempt to reconstruct everyday life. In addition, these historians have examined the intersection of daily life and survival and the state/nation as it re-developed. The illumination of these intersections underscores the fluid boundaries between political, social, economic and cultural history. In a recent collection of essays, Robert Moeller reminds us that such work,

builds on the methodological approaches of women’s history, social history and cultural studies, which have combined to transform the concept of *political culture* by outlining a range of contexts outside the area of parliamentary electoral politics and formal associational life where

¹⁸ Behrenbeck, “*Between Pain and Silence*”, p. 40.

¹⁹ Atina Grossman, “*Trauma, Memory and Motherhood: Germans and Jewish Displaced Persons in Post-Nazi Germany, 1945-1949*”, in Bessel and Schumann, *Life After Death*, p. 99.

political consciousness emerges and in turn influences politics at the national level.²⁰

The development of political consciousness, therefore, takes place not only in parliament but also in dance halls, at work and in social situations where the politics of daily life, sexuality and gender are absorbed, communicated and discussed. These experiences formed part of the daily “re-education” of German people. For example, Marshall asserts that “the main point of contact between the British and the German population at large and much of the communication between them went through these official German channels.”²¹ While this seems an accurate statement with regard to the development of civil administrative structures, it is not true of all areas of civilian life. This study contends that significant contact occurred at a much less formal level and that British policy was altered as a result.

The major events that are typically highlighted in a discussion of post-war Germany with the regard to the cold War, for example the creation of a British-American economic zone (“Bizonia”) as a prelude to currency reform, the defence of Western Berlin in the airlift, and the increasing diplomatic tension between the U.S., Britain and the Soviet Union leading to the establishment of the Cold War, are noticeably absent from this study. Specific aspects of cold war events such as the creation of Bizonia, is relevant here with regard to the bureaucratic and social aspects of, for example, the reorganization of Public Health and its approach to disease and prostitution. This development is most important to this study due to the implementation of Ordinance 57 which, as part

²⁰ Moeller, *West Germany*, p. 20.

²¹ Marshall in Turner, *Reconstruction*, p. 195.

of the overall streamlining associated with Bizonia, gave German organizations and civil institutions more responsibility for their own population. This obviously changed the dynamics of the relationship between the British administration and Germans and the implication of this is discussed in more detail in chapter three.

The Cold War itself was a more prominent factor in the development of women's organizations because this part of the re-education program was instituted partly to oppose the communists. German women were seen by the British as having been very weak in their resistance to Nazism and were expected to be just as susceptible to communism. This aspect of the re-education of German women is examined most specifically in Denise Tscharntke's *Re-educating German Women*.²² The re-education of Germans by the British Military Government has been the subject of examination by other historians but these do not specifically focus on German women.²³ In general the re-education of Germans, specifically by the German Education Department was directed towards the prevention of further German aggression. However, the work of the Women's Affairs department was additionally focused on the infiltration of communist women's groups into the western zones. This will be discussed in detail in chapter seven.

British assumptions concerning German women both in terms of gender and nationality are apparent in many of their policy decisions. The regulation of

²² Denise Tscharntke, *Re-educating German Women* (Peter Lang: Frankfurt Am Main, 2003).

²³ See for example, Hans-Jurgen Apel, "Re-education: Remedial Training in Democratic Modes of Thought and Behaviour, The Re-education scheme of the British Military Government" in *History of Education* 1989, 18(3), p. 295-305; and Kurt Jurgensen, "British Occupation Policy after 1945 and the problem of 'Re-educating Germany'" in *History*, 1983, 68(223), p. 225-244; Meehan.

sexual contact between British and Germans, for example, defined “good Germans” and “good women.” German women became complex signifiers of everything that was “wrong” with Germany for the occupation administration. They became a symbol of both impaired German masculinity as well as the literal “embodiment” of Nazism. For the purposes of marriage screening, however, German women remained “ex-enemy aliens” and a security concern with respect to their Nazi past rather than a communist threat. The post-war “Fräulein” was a “much denounced and despised” figure, particularly for her “foreign affairs,” and the British had to deal with her in ways they had not anticipated.²⁴ Through an examination of the British approach to marriage policy, prostitution, venereal disease, and women’s groups, I will show that British Policy was shaped and reshaped by the interaction of British personnel and German women which in turn sheds light on specific policy changes. Chapter two will outline British policy as it existed at the outset of the occupation and also make clear the haphazard approach to some of the planning. Chapter three will illustrate how occupation policy changed in response to a multitude of factors such as the shift to German control of various social and administrative issues. It will also begin to show the place of German women in the overall approach to occupation. Additionally, it outlines the re-development of some of the relevant regulating bodies such as the police and the attention paid by the British to imposing “the projection of Britain” here too. In this manner the first chapters describe the framework on which specific policies were built.

²⁴ Behrenbeck, p.40.

Chapters four and five examine marriage policy and the ways in which it changed in response to the actions of German women and British men. Marriage was a socially and legally complex issue on every level and the policy revisions that the occupation administration felt were necessary were not easy to implement. One of the administration's main concerns, for example, centered on ensuring that those who did marry had done so legally. Since people chose to circumvent the official procedures however, this was an impossible task. These chapters will also discuss the security measures eventually put into place to ensure that British men were marrying "good" German women. Chapter six demonstrates the central ways in which those women were treated who were suspected of being prostitutes, as part of the British effort to protect their male population.

The one aspect of the occupation where German women were deliberately considered was Women's Affairs (WA) and the work of this department will be considered in chapter seven. WA and the German Education Department (GED) worked together to teach German women how to be good democratic citizens. WA officers designed programs for women's groups along the lines of socio-political institutions that middle-class British women had found to be effective for themselves. WA was hampered in these endeavours by a significant lack of resources, making their work even more difficult.

Primary source material for this kind of project is problematic for some obvious reasons. The women that are the main subject of this study did not keep diaries or write letters. Although their presence and agency can clearly be seen

and felt in British action and re-action, they seldom have a direct voice. Key German political figures were most often male, as were members of the committees that engaged the British occupation in order to re-establish civil society. Shortages of paper and time in the immediate post-war period resulted in an absence of documentation in important areas. The preservation of records during this transitional period also appears to have been a low priority. Standard Foreign Office (FO) procedures regarding dating and form were seldom followed. Nevertheless, an examination of FO documents in the chapters that follow shows that a particular style of occupation was established by the British and that that occupation did have to take German women into account. Behrenbeck notes that "[d]espite its deep impact on collective German memory, this time was not accorded recognition as an historical era in its own right."²⁵ This clearly reflects my own experience in German archives. German archivists repeatedly told me they had nothing on this period (which was untrue and they were surprised at what I found) or they said it was occupation (war) and I should go to the British archives. When I said I had already seen the British records and now wanted to research the German side, they remained skeptical but were interested. It was repeatedly assumed that when I asked questions concerning the location of post-war material I meant post-1949.

Although secondary literature on the British occupation is scant at best, the one area where such sources are relatively plentiful is in the area of the establishment, structure and development of the administrative part of the Military Government (MG) and the Control Commission for Germany (CCG)

²⁵ Behrenbeck, p. 40.

sometimes referred to as the British Element (BE). I have relied in a significant manner on this literature in the subsequent chapter as it clearly describes the structure of the occupation administration. An understanding of the initial problems faced by the occupiers and the haphazardness of the establishment of the administrative structure is essential to understanding subsequent developments. The devastation of the war confronted the British occupiers with challenges that could not be fully anticipated nor in the end properly planned. The ongoing role of German women and their relationship with the occupation in specific areas is best understood in the context of the successes and failures of British planning and operations.

Chapter 2: Planning, Structure and Operations, British-Style

Osmar White, an Australian journalist who followed Montgomery's troops into Germany, recently published memoirs of the experience, including an unrevised manuscript he wrote in 1945:

With scores of other newspapermen working in Germany after the collapse, I too received the inevitable memorandum suggesting that now this unpleasant business of killing and destroying was finished, readers would be grateful for stories emphasizing the humours, the lighter side of victory.

This in a charnel house! There was no lighter side to victory. Victory weighed even heavier on the spirit than fears during conflict.²⁶

White's observations of the early occupation and the problems facing the Military Government (MG) were insightful. He saw little jubilation among the victorious troops, particularly in Berlin where he suggested that the responsibility of victory and occupation was felt profoundly: "[T]he war was over. There was no foe left to defeat. Whatever happened was solely the responsibility of the victors."²⁷ And, while White may be overstating this slightly, the truth is that in many ways the Allies were unprepared for the completeness of their victory and the totality of their defeat of Germany. Much of the wartime planning for the postwar period was based on unrealistic assumptions and was unworkable both in terms of structural change and social regulation. Germans responded in a variety of ways to the destruction, the chaos and to the British plan for their future. German women, who were most often the targets of much of the regulation of the post-war social order, negotiated in a variety of ways with the developing

²⁶ Osmar White, *Conqueror's Road* (Cambridge: Cambridge University Press, 1996), p. 200.

²⁷ White, p. 199.

administrative structures. The peace-time order that the British envisioned involved the re-creation of civil and government structures, but also envisioned a historic patriarchal order in which women played a traditional role. This chapter will examine some of the obstacles the British faced in the planning and executing of a civil order. Subsequent chapters will portray the roles that German women were expected to have in this reconstructed world.

White reports hearing an American Major in the MG division say early in 1945 that, in his view “the Military Government is to restore and preserve order in Germany, to find and punish the guilty, to revive the moral perception of the German people, and to prevent a recurrence of German aggression.”²⁸ White comments that this was, of course, what everyone hoped would happen but it was easy to see at the time that the practical difficulties were enormous. Among the complications to which White refers was the fact that there were four military governments and that British, American, French and Russian definitions of “moral,” “order” and “guilt” were likely to be quite different. Although agreement had been reached on some issues between the Allies, there was substantial disagreement on others. Democratization was a stated priority but, as became very clear at Potsdam, although all four powers agreed in a general way on the long-term goal of “democratizing” Germany, the kind of democracy to be implemented was certainly less clear and each power had its own priorities. As Barbara Marshall has observed,

as the relations between the allies grew increasingly strained and their willingness to run Germany jointly weakened, the different zones took on

²⁸ White p. 200

separate identities, reflecting in their political, economic and administrative structures the traditions of their respective occupying powers.²⁹

The British planning for its role as an occupying power in Germany took account of Allied discussions at the conferences of Tehran and Yalta, but was developed within the corridors of Whitehall. The key administrative challenges that emerged in both the inter-allied diplomatic sphere and departmental discussions revolved around the issues of planning, organization, and policy, and need to be understood within the shifting context of bringing the war to an end and establishing some kind of peace. In this regard British policy was shaped in important ways by the relative decline of Britain both economically due to the cost of war, and politically as the United States and the Soviet Union sought to take a leading role. The British approach to occupation therefore reflected both its own unique role among the Allies and its domestic situation. The planning for the occupation was, as a result, completed within the context of wartime diplomacy but also involved internal departmental issues. The organization of the occupation required the shifting of an Allied wartime army to a British peacetime occupying force, the creation of a large civil administration and the transition of responsibility from military to civilian personnel. Policy guidelines to this effect were influenced by the Allied agreement on the goals of occupation for Germany

²⁹ Barbara Marshall, *The Origins of Post-War German Politics*, (New York: Croom Helm, 1988), introduction.

but in practice were developed by various individuals in the Foreign Office (FO) and officials of the CCG(BE).³⁰

The British proposal of an inter-allied CCG was originally accepted in 1944 by the European Advisory Committee (EAC), set up after the Tehran conference. Although there is some debate concerning the anticipated length of the occupation period for each of the Allies, it is fairly clear that the British intended it to be relatively short and that it was to become a civilian High Commission as soon as possible particularly since demilitarization and democratization were high on the agenda.³¹ The CCG(BE) was to be organized so that each department paralleled its corresponding Reich ministry and was to shadow that ministry in a supervisory capacity. This presumably had the purpose of making the restoration go more smoothly, but would also have the effect of allowing German institutions more input than might have been expected at the end of a long and devastating war. Nevertheless, the Commander-in-Chief (C-in-C) of each army was expected to be in command of his respective zones working with some vestige of a German government. An Allied Control Council (ACC) comprised of the military commanders was to be in charge from Berlin.³² There were several problems with this plan at the cessation of hostilities, the most

³⁰ Hereinafter the Control Commission for Germany in the British Zone, sometimes referred to as the British Element (BE), will be referred to as the CCG(BE) unless otherwise indicated.

³¹ F. S. V. Donnison, *Civil Affairs and Military Government Central Organization and Planning* (London: Her Majesty's Stationery Office, 1966), p. 114. It is rather remarkable that this expectation should exist: that after an "unconditional surrender" the "good" Germans could be found who would take the lead and get it right this time with only some guidance from those more experienced in democratic procedure.

³² F. S. V. Donnison, *Civil Affairs and Military Government North-West Europe 1944-1946* (London: Her Majesty's Stationery Office, 1961), p. 247.

significant being the lack of a central German government. In the event, the occupation of Germany was in fact the filling of a vacuum rather than a supervisory process as had been envisaged. As a result, many of the CCG(BE) departments were not prepared for the level of involvement that was required of them.

The CCG (BE) and the FO were, however, only part of the early planning picture. The War Office (WO) preparations began in 1943 with the establishment of four Civil Affairs departments: one at Chief of Staff, Supreme Allied Command (COSSAC), one at 21st Army Group, the General Staff for Civil Affairs (G-5), and one each at the Pentagon and the WO.³³ There were thus five separate departments with overlapping responsibilities. In January 1944, COSSAC became Supreme Headquarters Allied Expeditionary Force (SHAEF) and the efforts for the entire planning for a Military Government of Germany and Civil Affairs for Western Europe was to be coordinated by G-5.³⁴ Even with better coordination in the military there was a noticeable lack of coordination apparent in occupation planning given the differing agendas of each of the Allies. Confusion was magnified by the fact that it appears never to have been clear to the army exactly what role the CCG(BE) would have or when.

In 1944 General Kirby left the WO to begin to set up the British Element (BE) of the CCG, located at Norfolk House (Whitehall). Eventually I.A. Kirkpatrick

³³ The invasion force formed in 1943 called the 21st Army Group was the combined forces of the 2nd Army and the 1st Canadian Army. The 21st Army Group fought in Northwest Europe to the end of the war. During the invasion phase the U.S. 1st Army was attached to it but was separated in August 1944 to form the U.S. 12th Army Group with the U.S. 3rd and 9th Armies. Carl Schülze, *The British Army of the Rhine*, (London: Windrow & Greene, 1995), p. 1-3.

³⁴ Marshall, p. 5.

(later Sir Ivone) was appointed from the FO. The establishment of the CCG(BE) received very little support from either the WO or the FO and it was shunted back and forth between the two over the next five years. Both the WO and the FO wanted to have a say in policy regarding Germany but neither wanted responsibility for the large bureaucracy anticipated for administering the occupation, nor the cost of it.³⁵ The WO was clearly going to be in charge initially as it was the 21st Army Group that would be responsible for re-establishing basic services and control over the "post war" Germans, so it took charge of the CCG(BE) for that period. Other inter-departmental challenges also influenced the outcome. For example, the Treasury was reluctant to support the plan and hampered the efforts of FO officials who were responsible for the recruitment of personnel and would only agree to employ CCG(BE) employees on one-year contracts.³⁶ No one at any higher level ever clarified the mandate or forced cooperation between departments and offices. CCG was left in a position of being responsible for much of the occupation but without any status or real authority to go with it.

The CCG(BE) was to remain at Norfolk House until after the MG was officially established in Germany, which created some communication problems for the departments involved. The War Office Directorate of Civil Affairs finally decided in June 1945 that a new body, the Control Group for Germany and Austria (COGA), would be created to coordinate communication between

³⁵ Marshall, p. 14

³⁶ Note from J. B. Hynd to the Foreign Office, 19 September 1944. FO 936/389. This did not change until 1949 when at least senior officers had medium or longer term contracts. FO 1013/1392. Henceforth, unless otherwise noted all FO references can be found in the British National Archives, Kew, London.

Germany and London on issues which necessarily involved both the WO and the FO. Policy toward Germany was the prerogative of the FO and COGA was thus intended to be responsible only for the administration of CCG.³⁷ Its creation did not, however, eliminate the communications challenges. It has been suggested that the MG in the British zone felt that COGA did not represent its interests and it was by-passed in favour of the FO which was not formally responsible for it at that time. MG officials corresponded through the Political Advisor in CCG Political Division to the Foreign Secretary or FO.³⁸ It is likely that this resulted in CCG personnel often not knowing their opposite number in COGA.³⁹ This was further complicated by the decision of Prime Minister Atlee and the new Labour government to make COGA independent, the responsibility of the Duchy of Lancaster, and represented in Parliament by the WO. COGA therefore came into existence on 22 October, 1945 under John Hynd, Chancellor of the Duchy of Lancaster and Minister for Germany and Austria.⁴⁰ Marshall argues that since neither the Duchy of Lancaster nor the WO had a seat in the Cabinet and communication with the lower levels of MG went through Berlin, there were problems caused by delays and bureaucratic congestion that made communication in all directions more difficult.⁴¹ These problems no doubt influenced decisions to change the structure. By 1946, COGA, along with the rest

³⁷ For an overview of the history of COGA and the CCG see FO 936/659. 9 June, 1949, Brigadier van Cutsen, "The Control Commission in Germany: Its Origins and Development" that was available to the Foreign Office from 28 May 1947.

³⁸ Adolf M. Birke and Eva A. Mayring eds., *Britische Besatzung in Deutschland. Aktenerschliessung und Forschungsfelder* (German Historical Institute London, London 1992), p. xvi.

³⁹ Marshall, p. 16.

⁴⁰ van Cutsen, FO 936/659.

⁴¹ Marshall, p. 15.

of CCG(BE), was again under FO authority. The director at that time, Lord Pakenham, reported to the Secretary of State for Foreign Affairs. COGA was officially disbanded in April 1947 and taken into the German section of the FO.⁴² It is difficult to assess the COGA's impact in the process of planning since it was so often by-passed. It appears to have had very little ability to participate in any policy or operational decisions. Most likely, its creation was a symptom of the confusion and lack of coordination of occupation planning which was to have such consequences in the early part of the occupation.

The pattern of lack of communication and cooperation was not limited to any one area of occupation planning. For example, SHAEF published a "Basic Handbook for Military Government of Germany" in August 1944 and a "Germany Handbook" was produced in Britain in October, both with the goal of providing policy direction. The British version was substantially different and had 38 directives entitled "Germany and Austria in the post-surrender period: Policy Directives for Allied Commanders in Chief." Both of these publications were withdrawn, however, at the end of that year because of larger political issues concerning the overall plan for Germany, particularly debate concerning the Morgenthau Plan.⁴³ They were replaced with the Joint Chiefs of Staff (JCS) Directive 1067, released in April 1945, which became the main policy document on the treatment of Germany in the post-war period.⁴⁴ JCS 1067 reflected Morgenthau's punitive stance on Germany and directed the C-in-C of the US

⁴² Birke and Mayring, p. xvi.

⁴³ Donnison, *North-West Europe*, p.259. It is worth noting that the title of this document included the phrase "post-surrender" as opposed to "peace."

⁴⁴ Marshall, p. 5.

forces on the goals of occupation including the basic objective of inhibiting the German economy as well as “strongly discouraging” fraternization.⁴⁵

Policy direction was therefore clear enough for the first year of the occupation. Operational instructions to the MG were left relatively broad, with the expectation that gaps would be filled-in later. CCS Directive 551 (Combined Chiefs of Staff Directive for Military Government in Germany prior to Defeat or Surrender) of April 1944, stated:

Military Government will be established and will extend over all parts of Germany...progressively as the forces under your command capture German territory...your rights in Germany prior to unconditional surrender or German defeat will be those of an occupying power. By virtue of your position you are clothed with supreme legislative, executive and judicial authority and power in areas occupied by forces under your command ...Military Government will be effected as a general principle through indirect rule...The principal link for this indirect rule should be at the Bezirk [sic] (region) or Kreis [sic] (district) level; controls at higher levels will be inserted at your discretion.⁴⁶

This remained the main operational policy directive longer than originally anticipated since the MG was not even fully established until July 1945. The lack of specific direction in this statement was very characteristic of the tone throughout the early occupation.

The structure of the British Element (BE) of the MG was complex. The MG was devised to be headed by the four C-in-C's of each zone in an Allied Control Council (ACC), which would take decisions on matters affecting the whole of Germany. The Allied Kommandatura was similarly set up for the control of Berlin. Twelve Directorates were to be established to parallel central German

⁴⁵ *Directive to Commander-in-Chief of United States Forces of Occupation Regarding the Military Government of Germany; April 1945. FO 1060/874*

⁴⁶ Donnison, *North-West Europe*, p. 191-192.

departments and were headed by the chiefs of the zonal divisions concerned. For example, the Manpower Directorate was headed by the heads of Manpower Division from each zone.⁴⁷ This structure was additionally very inefficient. Due, in part, to the fact that the plan anticipated Germany remaining a whole unit of some sort and then was adapted on the ground as it became increasingly clear that Germany would be divided. The ACC was increasingly unable to fulfill its function as decision maker for the whole country since CCG(BE) headquarters were moved to Berlin from Lübeck in the summer of 1946.⁴⁸ The link between the ACC and the provincial or *Land* level was not always clear and the British struggled with the task of inventing and implementing one.⁴⁹

The CCG(BE) moved to Germany in stages, as planned. The first phase entailed establishing local and regional offices in the zone. The four regions became the four *Länder* of *Nord-Rhine Westfalen* (North-Rhine Westphalia), Hamburg, *Niedersachsen* (Lower Saxony), and Schleswig-Holstein. Each of the four “provinces” was controlled by an Army Corps and administered by a provincial (P) Military Government Detachment. The Military Government detachments were at Münster, Düsseldorf, Kiel and Hannover, and Corps I, VIII and XXX, were headquartered at Iserlohn, Plön, and Nienburg.⁵⁰ These offices were initially staffed by personnel drawn from G-5, the British Army of the Rhine

⁴⁷ *Control Commission for German (British Element): Inventory of records in the Public Record Office 1945-1955* ed. Adolf M. Birke, Hans Booms and Otto Merke. (K.G. Saur, 1993). Related sections of the Foreign Office Index to General Correspondence found in the Reader's Inquiry room at the British National Archives have a short institutional overview as well in its discussion of the CCG.

⁴⁸ Birke and Mayring, p. xvii.

⁴⁹ Donnison, *North-West Europe*, p. 230.

⁵⁰ Marshall, p. 19.

(BAOR), and CCG(BE) administration. Zonal Headquarters (HQ) was divided between Minden, Herford, Lübeck, and Bad Oeynhausen due to lack of housing, although the Zonal Executive Office (ZECO) was in Lübeck until 1948 when it was moved to Hamburg. It was headed by the Military Governor/Chief of Staff (COS) who was supported by the heads of Divisions for the zone. Below the provincial level were regional administrations (*Regierungsbezirke*) which began to function from June 1945, and then the district or town, *Kreis* or *Stadt-Kreis* ("K" Detachments), which began to function in July.⁵¹

The "K" detachments were expected to be the first link in the system of indirect rule.⁵² It had been anticipated that the occupation would be put into effect on a piece-by-piece basis and smaller administrative units were expected to be able to be the first to establish control in their areas. This was felt to be necessary because the system of administration was designed primarily to serve military requirements. Disruption of communications was also likely, and these units would then have no contact with higher administrative levels for periods of time.⁵³ The *Kreis* level administrative units were often comprised of only five or six people and remained under the control of local military units for several months. In day-to-day operations, they were unlikely to receive specific directives from higher levels and "it was more important for them to cooperate with local troop commanders than with the remote (and due to lack of communications

⁵¹ Birke and Mayring, p. xvii.

⁵² Van Cutsen, FO 936/659.

⁵³ Message from Control Office from Houghton to Lt. Col. Campbell, Public Relations CCG, BAOR, 8 April 1946. FO 946/1 and Donnison, *North-West Europe*, p. 192.

often inaccessible) higher Military Government echelon.”⁵⁴ As each unit established itself, the pattern became clear and was eventually more or less permanently in place.

Hannover was a center of military administration that experienced six changes in administrative units between 10 April and 22 May. Colonel Bruce, the head of the “P” (Land) Military Government in Hannover, expressed his frustration concerning the situation:

All (K) detachments are placed under command of local formations. In some cases they were further allotted to regiments...This system has, in my view, been extremely unfortunate as it has resulted in my being divorced from all detachments in this area which have been allotted to important towns. For four weeks I have had no control of the doings of the detachments in the towns of Hanover [sic], Hildesheim and Brunswick while I never had any say in the affairs of Hamlin and Göttingen.

Meantime an unknown and ever changing number of American Detachments and Military Government officers have been working at *Gemeinde* level. It has proved utterly impossible to keep track of their movements, especially as they were operating under the command of various Divisions and even lower formations.

The presence of this kaleidoscopic array of troops on the ground has rendered the reactivation of the civil administration at *Regierungsbezirk* and *Provinz* level extremely difficult. It does not help if a food official is sent out three times in a car to do a particular job and each time returns afoot despite the liberal plastering of his various vehicles with every conceivable kind of authority, both British and American.⁵⁵

In Düsseldorf, after the establishment of the *Regierungsbezirk* and *Provinz* level, most orders were given to the German administration at *Provinz* level and then copies were sent to the Detachments through MG channels. One official expressed the view that the Detachment’s work was becoming much more that of an Inspector and its central role was to see that the various directives were

⁵⁴ Marshall, p. 18-19.

⁵⁵ Marshall, p. 20.

complied with. His Detachment was divided into three departments: Administration, Public Safety and Industry. Their three main tasks were the introduction of the British system of local government, introduction of a new system under which the Germans would do their own screening and make recommendations concerning denazification, and control of industry. His opinion of the German grasp of democracy was very low at that point.

They cannot understand our idea that a council or committee is made up of a number of members who have equal status, of whom one is elected chairman so that the work can be efficiently done, but who has no more power than the others. ...They do not like the idea of collective responsibility. They definitely prefer the system of selecting the strongest man and letting him decide. However I see signs that some of them are beginning to like our system, but it will take a long time.⁵⁶

Although complete equality of committee members was not likely a reality in Britain either, there is no doubt that the British did believe they were striving for this and that they were having a difficult time convincing Germans that it was a worthy goal. The education of Germans was, however, one of the CCG(BE)'s main tasks.⁵⁷

The lack of mandate for the CCG(BE), the lack of clarity in roles and responsibilities, and the resulting rivalry between CCG(BE) and G-5 made implementation of this goal an even greater challenge. The arrival of CCG(BE) personnel, whose purpose was to take over the functions that the Army had organized from the start and carried out with some success, compounded with the creation of the ACC as well as the British Element (BE) of the higher CCG

⁵⁶ "Notes on Visit to British Zone in Germany", O.C. Harvey, 25 March 1946. FO 1049/564.

⁵⁷ Several aspects of this will be discussed in this chapter and further in chapter five.

levels in Berlin, significantly increased the tension between the two groups.⁵⁸ As early as 13 May 1945, a memo was sent from the COS, 1 Corps district to various Divisions and army personnel stating that “except in urgent circumstances the Military should initiate no action which affects CCG (BE)/Mil Gov [sic] (which includes the normal life of the German civilian) without first consulting the CCG(BE)/Mil Gov [sic] Officer concerned.”⁵⁹ This Chief also emphasized the necessity of the “closest liaison” between the two groups. His orders included instruction to report immediately the full details of any action that had been taken without the prior approval of CCG/MG.⁶⁰

The CCG(BE)’s initial task was to take control of the MG units and to transform the military field organizations to civilian units which was an enormous task on every level. The official transfer of power occurred on three levels. First, 21st Army Group became, as British Army of the Rhine, a purely military formation on 25 August 1945 and was divested of all MG functions. On 3 September the chief of Military Government affairs at 21st AG, General Templar, became Deputy Chief of Staff (Execution) at the main headquarters of the CCG(BE), responsible to Montgomery as Chief of Staff (British Zone) and in his capacity as British member in the ACC. Second, COGA took over CCG(BE) business from the WO in London. Third, the Corps Commanders, who had also acted as Military Governors of “their” areas became civilians and their Military

⁵⁸ Van Cutsen, FO 936/659.

⁵⁹ Memo from Brigadier E.B. de Fonblanque, Chief of Staff, 1 Corps District, 13 May, 1945. FO 1070/70.

⁶⁰ Ibid.

Government functions were transferred to "P" Detachments.⁶¹ This very gradual process happened as personnel became available and as each individual unit gained some degree of control over the amount of devastation in their area. Civilian specialists were added to a unit or demobilized soldiers recruited for jobs they had already been doing. Civilian Regional Commissioners did not replace the corps commanders until April 1946.⁶² This may have contributed to the extended military character of the occupation, particularly since even civilians wore uniforms, ostensibly to maintain respect from Germans.⁶³

Practical difficulties were often difficult to remedy because of the lack of resources and supplies in the zone, but also because of the dynamics of the occupation forces that were assigned to solve them. The armed forces and the CCG(BE) had different purposes in Germany and different goals for the occupation. These differing agendas, along with a variety of attitudes towards the whole endeavour, were part of the dynamic that evolved between the two groups and then affected the work of both groups with the German population. The lack of pre-war planning in this regard continued to be a problem in important areas, particularly with regard to the differing purposes in Germany for military and civilian personnel. The British Element of the CCG was developed for a particular purpose, which was at odds with military reality at many stages of the occupation. These differences manifested in a variety of ways. Early on, the military authorities reported that they were determined to establish control over the civilian members of the CCG(BE). These military authorities considered some

⁶¹ Marshall, p. 21.

⁶² van Cutsen, FO 936/659, 9 June 1949.

⁶³ Marshall, p. 21.

of the civilians to be of a “very bad type,” particularly those that had been found in bed with German women during the fraternization ban.⁶⁴ CCG(BE) proposed football and other sport matches between British and Germans in early 1946 as one tool in the process of the democratic re-education of Germans even though that kind of fraternization was prohibited by the Foreign Office. C-in-C Field Marshall Montgomery’s answer expressly prohibited his troops from playing matches with German ex-military teams. Games between civilian teams, however, were deemed to be acceptable.⁶⁵ Later in 1946 a report was filed concerning a disturbance where “glass was broken, people on the river were interfered with, and general melee went on.” British Civil Police did not “interfere” because the disturbance was caused by military personnel.⁶⁶

One of the most important initial challenges faced by the occupation authorities was the issue of developing structures and processes to provide security, promote the rebuilding of civil society in order to address the issues related to crime. On a practical level this required the efforts of a number of specific departments and sections of the MG including Public Safety (PS), Public Health (PH), Internal Affairs & Communication (IA&C), and the various departments into which they evolved. Several departments overlapped both with each other and with parallel German agencies. For example, the roles of the

⁶⁴ Letter to Sir Alfred Brown, Legal Division, London, from Major Woodhouse, Legal Division, Lübbecke, 14 October 1945, FO 937/6.

⁶⁵ Memo from Foreign Office, Norfolk House, London to Control Commission for Germany (BE) [sic], HQ [sic] Lübbecke [sic]. This is the Anglicized spelling of *Lübeck*. I have consistently observed the British spelling in the footnotes.] 11 January 1946. FO 371/55626.

⁶⁶ Report for June from L. Moiser, British Civil Police, Hansestadt Hamburg, HQ Mil Gov [sic], 5 June 1946. FO 1014/50.

Military Police, British civil police and the re-established German civil police were not always clear. As I suggested, some of this lack of planning was due to lack of coordination and will to get the job done. A great deal of the chaos of the immediate post-hostilities situation, however, was due to the inability to anticipate the scope of destruction and starvation, as well as the lack of resources to deal with the situation.

Occupation planners had, for example, assumed that there would be a functioning German police force of some sort that, when quickly reorganized, would be active in fighting crime among the German population. Again, the actual situation required a much different approach since, much like the German government, the police force had virtually disappeared. There were no German police at all in many towns and the initial task was far greater than expected. Significantly, this left the British in the unusual situation of creating a police force before the German state was re-created and the German police therefore had to be responsible to the occupation authority. The original plan anticipated that, since the surviving force had been completely subservient to the Nazis, the Public Safety (PS) officials were to control the existing police force at different stages through its reorganization. The German police force was to be decentralized immediately and its control given to the local authorities, who were to be immediately democratized by other military government departments. The police were to form a civil force rather than a quasi-military one, disarmed and without any judicial function. It was assumed that the German police could quickly learn to function on the British model once the Nazi police state was

destroyed. This was an important assumption since both the military police and the counter-intelligence departments were also going to need a functioning civil police.⁶⁷ The creation of a police force in the British image was a central factor in the reconstruction of German civil society. British notions of law and order and how they should be imposed on a population is evident in the whole process by which this force was created. Teaching the Germans meant guiding them in implementing a democratic police force, a democratically run court system and a rehabilitation system based on a British model. Not surprisingly the German response was to both cooperate and negotiate for position in ways the British were often sympathetic with.

One of the first tasks of PS, then, was to set up a police training school. According to Donnison this “caused difficulties which can hardly be properly described.”⁶⁸ There was no housing for students or teachers, no uniforms, food, paper or textbooks and no money to pay the graduates. New recruits wore armbands and those who had the old green uniforms wore them until the British insisted on replacing them with blue ones at the end of 1945. The lack of a police personnel resulted in PS having to take a much stronger role, and also in an increased need for PS officers, which, in the general atmosphere of shortages of all kinds including personnel, resulted in some less than ideal situations. For example, Marshall relates the case of Police Constable Winterbotham who had previously been responsible for traffic offences in Cambridge and was hardly

⁶⁷ “Military Government Instruction on the Re-organization of the German Police System in the British Zone”, p. 5, FO 1013/130.

⁶⁸ Donnison, *North-West Europe*, p. 279.

prepared for the conditions of post war Germany.⁶⁹ This in turn led to some peculiarly British stories of heroism. For example,

...a mob of Russian displaced persons had murdered a farmer near Soltau and wanted to make further trouble. A Military Government Public Safety Officer arrived – in peace-time a London policeman. He pulled out his notebook and began “What’s all this, we can’t ‘ave this ‘ere...” It needed no more to restore the situation.⁷⁰

Another Public Safety Officer who was working in a prison wrote:

We were, of course, frequently dug out of our beds because the prison was being attacked to release prisoners, but fortunately they always used to disappear on our approach. In one case about fifty “green” partisans were besieged by about 100 “red” ones with much firing and explosion of the little red devil egg bombs. A British policeman walked in armed only with an ash walking stick and stopped them and sent them home – much, I may add, on his reflection, to his utter astonishment and relief.⁷¹

These stories represent an almost imperial and certainly paternalistic view suggesting that all that was needed was someone in authority to give firm direction and set this example for the backward Russians and Germans, including the German police force, which continued to want to use other and inferior methods.

It was clear that the British democratic tradition included a civil and locally controlled police force in which members understood themselves to be public servants. It has been suggested by at least one historian of the German police in the post-war years, however, that despite the best efforts of PS, the German police system was not completely reformed. The “Instruction on the Re-

⁶⁹ Marshall, p. 37. This situation was repeated in many instances according to Brigadier van Cutsen. He suggests that this was the result of requiring many more people than originally anticipated for the administration of the CCG. FO 936/659.

⁷⁰ Donnison, *North-West Europe*, p. 281.

⁷¹ *Ibid*, p. 280.

Organization of the German Police” did limit the concept of police work to crime prevention and the guaranteeing of order and public safety but a lasting agreement on the form policing would take was not built in the long run despite this reform. Although the central hierarchy of the police was changed and its duties passed to local institutions, the force itself was not looked at any differently by the German public, or the police themselves, who still expected it to have the same responsibility it had held previously.⁷² This reform process was, however, taken quite seriously by the British. The “Military Government Instruction on the Reorganization of the German Police System in the British Zone”, released in September 1945, was a significant part of it.⁷³ It was distributed to both “L” and “R” MG detachments as they were expected to oversee the implementation. The aim was to completely change the German police system in both structure and character including,

new conditions of service, providing a professional civil career on a long term basis to young men with the right personal and educational qualifications, with opportunities of promotion from the lowest to the highest ranks, and reasonably generous scales of pay and pensions.⁷⁴

Structural change was to begin with the replacement of the Nazi command hierarchy, the demilitarization and disarmament of the force, the “complete removal from the police of all judicial and legislative functions,” and the “introduction of proper safeguards against unlawful arrests and detention.” It was explicitly stated that these would be developed “on the lines of the larger city and

⁷² “Der Ordnung verpflichtet...”, Die hannoversche Polizei zwischen 1918 und 1955. Kerstin Rahn und Astrid Köhler. Historisches Museum der Stadt Hannover, 2003.

⁷³ “Military Government Instruction on the Re-organisation of the German Police System in the British Zone”, FO 1013/130, p. 5.

⁷⁴ Ibid.

borough police forces in the United Kingdom.”⁷⁵ Interestingly, this included details of police uniforms such as cape, mackintosh, gloves, driving gauntlets, belts, whistles and lamps.⁷⁶ Specific technical instruction was distributed detailing the expected method of cooperation between forces, record keeping, collection of evidence and the submission of it to Regional and Zonal records bureaux.⁷⁷ Instructions on daily operations included temporary solutions for some of the specific problems police faced at that point in time. For example, there was a lack of judicial facilities in some areas and the police were allowed to retain some part of their judicial authority although this was restricted to traffic offences only and for as short a period of time as possible. It was also decided that parts of the force in the British zone had to be temporarily armed due to problems concerning displaced persons (DP's) in some locations although these weapons were stored by British units and not at German police stations.⁷⁸ While these emergency use weapons were welcomed, the German Police officers felt that this was of no assistance to them in the course of normal duty where they were routinely confronted by armed men and unable to respond to the situation.⁷⁹ Administrative concerns included fears that the *Oberpräsidenten* in some areas continued to exercise a stronger role than the British felt desirable. They consequently re-issued instructions reiterating the entirely new role they envisioned for this

⁷⁵ Ibid, p. 6.

⁷⁶ Ibid, p. 23.

⁷⁷ *Niedersachsen Staastarchiv* (Nds), Technical Instruction on the Re-organization of the German Kriminal Polizei in the British Zone, no date. Nds. 100 Acc 57/89 Nr. 11. Henceforth unless otherwise noted all “Nds” references are from *Niedersachsen Staastarchiv*.

⁷⁸ Ibid., p. 5.

⁷⁹ Report of Major J. Timmerman, S.O.I. on Kripo Leitstelle Hannover to Public Safety, Niedersachsen, July 1945. FO 1050/315.

position. In the new democratic German police force, the *Oberpräsident* was to have no authority to issue instructions either to the Chief of Police or to any local police authorities. All orders to police forces were transmitted through Land/Region (L/R) and Kreis/District (K) levels to police headquarters and would not be passed through the *Oberpräsident*.⁸⁰

A number of circumstances influenced a reassessment of the approach to occupation in 1946. At the highest level it was recognized that initiatives such as JCS 1067 had made the situation economically distressing for Germans at a time when the Western powers did not want to be pushing Germany towards either communism or any other form of totalitarian government. The confluence of the Soviet refusal to transport goods across zonal boundaries and the Marshall Plan meant that the British and U.S. boundaries needed to be as open as possible, at least for economic purposes. This fusion of the two zones into Bizonia was a complex process and there were any number of reasons for it. It was meant to solve certain economic problems, which it did, and at the same time it highlighted other difficulties. For example, it was soon discovered that although the two groups had started out with the same MG structure, there were now a number of what were seen as significant differences.

A tour of the U.S. zone was undertaken in July 1946 by four key figures in the BE of the MG, including Major General Balfour and Brigadier Robinson. They reported that the Regional Branch (RB) Detachments had been withdrawn in the American zone and the Regional offices dealt directly with the *Kreise*.

⁸⁰ Functions of the *Oberpräsident* in regard to police, letter to the *Oberpräsident*, Hannover province, 3 April 1946, Nds. 100 Acc 57/89, Nr. 11.

Furthermore, the *Kreise* ("K" Detachments) were, in the British opinion, largely there for liaison purposes with the Army and for intelligence duties. Balfour reported that "Its [the *Kreis*'s] proper Military Government functions are secondary and their fulfillment depends on the personality and interests of the individual concerned."⁸¹ The Americans set up what were in effect three *Länder* that operated independently with no coordinating machinery for the zone. There was no Zonal HQ and the *Länderrat* coordinated all matters of German Civil Administration. It was responsible to the *Länder* collectively and its decisions had to be accepted by the *Land* governments for implementation. When zonal issues such as railways or crime arose, the Americans created directorates to deal with them. The advantage of this method, as the British were well aware, was that it needed far fewer MG staff. Comparative figures for personnel engaged in economic matters show the British staff was many times greater. Personnel levels in the three American *Länder* were 82, 53 and 48. British personnel at the five Regional HQ's were 205, 138, 394, 369 and 320.⁸²

There were, therefore, some obvious difficulties in the combining of the two systems. Since each Land in the US zone had its own German controlled Ministry of Economics and Ministry of Transportation, the Americans themselves did not have as clear a picture of ground operations. In addition, each Minister of Economics had slightly different constitutional criteria to work with since these had been set up differently by each *Land* government. There were no US

⁸¹ Report from Zonal Executive Offices, Control Commission for Germany (BE), Lübbecke, BAOR to Deputy Military Governor, HQ, Control Commission for Germany (BE), Berlin, BAOR, 7 August 1946. FO 1014/40.

⁸² Ibid, Appendix 'A'.

personnel below *Land* HQ for any economic division functions. This meant that the combining could not be done locally, which was what the British preferred. On the local level, the lack of what the British called “supervision” meant that US intelligence sources were responsible for reporting any misuse or misallocation of resources. All production data and inventory information was gathered by Germans and then reported to US economic staff as were details regarding production planning, factory inspections and price controls.⁸³ On the one hand, it was a challenge to blend the two systems. On the other, cost reduction for the British was extremely important. Thus divesting themselves of many of their perceived responsibilities through this process, Ordinance 57 allowed them to blend with the Americans and reduce their costs, both of which were popular initiatives.

These two initiatives by the occupation authority significantly changed the dynamics in the zone, as many German agencies took on greater responsibility for their own population, paralleling the revamped occupation plan for German self-sufficiency early in 1947. Ordinance 57 came into effect on January 1 and devolved onto Germans “the maximum of responsibility for managing their own affairs” and the MG was to “intervene only to the extent necessary to ensure the purposes of our occupation”. For example, the CCG(BE) insisted that the German police force be responsible for the “suppression of riots, maintenance of law and order and protection of life and property” and the military should be

⁸³ Ibid.

called on for assistance only when the situation had gone beyond their control.⁸⁴ Thus the maintenance of public peace had passed from the MG to the *Land* government along with many other specific responsibilities.⁸⁵

The maintenance of public peace, however, raised questions concerning the reliability of the German police force. Occupation authorities were aware of course of widespread criticism and were relieved that police had performed their duties very well during an attack on coal trains in Hannover by large crowds.⁸⁶ However, the Deputy Inspector General of *Niedersachsen* doubted they could be relied upon in the event of a widespread movement. In his view PS had previously been in a position to threaten the employment security of individual officers but since the implementation of Ordinance 57 along with “anti-Occupying” and “pro-German” demonstrations, he felt the police might be reluctant to take action.⁸⁷ This put the British in the position of having to decide what to do with the force they had created in the continued absence of a working German state. In the opinion of the Inspector General, about half of the force were young men who had been recruited by PS and trained in British methods, but were inexperienced and required a good deal of supervision and guidance. His concern with the reliability of the force stemmed from the dissatisfaction expressed by the officers themselves regarding shortages of winter clothing, food

⁸⁴ Letter from General G.W.E.J. Erskine to Headquarters, Control Commission for Germany (BE), Berlin. 21 August 1946. FO 1010/77.

⁸⁵ From Public Safety Branch, HQ Mil Gov [sic], Land Niedersachsen to Regional Government Officer., 16 May 1947. FO 1010/77.

⁸⁶ Minute, S.O.I., A.1 Section, to The Inspector General, 13 January 1947. FO 1050/254.

⁸⁷ Letter from the Deputy Inspector General, Public Safety Branch, HQ Military Government, Land Niedersachsen. To the Inspector General, Public Safety Branch, I. A. & C. Division, Z.E.C.O., 62 HQ CCG, Bünde, BAOR, 14 January 1947. FO 1050/254.

and housing. He argued that arrangements needed to be made to ensure that police continued to receive “heavy workers” rations, that efforts be made to provide them with better clothing and that support for their efforts be maintained. At that time there were about 40,000 German police in the zone. It was a goal of the CCG(BE) to reduce numbers of Public Safety (PS) officers from 750 to 600 by April 1947 and supervision of police was expected to be an issue.⁸⁸ Many PS officers expressed their criticism of this option to the Military Governor, arguing that their position was weak already given that they had lost contact with the local position since their withdrawal from *Kreis* level and the standard in Germans courts had not yet improved to a satisfactory level.⁸⁹

Feedback from local forces in early 1947 was not altogether positive. PS officers reported they received regular complaints from individual police. Although issued with heavy workers rations, many did not receive them. Morale was reportedly very low due to lack of fuel and clothing, but particularly food.⁹⁰ Several letters and reports were received from police chiefs regarding these shortages. The situation received a good deal of attention due to fears of the collapse of the force if better rations were not received. Since crime was generally increasing in 1947, this was of particular concern. By June, it was considered imperative that something be done to improve the living conditions of

⁸⁸ Letter from the Inspector General, Public Safety Branch, I.A.&C. Division, Z.E.C.O., Bünde, 62 HQ CCG, BAOR to Secretariat, Z.E.C.O., C.C.G., Lübbecke, 60 HQ, BAOR, 20 January 1947. FO 1050/254.

⁸⁹ Notes on a visit by the Deputy Military Governor to RB HQ's, Arnsberg and Cologne, 9/10 September 1946. Sent from Secretariat, Headquarters, CCG(BE), Berlin to H.Q. Military Government, North-Rhine Westphalia Region, Düsseldorf, 19 October 1946. FO 1014/40.

⁹⁰ Memo from the Deputy Inspector General, Public Safety, Düsseldorf to the Regional Commissioner, Land North-Rhine Westphalia. 28 April 1947. FO 1050/254.

the police. Pay, conditions of service, uniforms and housing were all found to be unsatisfactory and were felt to be factors in the continued loyalty and reliability of the police. It was also suggested that the police officers as individuals required some degree of financial independence to ensure their immunization against corruption.⁹¹ One positive action was an instruction that women police officers be paid at the same rate as men.⁹² The situation was considered so desperate that the C-in-C, Sir Sholto Douglas, instructed the British Joint Chairman at the Bipartite Control Office to issue instructions to the Economic Council to authorize *Land* governments to meet the clothing requirements of the police units.⁹³

The degree to which the police should be privileged in terms of clothing and food, however, was not simply for the British to dictate, particularly since the passing of Ordinance 57. The amount of clothing issued to police was an entirely German matter and the *Land* governments were responsible to the whole population. They were not anxious to prioritize the police. In addition, the U.S. authorities would not back the British on this issue since in their own zone, the condition of clothing, rations, transport and housing was satisfactory.⁹⁴ Reports as late as January 1948 detailed continuing concerns on the part of German police regarding these resources. North-Rhine Westphalia reported that their police were “very shabbily and poorly clothed”; Hamburg reported that pay was a “very sore point”, and in Niedersachsen, two men were off duty until clothing

⁹¹ Inspector General, Public Safety, Bünde, to Lt. General Sir Brian Robertson, 5 July 1947. FO 1050/254.

⁹² Ibid. Appendix ‘A’.

⁹³ Inspector General, Public Safety, Bünde to All HQ’s, 14 November 1947. FO 1050/254.

⁹⁴ Minutes of meeting of RECO, Berlin, 17 November 1947. FO 1050/254.

could be obtained for them. Some officers had only one uniform and no civilian clothing; others were living in cellars with their families. Although a good deal of the population was in the same situation, many workers in other categories received some payment in kind from employers, which made their situations relatively better.⁹⁵ In April reports were requested from each *Land* regarding lack of supplies. Where Niedersachsen had requested 10,500 shirts, they had received none and had only received 2,760 of the required 7,500 overcoats for their force of 10,967 officers. This had resulted in a situation where a number of people were off duty due to lack of uniforms. It was also noted that many officers performed their duties without socks since only 375 of the requested 31,000 had been received.⁹⁶ The statistics from other *Länder* reflected the same situation. This was of particular concern since a report from the Public Opinion Research Office at Bielefeld stated that the public had noted that the feet and legs of a large number of police in the zone were in bad condition and neither group needed the bad press.⁹⁷

Ordinance 57 also affected the court system. The *Amtsgericht* and *Landsgericht* had been reopened in Hannover on 1 June, 1945 but the British were not convinced that the courts operated democratically or that they could handle political issues.⁹⁸ However, the MG courts were already overloaded and

⁹⁵ Report from Secretariat, Public Safety Branch, on Police Morale, Reliability and Efficiency, 30 January, 1948. FO 1050/254.

⁹⁶ Report from Public Safety Branch, ZECO, 62 HQ CCG(BE), Bünde to Deputy Chief of Staff, 60 HQ CCG(BE), Lübbecke, BAOR 1, 1 April 1948. FO 1050/254.

⁹⁷ Letter from Land Public Safety Department, HQ Land North-Rhine Westphalia, Düsseldorf 714 HQ CCG(BE), to Ministry of Interior, Land North-Rhine Westphalia, 6 April 1948. FO 1050/254.

⁹⁸ Donnison, *North-West Europe*, p. 390.

the German courts were required to hear civil matters between Germans. As will be discussed further in chapters three and six, Germans were not able to bring suits of any sort against British subjects. Interestingly, in January 1946 German courts were able to hear cases which involved an offence against an MG enactment and to pass judgment on the German individual concerned.⁹⁹ By December 1946 the occupation and Germany's recovery had evolved to a point where it was sensible for the CCG(BE) courts to take over some civil jurisdiction from the MG courts. The bulk of these were traffic accidents where a German was at fault and a CCG(BE) vehicle damaged. In taking over these cases from the MG, the cost of damages was also shifted from German public funds as a cost of occupation to individual Germans. The CCG(BE) did not want these cases to be heard in German courts.¹⁰⁰

MG courts continued to hear cases involving any war department property, some of which were petty or even trivial. A case against one man who was arrested in Berlin for possession of Allied property, in this case cigarettes, was dismissed when the judge determined that he had obtained them from an Allied soldier in return for a watch. A woman who stole property belonging to Allied forces received a suspended sentence when it was discovered that she stole candy, biscuits and a tin of tobacco from a Sergeant's room:

She had been to a dance with him the previous evening and she left a bracelet at his billet. She went back next day to get it. The accused had no previous record and was stated to be of good reputation and that she had

⁹⁹ Military Governor-General, British Zone of control, Ordinance No. 20, Jurisdiction of German Courts in respect of offences against Military Government Enactments, January 1946. FO 937/107.

¹⁰⁰ Memo from LAD Branch, Bad Oeynhausen to Legal Division, Lübbecke. (no signature), 23 May 1947. FO 937/73.

given in to a momentary temptation. The judge decided that a suspended sentence was the best way to deal with the matter. He probably took into account the circumstances of friendship between the soldier and the accused.¹⁰¹

On 31 May 1946, four cases were heard at Charlottenburg. Two people were fined and two cases dismissed. Concerning "Case No. 3" the report stated that;

Prosecution asked this case to be withdrawn as the man was mental. He was said to have stated that he was Canadian Officer but from his appearance in the dock by no possible stretch of imagination could one believe him capable of deceiving anybody.¹⁰²

"Case no. 4" was reported to have been "...completely trivial". This was a twenty-one year old who was charged with "wrongful possession of part of an Allied uniform". The judge stated that he "examined the garments which had been 'acquired' during the war from a POW camp by the accused's [sic] father. They were of Allied origin but in a very sorry state."¹⁰³ On June 19 in Intermediate Court more serious charges were heard such as unlawful possession of firearms, stealing petrol and theft of gold coins.¹⁰⁴

By 1947 CCG(BE) civilians massively outnumbered military personnel making the job of the civil police that much more significant. In Lübeck in May there were 801 CCG(BE) personnel and 147 military. This appears to have been typical of other towns in the area: Minden, 1028 and 85; Bünde, 486 and 13; and Herford, 1377 and 166.¹⁰⁵ A discipline and morale report to HQ Land North-Rhine

¹⁰¹ List of cases heard at Berlin on 11 May 1946. FO 1012/464.

¹⁰² Ibid.

¹⁰³ List of Cases heard at Charlottenburg on 31 May 1946. FO 1012/464.

¹⁰⁴ List of cases heard at Intermediate Court on 19 June 1946. FO 1012/464.

¹⁰⁵ RB Crime progress reports to ZECO, 65 HQ, CCG(BE), Lübbecke, 3 May 1947. FO 1050/210.

Westphalia in September comments on relations between all grades of CCG(BE) with other Services and Allied forces and confirms that some friction stemmed from the differing perspectives of the two groups. Senior Army officers for example were concerned with “occupying the spare time of their young officers and men by encouraging games and sports in order to keep them away from the Germans”, whereas the main work of CCG(BE) was focused on the Germans. Changes in personnel in 1946 and 1947 had further exacerbated the situation including the elimination of officers from the MG who had been serving longest and their replacement with “raw young officers and recruits who are not really interested in their own service”, many of whom did not speak German.¹⁰⁶

There were, of course, areas where military and civilian personnel worked well together and understood each other’s position. A memo from the Commander Second British Infantry Division requests that CCG(BE) personnel indicate the need for whatever activities are necessary since “the re-education of Germans is sponsored by the CCG who are the experts on the subject.” The army’s resources in that area could be utilized, necessary contacts could be arranged and co-operation effected in the planning and execution if required or desired.¹⁰⁷ Many of the difficulties experienced by CCG(BE) employees no doubt affected their attitude as well. For example, some were employed in Germany without a contract and others who were on contract still had no job security which resulted in many employees not knowing whether or not they would still be in

¹⁰⁶ Discipline and Morale Report from HQ RB [sic] Munster to HQ [sic] Land North-Rhine Westphalia, 15 September 1947. FO 1013/1381.

¹⁰⁷ Memo from the Commander, 2nd British Infantry Division, to the Deputy Regional Commissioner, 15 July 1948. FO 1014/26.

Germany in six months' time. In addition, CCG employees with families reportedly had a very difficult time with the cost of living and acquiring enough food and clothing since they were not adequately supplied by CCG(BE).¹⁰⁸

Reports concerning relations between the two groups note the differing agendas through 1948. The CCG(BE)'s stated aim in Germany was to develop a "sincere and lasting belief in the value of a democratic and Christian way of life" and that this is taken to be Britain's aim in Germany. The CCG(BE) requested the services take a stronger role with regard to German youth and participate in Anglo-German discussion groups. These discussion groups were felt to be particularly useful method of educating Germans in the "principles and values of democracy" and were considered "an excellent medium through which to learn how the German reacts, and how his mind works." Since the army's role in Germany was to manage rather than understand Germans, military personnel were less than enthusiastic and declined to meet more often with CCG(BE) to talk about gaps in their understanding of each other's difficulties. There is also some evidence that salaries were higher in the CCG(BE) for comparable positions and that they had more vehicles at their disposal.¹⁰⁹

Two opposing positions taken up within the CCG(BE), however, resulted in differences of opinion concerning how to implement existing policy and the attitude that should be taken. Amongst CCG(BE) Commanders there was an amazing array of opinions and observations represented in statements in the

¹⁰⁸ Discipline and Morale Reports from Munster and RB [sic] Cologne, 15 September 1947. FO 1013/1381.

¹⁰⁹ Discipline and Morale Report, HQ Land North-Rhine Westphalia, Düsseldorf, to Offices of CAO, HQ CCG(BE), Berlin, 5 May 1948. FO 1013/1383.

September 1947 morale report. The commander in Düsseldorf commented that while some families clearly felt very bitterly towards Germans, others were working hard to provide clothing for refugees, including Germans. RB Arnsberg reported that the attitude towards Germans was “tolerant or correct”. The commander of RB Aachen stated that he did not think that the attitude towards Germans had been all that it should be, with certain exceptions. He felt there had been an “insufficient attempt to mix on social grounds” and that while efforts were being made to remedy the situation, “with such a small British Community and the almost insuperable difficulty of private entertaining it is far from easy to attain satisfactory results.”¹¹⁰ In contrast, an opinion from headquarters in North-Rhine Westphalia suggested that while it was important to be friendly and sympathetic, a “certain dignity” should be maintained, “undue familiarity” should be checked, and “lack of respect which is not normally permitted in German circles and which is quickly taken advantage of” should be avoided.¹¹¹

These differences and issues continued to resound throughout the CCG(BE) for a noticeably long time. For example, as late as May 1948 the Military Governor issued a statement “reaffirming” existing policy and expected practice in relationships between CCG(BE) employees and Germans. The Governor took the position that it was necessary for Germany to “join the Western democracies in a common effort for the reconstruction and rehabilitation of Europe” and to that end should develop its own self-governing institutions as soon as possible, an opinion no doubt reflecting wider cold war concerns.

¹¹⁰ Discipline and Morale Report from RB Aachen, 15 September 1947. FO 1013/1381.

¹¹¹ Discipline and Morale Report from HQ Land North Rhine/Westphalia [sic], 15 September 1947. FO 1013/1381.

Furthermore, the Governor suggested this would also “encourage the rebirth of self-respect among the German people.” Relations between British and Germans were expected to reflect this policy and CCG(BE) employees should “behave toward the German as the people of one christain [sic] and civilized race to another” particularly because the interests of the two countries were seen to converge in many ways. The behaviour of CCG(BE) employees was expected to be beyond reproach so that German respect “for our own race and our own ways” could be solidified. The order included a suggestion that it should be published widely, but to begin with was circulated within each *Land* by the respective Regional Commissioners.¹¹² One respondent doubted that this statement would be well received by Germans and recommended against simply handing it to the German press since, in his opinion it would be taken as “sanctimonious and patronizing” in tone. In addition, the writer stated that “it is somewhat late to stress that our attitude...should be that of a christain [sic] and civilized people” and it will be difficult to “carry this intention into effect without exciting resentment and ridicule.”¹¹³

In July 1948 a “final” report on relations between BAOR and Germans was prepared by Liaison Officer, Lt. Col. Clegg, after a tour of the zone and included some recommendations for change. The Senior Control Officer of the Governmental Group HQ Hamburg agreed with Clegg’s major recommendation that the Army needed to be re-educated before it could re-educate the Germans. The Army’s objectives were understandably different from the CCG(BE), but this

¹¹² Routine Order of the Military Governor, ZECO, Lübbecke. To All RAO’s, 20 May 1948. FO 1014/26

¹¹³ Letter to the Regional Commissioner, June 1948. FO 1014/26

made it very difficult to achieve the desired goal. He stated that those who “have talked to the Units also know how little even Field Officers know of our aims and activities and how apathetic the troops are towards them.”¹¹⁴ The Deputy Regional Commissioner underlined the need for a non-patronizing tone in British-German relations at ground level and objected to the use of the term “re-education,” in part because Germans resented it. His aim was to eliminate “the view that in all spheres we can instruct the poor benighted Germans [and the] tendency to consider them as uncivilized Africans.” He did, however, want to make clear what he believed should be done; “We must meet them and exchange ideas (by all means let us think that ours are better) and to give them help in re-establishing normality, but we must not patronize.”¹¹⁵ Suggestions for the education of Germans continued to emphasize individual contact within a proscribed range of behaviour including the suggestion that officers should invite Germans of a similar rank to the cinema, issue formal invitations to messes or married quarters, depending on the availability of food, or join German sporting or cultural clubs in some circumstances.¹¹⁶

These differences in opinion concerning the correct attitude towards Germans resulted from the lack of a clear mandate for the CCG at the start of the occupation as were the differences in approach between CCG and the military components of the occupation machinery. The lack of mandate resulting from a lack of clear planning produced structural confusion and even rivalry between

¹¹⁴ Senior Control Officer, Governmental Group, HQ Hansestadt Hamburg to Regional Commissioner. 3 July 1948. FO 1014/26.

¹¹⁵ Deputy Regional commissioner to Senior Control Officer, HQ Hansestadt Hamburg, 14 July 1948. FO 1014/26.

¹¹⁶ Ibid, Appendix.

military and CCG approaches to the various problems. The lack of planning in this regard coupled with the layers of CCG bureaucracy that developed during the post-surrender period resulted in an even greater communication gap. As well as struggling within itself, this bureaucracy struggled with its approach to Germans, and particularly German women, as did many of the civil agencies that it brought into being such as the police and social welfare. These agencies had to develop strategies for controlling the population as part of the goal of imposing order and developing a civil society. In the next six chapters, this study will show how the operation of these various agencies of occupation authority dealt with the defeated Germans and specifically German women as they struggled to carry out these objectives.

In addition, many of the original objectives of the occupation that did not work and had to be adapted due to unforeseen circumstances, such as the amount of destruction or the relative poverty of Britain in the immediate post-war period. Some of the changes or adaptations occurred as British occupiers and German civilians negotiated with each other on various levels and in many different ways to create the envisioned democratic civil society. Germans became something other than “A Strange Enemy People”¹¹⁷ to the British as contact increased and agencies worked together to try to improve daily life. Contact between the two peoples became increasingly important in the absence of a German state; rather than the anticipated military occupation of a defeated state it became an occupation of a defeated people.

¹¹⁷ Meehan.

Social contact between the two groups was officially intended and expected to be minimal at the outset of the occupation period, but the reality of having an army and a male-dominated civil administration in Germany forced changes in the MG and CCG(BE) rules and expectations at all levels by the end of 1945. The rules of social engagement were further adapted over the 1946-1949 period. Both British men and German women had roles to play in the outcome. The evolution of marriage regulations for example, clearly illustrates the changes negotiated between the lawyers of the occupation, ordinary recruits, PS and German women. The dynamics between the two groups was also negotiated in the more formal settings of daily life such as workplaces.

To begin with, before these more structured systems could be put in place, administrative concern focused on a contract between a victorious army and a defeated people. Prior to the troops reaching Germany it was anticipated that the German people should be treated in such a way as to promote a specific social order. The regulation of the behaviour of both the Allied army and the German population was discussed at some length by various departments and officials. At this initial stage, the rules concerning non-fraternization with the enemy were directed at the German population in general. Once the occupation got underway, the non-fraternization rules ceased to be aimed at Germans-as-Nazis and became increasingly concerned with German women. The next chapter will examine the non-fraternization rules and the reasons for their demise. Alongside the attempt to maintain separation of British men and German women, other issues required attention such as control of crime and the

treatment of Germans as employees. The next chapter will also engage these topics and includes some examples of the different ways that German women experienced them.

Chapter 3: Engaging with a Strange Enemy People

You are going into Germany. You are about to meet a strange people in a strange enemy country.¹¹⁸

It is difficult to know how many soldiers crossing into Germany actually believed this notion when it was presented to them, but there is little doubt that not many of them believed it a short time later. Although the army did its best to keep its troops separated from the German population, and in particular German women, it was an impossible task. As contact at all levels increased between the two groups, the MG found itself facing several unanticipated social problems including high levels of venereal disease. Some aspects of CCG(BE)'s role, however, involved working as closely as possible with Germans to remedy the issues facing them politically, socially and physically. The various departments of the CCG(BE) set up working structures to tackle these problems based on British models. As well as setting up a bureaucratic structure, however, an important first major task of the military on arrival in Germany was to create a peacetime civil order. While this clearly involved duties such as the clearing of roads, it also involved regulating the activities of the civilian enemy population. In addition to the challenges to the relationship between the CCG(BE) and army groups, the official relationship of both groups with the German population was critically important. These relationships were complex and multi-dimensional, and evolved over time. The following is an examination of the dynamics of the relationships as

¹¹⁸ From the official handout to British occupation personnel as quoted in Meehan, p. 12.

they shaped and reshaped the interaction between the occupier and the occupied.

After the cessation of hostilities Germans began to be categorized by the Allies in a number of ways, the most well known being the categories of Nazism – black, white, or grey listed. Before these categories were established, however, Germans were labeled en masse “A Strange Enemy People” and Allied troops were forbidden to talk to them except to give orders. Both of these labels suggest that “German” was equated with Nazi from an early date. The official document regulating and restricting interaction between the two groups was the “Policy on Relations Between Allied Occupying Forces and Inhabitants of Germany” released by SHAEF in September 1944.¹¹⁹

The first section described the “German Attitude and Propaganda” and suggested that while all attitudes of mind might be encountered, the German self-conception as a Master Race had been too deeply implanted to be eradicated outright and the occupying forces should be prepared for civil disobedience, assaults, riots and armed resistance. In addition, members of the forces could be certain that Germans would certainly try to elicit their sympathy with the aim of reducing the consequences of defeat and occupation. Forces personnel were advised to be aware that any such sympathy would weaken Allied solidarity and lower morale and effectiveness. German methods of achieving this were presumed to include “fraternization by civilians (especially by children, women, and old men); attempts at ‘soldier-to-soldier’ fraternizations and social, official,

¹¹⁹ Policy on Relations between Allied Occupying Forces and Inhabitants of Germany, FO 1060/874.

and religious contacts.” Further, it was suggested that Germans would try to convince Allied forces personnel that they were an oppressed, misled and starving people and that “Nazism was an alien idea implemented against the general will in the cultured and unaggressive minds of Germans.”¹²⁰

The subsequent section dealt with regulations concerning general conduct, and some specific warnings regarding drinking, for example. A specific definition of fraternization was given and the terms through which non-fraternization would be reinforced. These included segregation in quarters, a ban on marriage, separation of religious services, and even more specific restrictions on contact: forces members were forbidden to shake hands with Germans, go to their homes, or go to German theatres or taverns. Specific punishments concerning fraternization were laid out in a memo of 30 March 1945.¹²¹ Offences of a minor nature were punished through forfeiture of pay; on a first offence a soldier lost seven to fourteen days pay and on a second offence, twenty-one to twenty-eight days pay. A third offence was considered grounds for Court Martial even if it was apparently trivial. Officers were to be punished by Court Martial on a second offence. It is important to note that this was not widely accepted even by those who were to enforce it since minor offences involved “ogling” women or girls, shaking hands with a German, giving chocolate to children or letting them climb on a vehicle. Punishing such acts was considered “nonsense” and “piffling” by some commanders.¹²²

¹²⁰ Ibid.

¹²¹ Memorandum of Punishment for Fraternization, 21 A. Gp./3732/111/A (PSI), 30 March 1945. FO 1060/874.

¹²² Ibid.

In fact, it was recognized as unworkable by many occupation authorities even before it was implemented. Andrew Clark argued in 1944 that much of the policy needed to be “considerably toned down.”¹²³ His assessment of the situation was that the policy of non-fraternization would in fact amount to segregation and “have the affect [sic] of making us the prisoners and the Germans the free people” and would, in addition, decrease British prestige. Clark suggested that Allied personnel should go where they please and use all amenities to the fullest possible extent: “They should be seen at all the best hotels, restaurants, theatres, opera and other places...where the best seats should be reserved for them.” He further suggested that “social intercourse” with Germans could be avoided through the reservation of seats and he did not consider “talking to waiters, hall porters, hotel managers or other servants for the purpose of obtaining proper service” a social intercourse in any way. It is interesting to note that Clark’s letter came from Norfolk House in London and it is hard to imagine exactly what was made of it later in Germany where of course, restaurants, theatres, opera houses and hotels were quite rare. Fraternization was in fact much more likely to occur on the street and in bars. Therefore, while the lifting of the fraternization ban in October 1945 has often been viewed as an early sign of Cold War dynamics, it is more likely that it was simply unenforceable. It has been suggested by John Willoughby that Army Command lost control of its soldiers and by Petra Goedde that American soldiers’ relationships with Germans softened the hard-line administrative position rather

¹²³ Letter from Andrew Clarke, Legal Division, Room 118, Norfolk House to Secretariat, 15 November 1944. FO 1060/874.

than the reverse.¹²⁴ It appears unlikely that the equation of German with Nazi was sustainable for long after the two populations came into closer contact with each other. Most immediately the business of occupation required significant contact with the German population in the form of translators, labourers, domestic servants and police. As the reconstruction progressed over the summer of 1945 the two groups worked increasingly closely to begin the rebuilding of Germany on many levels and their relationship became that much more complex, particularly as both groups looked for “peace” and “normality.”

Historian John Willoughby argues that the vast shifts in personnel and organization in 1945 created a situation in which it was recognizably hard to carry out “poorly articulated postwar policies,”¹²⁵ but that in similar circumstances, Army Command usually maintained authority over its soldiers and the policies in place were observed. In this particular situation this did not happen and there was an explosion of GI crime in late 1945 to early 1946.¹²⁶ An accurate picture is difficult to formulate, suggests Willoughby, since the categories used by the Provost Marshall varied and the data available has not been systematically analysed.¹²⁷ He argues, however, that GI crime in this early period can be explained on an economic basis. The official US Army rate of exchange was 10 marks (RMs) for one US dollar in May 1945 and the street rate was 200 RMs. This in effect encouraged American soldiers to participate in the black market,

¹²⁴ See John Willoughby, *Remaking the Conquering Heroes*, (New York: Palgrave, 2001) and Petra Goedde, *GIs and Germans: culture, gender and foreign relations, 1945-1949* (New Haven: Yale University Press, 2003).

¹²⁵ Willoughby, p. 16.

¹²⁶ Ibid, p. 18.

¹²⁷ Ibid, p. 16.

purchasing liquor and cigarettes from the supply store, selling them and then turning the RM back into US dollars. One historian of this period calculated that a US soldier could acquire a gross annual income of \$11,820 at a cost of \$93.20. The soldiers concerned simply reported huge gambling winnings. In July 1945 American soldiers in Berlin sent home four times as much as they were paid: the payroll was \$1 million and they sent home \$4 million.¹²⁸

There is little doubt that the US troops were the most pampered, had the most resources and made the most money. Red Army troops in contrast could not convert their military RMs into roubles and had nothing to trade. British soldiers did have cigarettes, candy and chocolates but were clearly “poor cousins” to the Americans. This was only one factor, however, in the differing military attitudes to Germans in the different zones, but an important one in day-to-day relations. A US General has described the attitude of American soldiers as follows:

The soldier felt that he and his buddy had won the war, and they wanted nothing so much as return to normal civil life. He had demonstrated his willingness and ability to submit to controls essential for winning the war. He had demonstrated that he was the finest soldier of all time. But these men were still American, with the American characteristic of resenting controls and restrictions that they considered in interference with individual rights and liberties.After all, he believed in democracy and individual human rights and in our system of free enterprise for which he had fought. Letters from home, newspapers, and radios informed him that many at home who had not suffered his hardships were making profits from the war, as he felt, at his expense.¹²⁹

There are some points in this statement that quite obviously describe American sentiments and not British. British soldiers did not likely consider themselves the

¹²⁸ Ibid, p. 20.

¹²⁹ Ibid, p. 22.

finest of all time and news from home was not telling them that many people had made a profit. This does not mean that they abstained from participating in the Black Market, but that their motivation for doing so was much more in pursuit of items not as readily available to them as to their American counterparts.

It appears that the Americans may also have been more violent and caused more harm to Germans. Willoughby relates the American predilection for “liberating blonds” and stresses the tense relations between German and American men. He argues that the violent behaviour of American troops included “[u]nprovoked attacks by United States personnel on German civilians in Munich, Nuremberg, and Dachau, [that] fostered an animosity that indirectly provoked the worst elements of the civil populace to action.”¹³⁰ Willoughby suggests that there is a general consensus that British soldiers were in some respects more disciplined, particularly with regards to women and property, although conclusions must remain tentative until more comparative research has been done. As will be discussed, discipline became a more immediate issue for the British as military personnel were replaced with civilians. Preliminary research on fraternization, however, suggests that its relative extent among British soldiers was about half that of the Americans.¹³¹ Interestingly, the reaction of German men to American soldiers appears to have been more violent than it was towards British soldiers and some historians have suggested that this was a reaction to

¹³⁰ Ibid, p. 30. Willoughby goes on to describe the impact on US race relations on this violence.

¹³¹ Julian Bach, quoted in Willoughby, p. 34.

American attitudes.¹³² In some cases British Intelligence officers noted similarities in the hostility of Austrians to U.S. soldiers and the “bitterness” of British men to American soldiers stationed in wartime Britain.¹³³ It is obviously impossible to quantify the exact differences between American and British attitudes and it is not the purpose of this chapter to do so. It is worth noting some of the more obvious differences, as part of gaining an understanding of the social and political differences that developed and increased in each of the zones during the interregnum.

Military personnel were a decreasing part of the problem, however, as their numbers shrunk over the 1945-47 period and the number of civilian administrators grew. CCG(BE) numbers increased until it ballooned from 2,500 in February 1945 to 26,000 in 1947, creating a situation in which both control of British personnel and their inevitable clashes with Germans were additional concerns.¹³⁴ The official regulation concerning British criminal behaviour in Germany was Ordinance No. 5, which clarified that anything that was considered a criminal offence in Britain was a criminal offence in Germany and was punishable through the MG courts. It also clarified that no British civilian could be tried for an offence against German law without the “express authority” of the MG and that they would be tried in a CCG(BE) court. This included their wives and

¹³² Perry Biddiscombe, “Dangerous Liaisons: The Anti-Fraternization movement in the U.S. Occupation Zones of Germany and Austria, 1945-1948,” in *Journal of Social History*, Spring 2001. p.611-647.

¹³³ Ibid, p. 22.

¹³⁴ See the 14 March 1946 memo by the four department heads of COGA to Sir A. Street, the top ranking civil servant in COGA and Permanent Secretary, Control Office for Germany and Austria. FO 936/236. The CCG declined after this and had 10,000 employees in 1949.

families. The British Military Police did have the same jurisdiction over British civilians as they would over the armed forces if the offence was military.¹³⁵

The lack of surviving records makes impossible a detailed picture of the criminal behaviour of British personnel in the zone. What is available indicates that there was a range of crimes committed from petty theft to murder. Crime committed by forces personnel appears to peak in 1948 and incidents of rape is higher than any other category of offence. Surviving reports of crimes committed by British personnel are plentiful enough for 1947 through 1950. The RAO reported in September 1947 that since July, 9 civilian members of the CCG(BE) staff had been sent home by the FO for offences such as discreditable conduct, forgery and false pretences (18 months in prison), drunkenness and assault (two cases), illegal imports and trading (six months in prison), persistent drunkenness, obstructing the Military Police and larceny of War Department petrol.¹³⁶ Other reports for 1947 include the same types of offences for both military and civilian members of the CCG(BE). For discreditable conduct, the employee or forces member was generally reprimanded. In some cases the person was reprimanded in writing and transferred. Some people resigned. Theft and larceny were generally prosecuted.¹³⁷

Offences of military personnel were sent separately to the Provost Marshall and add more detail to the picture. The crime statistics for North-Rhine Westphalia for 1947 and 1948 specifically regarding rape indicate that this crime

¹³⁵ Military Government – Germany, British Zone of Control, Ordinance No. 5, “Offences by British civilians in Germany”, September 1945. FO 937/107.

¹³⁶ RAO, HQ Hansestadt Hamburg, 24 September 1947. FO 1014/342.

¹³⁷ Monthly Disciplinary Reports, 609 HQ CCG, Lübbecke, August 1947. FO 1013/82.

was not reported with any frequency as regards Allied personnel. From July 1947 to June 1948 there was one British soldier charged with rape. In that year there was a total of 307 rapes reported, none of which were committed by Allied personnel according to the official statistics. Similar statistics are available for Niedersachsen for the months of July 1947 to May 1948 and indicate a similar situation. The total "Allied Offences" for the same year for Niedersachsen was 162 and for North-Rhine Westphalia was 263. Zonal statistics for a similar period are incomplete but are available for most months. The lowest reported number of incidents occurred in October 1947 and the highest in August 1948. On 29 October 1947 there were 56 rapes reported and 167 sex offences with children. British personnel committed 42 offences, two of which were "sex offences." In August there were 109 rapes reported and 431 sex offences with children. Eighteen British personnel were charged with various offences, one of which was rape and four sex offences. For comparative purposes, it is interesting to note that during the year September 1947 to September 1948, German men were charged with 571 cases of rape, 1959 charges of sex offences with children and 2210 charges of abortion were brought against women. By far the largest number of reported crimes involved wounding and theft.

Numbers of crimes were slightly higher for the period December 1948 to September 1949. In total, 1017 rapes were reported, 8 of which were alleged to have been committed by British personnel. The number of rapes did occasionally draw comment from the PS officer as he passed on the report. In March 1949, for example, 97 cases of rape had been investigated by the police, a number which

the PS officer thought was significant, but probably “seasonal” and occasioned by the improved food situation and the increase in consumption of alcohol.¹³⁸ The office of the COS and the legal department debated the issue of disciplinary action rather than prosecution for some offences. It was noted that from August 1948 to September 1949 proceedings were instituted against fifty-six men and one woman, more than half of which involved indecency (15) and theft and larceny (17). Fourteen other cases of indecent conduct were dealt with by disciplinary action rather than prosecution, although two cases of sodomy were prosecuted and the offenders received twenty-one months and fifteen months. The outcome of the discussion was that from that point disciplinary action would be favoured over prosecution for indecency charges. It was felt that conditions in Germany were a contributing factor and it was most important to get the offender concerned removed from the country as quickly as possible.¹³⁹ This type of decision influenced the perspectives of many of the participants in the occupation including both British personnel and German perceptions of “the projection of Britain.”

The regular reports of the police to PS paint a remarkably clear picture of a number of issues facing both British and German police, PS and the German public. The number and type of crime, the categorization of the crimes recorded, the conditions reported by the German police and the response of PS all suggest a significant level of fear and frustration on the part of all groups concerned. A

¹³⁸ He also noted that 10% of those charged were women. Perhaps this suggests gang activity? It seems unlikely that 9 or 10 individual women raped 9 or 10 individual men.

¹³⁹ Memo from J.A. Goddard, Chief of Establishments and Organization, Office of COS, Lübbecke, BAOR 1 to the Various Land Committees. 24 May 1950. FO 1050/322.

police report from Hannover for July 1945, for example, conveys the amount of lawlessness in the area:

<u>Crime</u>	<u># of Incidents</u>
Robbery, armed	4,606
Robbery	2,895
Serious Thefts	1,186
Theft of Bicycle	1,303
Plundering of Warehouses,	
Shops, Dwellings	680
Simple Larceny	508
Theft of Motor car	320
Rape	51
Fraud in business	48
Grievous bodily harm	44
Murder and manslaughter	29
Fraud	22
Illegal trading	25
Indecent assault	19
Suicides	18
Theft of ration coupons	13
Illegal slaughter of cattle	9
Arson	8
Grievous bodily harm with	
fatal results	7
Immoral crimes involving	
children	3
Forgery of Ration Coupons	1 ¹⁴⁰

It is obvious from this list that robbery of various types was the overwhelming problem. Major Timmerman noted, in this report, that crime incidence in Hannover was particularly high for the period the report covers, 15 May to 1 July 1945. He attributed the high crime rate to the disarming of the German police, the lack of control of the German police over the German population, and the lack of preventative and protective police measures during curfew hours. This was in part because the German police were subject to curfew hours the same as the

¹⁴⁰ Timmerman report. (See footnote #79).

rest of the German population.¹⁴¹ It is also remarkable that the largest category other than theft is rape. Yet nowhere in any report does this show up as a major concern. If one adds indecent assault and immoral crimes involving children to the number of rapes, the total is 73. The total number of other crimes involving violence against a person (grievous bodily harm, murder and manslaughter and grievous bodily harm with fatal results) is 80. The number of crimes involving sexual violence against women and children therefore is almost the same as the number of other types of violent crimes. Additionally, this report does not demarcate the sex of the murder or grievous bodily harm victims, some or many of whom may also have been women. It was noticed in some locales that women were more vulnerable, particularly if they lived alone, which was likely a good number of them, considering the war, but this was generally the extent of specific concerns.

The situation in Hamburg appears similar to that in Hannover, although the reporting categories were different and it is difficult to make direct comparisons. Some of the differences in categories of offences are, however, particularly revealing. For example, information on types and numbers of crimes for October 1945 were reported to PS as follows:

Offences against laws and ordinances of Mil.Gov. [sic]	1770
Larcenies, embezzlements and concealments of stolen property	4428
Frauds and forgeries	338
Housebreaking, breaches of the public peace, insults, injuries and damages	3240

¹⁴¹ Ibid.

Murder, manslaughter and abortion	13
Sexual crimes and offences	82
Robbery and blackmail	60
Offences against trading	1269 ¹⁴²

Figures for November and December are similar and are reported in the same categories.¹⁴³

There are two items of particular interest in this list: first, that abortion is included with murder and manslaughter, and second, that there were more sexual crimes than robberies. Abortion was illegal in Britain at the time and it is not surprising that it had or was given the same status in Germany.¹⁴⁴ It is noteworthy, however, given the British insistence on a non-political administration of police work and enforcement of crime. Disallowing any instruction to be given through the *Oberbürgermeister* for example was put in place to ensure a democratic structure. Again, it is not surprising that this categorization of abortion was considered acceptable given historic patterns in British society regarding the roles of men, women and family. Similarly, the fact that the higher rate of sexual crime appears not to have raised much reaction speaks to the acceptance of a lower regard for women's personal safety, also a historic pattern.

¹⁴² Monthly reports from SPSO 609 Det.Mil.Gov. [sic] to Public Safety, Hamburg, for October, November and December 1945, 3 December 1945, 8 January 1946 and 9 January 1946 respectively. FO 1014/40.

¹⁴³ Ibid. reports for November and December.

¹⁴⁴ The issue of abortion in Germany was strongly debated at this time by various factions within German society including politicians and women's groups. The discourse on this issue is a subject that is beyond the scope of this study. Secondary literature on the issue is referenced in chapter one, footnote 14.

An additional concern for the German police was lack of manpower and women were not seriously considered for these jobs. In November, for the second time since July, two police officers had been dismissed for political reasons. It was noted by the PS officer in charge that this was rather frustrating because of the obvious lack of experienced officers to replace them. He also insisted that this created the further difficulty of causing fear amongst the remaining officers and they therefore did not perform their duties efficiently. And, although one recent study has highlighted the role of women in the German police force during this period, this was not a popular choice for women.¹⁴⁵ Germany had no long history of women in the police force and while the British talked about the employment of women, as will be discussed in chapter five, they envisioned German women in more traditional roles. Hence in Hamburg, in November, of a total of 165 police officers, only 12 were women. It is impossible to know how duties were assigned but the ledger shows that while there were no female mounted police, all other active categories did include at least one woman, most at the staff level.¹⁴⁶ Shortly after this the Germans took on more responsibility and gained direct control of many parts of the civil infrastructure, including the police. These changes in the occupational structure decreased British influence over how the force should be run and they had less influence over the gender of new hires. It is not clear what impact this had on the gender of the German force.

¹⁴⁵ Rahn und Köhler (see reference no. 72)

¹⁴⁶ Monthly report from Public Safety, 3 November 1945. FO 1010/937.

After January 1947, when Germans took on increased responsibility for their own people, differences in approaches to crime and punishment between Germans and British became more obvious and solutions for these disagreements were neither easy nor obvious. In some situations, where British ideology clashed with German reality, no solution was achieved. One study of juvenile delinquency in the British zone by David F. Smith highlights theoretical approaches that led to longer-term differences in both method and treatment of many types of juvenile crime.¹⁴⁷ Smith contends that the British intention was to establish a “separate and enlightened system for the treatment of juvenile delinquency where rehabilitation would take precedence over punishment” and that they did so because they believed that this was necessary for the eradication of Nazism.¹⁴⁸ He argues that the British envisioned their own system in Germany, one based on a range of social welfare agencies and probationary sentences for juveniles rather than harsh jail terms. Smith suggests that there were three main problems with this expectation. Firstly, the German authorities continued to emphasize punishment and, secondly, the Penal and Educational Branches did not have the long occupational period they were anticipating and therefore had not enough time to implement this plan. However, the biggest difficulty in Smith’s view was that the officials involved did not appreciate the situation in Germany. For example, they did not understand the degree to which lack of food, clothing and shelter motivated black market activity and theft, particularly for the many

¹⁴⁷ David F. Smith, “Juvenile Delinquency in the British Zone of Germany, 1945-51”, in *German History*, Vol. 12, No. 1, p. 39-63.

¹⁴⁸ Ibid, p. 40. And see for example, “Eighth Monthly Report from Military Government Hannover Region covering the period 1 May – 31 May 1946.” FO 1049/564.

juveniles who were orphans.¹⁴⁹ It is clear, based on my own research that they also did not understand the degree to which these issues motivated teenage girls to turn to prostitution. This will be discussed in detail in chapter six.

Decisions regarding response to juvenile crime at all stages of the occupation were complicated by differing perceptions of both gender and education on the part of German and British agencies, resulting in a situation where the treatment or punishment received depended on the decision of the arresting authority. In December 1947, John Watson, a court investigator, reported that youth could come to a detention center or school for re-education through either the British or German court system. Through German courts, girls were categorized as “merely ‘endangered’”: it is impressed upon them from the out-set [sic] that their treatment is not punishment but education. Girls with similar records of behaviour sent here by British courts...are sentenced for an offence.”¹⁵⁰ This action by British authorities contradicts the stated philosophy of their approach to juveniles, leaving young women with a sentence that was often at odds with the purpose of the school to which they were sent. In contrast, boys of 15 were commonly charged by German courts for stealing food. If the same boy was arrested by a British Security Officer, he would not be sent to prison because he would be tried in CCG(BE) courts which could not imprison anyone under 16. Watson’s report highlights an additional difference in approach, underlining gender role assumptions. He regrets that there are no women employed in German boys’ prisons. He argues that,

¹⁴⁹ Ibid, p. 42.

¹⁵⁰ Report on Juvenile Delinquency and treatment of youth in court system, John A. F. Watson, Metropolitan Juvenile Courts. December 1947. FO 1013/192.

all our experience in England goes to show that the maternal influence of a wise and understanding woman can be a far more potent influence for good, especially upon the adolescent who glories in his "toughness", more than most men. Too many German boys are tough.¹⁵¹

This notion of motherly women contrasts sharply with the treatment of juvenile women (and women in general) who were sentenced in British courts and held responsible for many crimes, including infecting British personnel with venereal disease (VD). This traditional distinction between "good" and "bad" women, is of course, a confused and emotional one that informed much of the policy that will be examined in subsequent chapters. The difference in treatment between males and females is reflected in other scenarios as well. For example, women were regularly charged with procuring an abortion during the same time period whereas comparatively few men were charged with rape or sexual assault. In March 1947, the reported statistics for rape, abortion and infanticide were 46, 114, and 9 respectively; in April they were 44, 185 and 21.¹⁵² Charging women with offences such as abortion (which can clearly be seen as a defensive measure particularly when the pregnancy was the result of a rape) compounded the difficulties they faced in the interregnum and after.

Women of all ages faced barriers of specific kinds at all stages of the occupation. Employment of women, both in type and frequency was an issue throughout the period. Despite the non-fraternization policy, in July 1945 the MG in Hameln employed 635 Germans, of which only 143 were women.¹⁵³ In September, MG detachments in Hoya and Diepholm districts employed 1,490

¹⁵¹ Ibid.

¹⁵² Public Safety Branch Monthly Report, May 1947, 14 June 1947. FO 1050/254.

¹⁵³ Labour office, Report for July 1945. FO 1010/111.

men and 426 women.¹⁵⁴ This and other labour reports highlight two specific areas where women were particularly vulnerable in the employment arena. One notes that five female workers were dismissed “to get the places free for returning soldiers and for war-invalids.”¹⁵⁵ Another stated that there was scarcely any industry employing women in many areas and this left them filling orders for domestic servants and cooks, which were clearly lower paying and gender-typed jobs.¹⁵⁶ It is clear in these examples that British occupiers were colluding with a German expectation that gender roles would re-form on a traditional male breadwinner model. Since many women were supporting families on their own this was clearly a detriment.

The organization and coordination of German employees remained haphazard until Germans began raising their concerns more directly regarding the ongoing conditions of their employment. Although it had been noted in 1945 that German absenteeism among employees of the MG was high because the MG did not supply a hot meal at lunch hour, very little action was taken until 1947.¹⁵⁷ A document released in June stated that it was at that point “imperative” that an effort should be made to improve the general conditions of welfare for all German personnel employed by CCG(BE) units in the Region. It stated that the most important considerations were the mid-shift meal, sporting and social

¹⁵⁴ Monthly Labour Report to Major G. Rawlinson, Governor, 511 Mil. Gov. Det. H./Q. [sic], September 1945, p. 2. The number of people employed by the MG in Hoya and Diepholm remained consistent throughout the fall of 1945. See the Labour reports for October, November and December. FO 1010/111.

¹⁵⁵ Ibid, p. 3.

¹⁵⁶ Report on the Routine Inspection of the Main Arbeitsamt at Nienburg on 14 November 1945, p. 2. FO 1010/111.

¹⁵⁷ Ibid, p. 3. If your employer did not provide one you had to queue for food.

events, theatre and cinema, footwear and clothing, medical and dental facilities, a German welfare fund for “genuine hardship cases” and the repairing of workshops so that the coming winter would not see a repeat of the extremely cold working conditions of the previous winter.¹⁵⁸ A similar memo in August stated that authority had been given “for recreation and reading rooms to be equipped to the scale laid down for British troops”. It was noted that some units had already organized excursions and movies for workers’ children.¹⁵⁹ In addition, “HQ BAOR” was examining the possibility of a hot drink with the midshift meal and this memo noted that “certain units have in operation a system whereby used tea leaves are passed to the German employees’ cookhouse and brewed again.”¹⁶⁰ A scheme whereby used War department footwear would be available to Germans was being considered. In areas where Germans were employed on scattered sites, personnel were advised to appoint a German representative whose task was to visit the sites and promote welfare activities. Most of these plans and activities reportedly went smoothly. Exceptions generally occurred where the British felt that “welfare” activities had to be stopped because of “political influences” which were reported to be causing issues between employees, or where a technical difficulty caused issues for the British. For example, where peat was being cut by some units for distribution to workers, the question of labour and transport costs for the peat collection was actively

¹⁵⁸ Letter to All Units, from Maintenance Branch, Regional Admin [sic] Office, HQ, Hamburg, 3 June 1947. FO 1014/879.

¹⁵⁹ Memo to All Units, from HQ [sic] Hamburg Sub Area, 23 August 1947. FO 1014/879.

¹⁶⁰ Ibid.

debated as was the question of whether or not military transport could be used for this purpose.¹⁶¹

The CCG(BE) was concerned for the general health and well-being of the German population for any number of reasons. Most obviously, it made it easier to get their job done. There also appears to have been genuine concern on the part of many that the “projection of Britain” be a truly civil one and demonstrate the best aspects of democracy. The writer of a monthly report to HQ states that in his opinion,

It is regrettable that in a great number of instances the British person in actual charge of staffs takes little or no interest in the German personnel. There are examples where the individual concerned has not known the numbers employed, the duties allocated to them nor the names of the Germans in the Unit or Section.¹⁶²

More humane treatment was called for both in terms of physical conditions and personal respect. The report also addresses “unfortunate discrimination” which was most obvious in office buildings that continued to have notices on lavatory doors stating “*Nur Für Engländer*”, which by that time was considered a “deliberate slur on their characters.”¹⁶³

Another specific issue was the management of the mid-shift meal provided by the employer. Complaints had been regularly received concerning facilities and equipment, but it was not until 1948 that specific recommendations were given. These included instructions that both the dining room and the women’s

¹⁶¹ Memo to All Units from HQ [sic] Hamburg Sub Area, 12 September 1947. FO 1014/879.

¹⁶² Policy statement from Regional Administrative Office, HQ, Hamburg, 3 June 1947. FO 1014/879.

¹⁶³ Ibid.

rest room be heated in the winter and that the dining room be “reasonably equipped.”¹⁶⁴ One practical difficulty was that if employers were not going to provide a meal, they had to give the employees time to organize one for themselves, which might require standing in line for hours. The provision of tea, dining rooms and mid-shift meals had developed haphazardly across the zone, paralleling communications and administrative structures. The author of one report notes that it was not surprising that the welfare of German employees was uncoordinated and efforts were patchy, given the pattern of development of RAOs and other functioning divisions.¹⁶⁵ By 1947 the situation was quite different, with an administrative network existing that could begin to even differences across the zone.

One significant category of employment by the CCG(BE) was the use of Germans as domestic servants for married families. Almost 2,000 women were employed as “housemaids” in the zone in the second half of 1947 with an additional 600 employed as “daily helps,” charwomen, handymen, governesses or gardeners.¹⁶⁶ Judging from the amount of correspondence on the subject, there appears to have been a significant effort to standardize the wages of these women throughout 1948.¹⁶⁷ In June, however, it was still the case that all of these categories of domestic employees were paid more in Berlin than anywhere

¹⁶⁴ “Welfare of German Employees of the CCG”, Appendix ‘A’ to HQ Labour Control Services report MIN/6682/23/LCS, 12 July 1948. FO 1014/879.

¹⁶⁵ Memo to All CCG Branches, Sections, Dets. [sic] from HQ [sic] Hansestadt Hamburg, 3 June 1947. FO 1014/879.

¹⁶⁶ Memo to Maintenance I, Zonal Executive Offices, Lübbecke [sic] from Maint. [sic] B Branch, Administrative Staff, HQ. [sic] Berlin, 9 June 1948; Appendix “B”, Domestic Servants of Married Families, 1947. FO 1067/10.

¹⁶⁷ FO 1067/10 contains many circulars, memos and letters discussing standardizing wages both across the zone and with respect to *Reichsmarks* and Sterling.

else and in Bad Oeynhausen slightly higher than in Hamburg.¹⁶⁸ It seems unlikely that there was a shortage of labour in Berlin so the higher wages may relate to cost of living. It is possible that the higher rate in Bad Oeynhausen is related to a shortage in supply, but this is not explicitly discussed in these documents.

A more challenging issue was that of welfare provision, which was approached from a number of different angles. HQ Hamburg recommended that consideration be made for the "German character and its reaction to Welfare activities," although the report does not state what that reaction might be. It does, however, suggest that it should be remembered that Germans were working for an occupying enemy administration and that the CCG(BE) had to be careful that Germans did not think they were being bribed to work through the provision of amenities because they would "just sit back and ask for more."¹⁶⁹ The writer of this report believed that Welfare Committees headed by a British Chairman were a better solution than the traditional German system of Worker Councils that, it was felt, might become political. In addition, a number of Welfare Committees started by Germans had folded due to lack of ability to have even modest demands met and it was assumed that British guidance, advice and support was required in order to build up a well functioning German welfare service together with a restraining influence on the more "importunate" demands that had been made.¹⁷⁰ The list of items that Welfare was expected to deal with contained 19 issues, including work conditions, personal problems and illness,

¹⁶⁸ Memo to Director of Maintenance, Z.E.C.O., Lübbecke, from Director, Labour Control Service, 60 HQ [sic]. 2 July 1948. FO 1067/10.

¹⁶⁹ HQ Labour Control Services report, Appendix 'A', 15 July 1948. FO 1014/879.

¹⁷⁰ Ibid.

provision of clothing and food, child welfare, lost relatives, educational facilities and sports, clubs and entertainment. Achievement of these goals was assumed to depend for success on the aid and guidance of the British Authority, the "keenness and ability of the German Welfare officials and on the co-operation of the German worker."¹⁷¹

It was not until September 1948 that an organization was created to be officially responsible for the welfare of German employees of the CCG(BE). This organization was formed in response to German complaints which fell into 3 categories according to the official report of July 1948. These categories were status and security, personnel management and welfare. A Manpower Division Working Party was convened with the purpose of recommending policy on the matter of status and security. Their aim was to give Germans job security, opportunity for advancement and protection from victimization. Since any policy would require bipartite agreement, it was felt that approval would take some time.¹⁷² This responsibility was transferred to the office of the Director of Labour Control Services in February 1949. The memo of February 1949 outlines a more formal structure that gave more direct responsibility to German officials including staffing changes creating a Chief German Welfare Official at Zonal HQ, a Regional German Welfare Official at each Regional HQ and at least one Welfare Official in each Unit. Regional officials were expected to coordinate communication and material coming up from Unit level and down from HQ. Pay grades were standardized throughout the zone, with the exception of Berlin,

¹⁷¹ Ibid. Other aspects of welfare activities will be discussed in chapter seven since it often involved education/women's affairs department.

¹⁷² Minutes from CAO Administration Conference, 15 July 1948. FO 1014/879

since it contained a significantly larger number of Units. In an effort to maintain bureaucratic lines of communication, it was noted that all queries concerning the welfare of German employees should go first to HM Labour Control Services who would refer to the appropriate Branch.¹⁷³

Administrative concern with the welfare of German employees increased as resources became available, but also because of increased pressure from the employees themselves. As German employees found ways of working to bring their lives back to normal, to work in a heated building and have enough food, they put pressure on their British employers. These official and formal types of contact between the two groups were important in determining the kind of relationships that occurred on other levels as well. If Germans were to believe that British democracy worked, then they needed to see it working.

The relationship between the occupiers and the occupied changed a great deal from the point of first military entry into Germany. In 1945, no contact was officially thought to be the most appropriate, and by 1949 the welfare of German employees was a significant priority. The attitude of CCG(BE) and military personnel towards Germans was debated within and between these bureaucracies over this period of time and it is remarkable that this was the case given that these two countries had been at war so recently and for the second time in thirty years. The 'strange enemy people' were a complex challenge for the British authorities even in peace-time.

¹⁷³ Control commission for German (British Element, Office of the Chief Administrative Officer, Maintenance Branch Instruction No. 12 (Revised), 25 February 1949. FO 1014/879.

The peacetime order that the military was charged with creating on entry into Germany meant, in part, regulating the lives and movement of the German population which was likewise addressed through the restoration of the German police to regulate their own population. Alongside this, the problem of military behaviour created an uncontrollable situation in some respects. The next three chapters address two specific issues ordering the direct relationships between British men and German women, marriage and children, and prostitution. Order was also expected in these relationships but the CCG administrators and enforcers of the rules were not always successful in securing their agenda. One reason was lack of planning. The other reason was inability to control the troops who continually asked to marry German women and who made use of street prostitutes in spite of the administration's best efforts to prevent it.

Chapter 4: Regulating Marriage in the British Zone

In May 1945, Grigor McClelland, a Quaker Relief worker in Germany, wrote:

I suppose your *Daily Sketch* headline refers to the man who got three years for being in a boat on a lake with a German girl, a story much quoted here. 'He didn't get punished for fraternizing,' say the privates, 'he got punished for being caught'. And again: 'These ruddy Poles can walk around and do it quite openly. What's good enough for one man's good enough for another'.¹⁷⁴

This comment offers a snapshot of the complexity of the “rules of engagement” in the immediate aftermath of hostilities. The British occupiers were intent on maintaining an intricate balance in the immediate post-hostilities milieu, where different standard of behaviour were expected of different groups. What was allowed for civilian men, for example, was not allowed for those in an official, military or occupational role. The masculinity of the victors was assumed by many, and they were expected officially to be different than that of men in other categories. The victors themselves, that is the individual soldiers, actively contested this categorization. Ideas and assumptions about the character and roles of German women were also strongly contested. The comment of the soldier in the story above, for example, appears to contradict the notion that German women were throwing themselves at Allied soldiers; in fact, there appears to have been some competition for such women. While the administration may have seen them as a threat, the men on the ground did not. The comment also highlights a sense of war weariness and a desire for a return

¹⁷⁴ Grigor McClelland, *Embers of War: Letters from a Quaker Relief Worker in War-torn Germany* (London, New York: British Academic Press, 1997) p. 12.

to “normalcy” involving, in part, a re-establishment of prescribed sexual and gender norms. This put both men and women at odds with the military government whose determination at this point was to maintain separation between the male British occupiers and German women. The occupational bureaucracy and policy makers envisioned the victorious British maintaining physical and social separation for a much longer time than was actually the case. As we have seen in chapters two and three, it was impossible to maintain this separation and as early as October 1945, the Commander-in-Chief’s (C-in-C’s) office had received “several applications” for permission to marry enemy nationals.¹⁷⁵ Nevertheless, the occupation authorities continued their efforts to regulate these relationships and prohibit marriage for as long as possible. There were a number of reasons for this determination ranging from negative public reaction at home to security threats in Germany, real or perceived. German women constituted one of the most significant perceived threats to security.

Perceptions of Germans and German women based on a specific construction and understanding of gender and how these roles intersected with nationality, defeat, victory and occupation influenced how the issues of fraternization and marriage were approached by the Allies, although each within their own specific framework. The Americans, for example, prohibited marriage to German women for a longer period than the British because of segregation issues at home. The Soviet Union had its own unique perspective on identity and

¹⁷⁵ Memo to Staff Standard Distribution List ‘Z’, All “p” Dets. [sic], from Office of the Chief of Staff (British Zone), Control Commission for Germany (B.E.), Main H.Q., Lübbecke BAOR, 10 October 1944. FO 1049/58. The law that prohibited fraternization also prohibited marriage with Germans except with the express permission of the C-in-C.

property issues regarding marriage to Germans. The most persistent British attitude in this regard was that German women were motivated by a desire for British citizenship, rations and prestige and British men needed to be protected against them. Therefore, while marriage policy and law regulated a civil contract between men and women, in this case it also defined the “rules of engagement” between soldiers and civilians, and the victorious Allies and defeated Germans. In this way it reinforced British notions of both gender and national hierarchies. These perceptions of German women as the enemy continued long after the Anglo-German relationship had been repaired on other levels. Examination of the creation of policy in these areas is therefore important in developing a better understanding of the post-war experience of occupation for German women in the British zone.

As in most post-war situations, the role of women was debated as a marker of normalcy by both men and women.¹⁷⁶ In the context of post-war Germany, a number of historians have made it clear that peace for German women meant the ability to care for their families under normal conditions and

¹⁷⁶ Examples of sources regarding reconstruction of gender roles in post-war European countries includes Mary Louise Roberts, *Civilization without Sexes: Reconstructing Gender in Postwar France 1917-1927* (Chicago: University of Chicago Press, 1994) Birthe Kundrus, “The First World War and the construction of Gender Relations in the Weimar Republic” in Hagemann and Schueler-Springorum; Dagmar Herzog, “Desperately Seeking Normality: Sex and Marriage in the Wake of the War” and Pat Thane “Family Life and “Normality” in Postwar British Culture” in *Life After Death, Approaches to a Cultural and Social History of Europe During the 1940's and 1950's* Richard Bessel and Dirk Schumann eds. (Washington: Cambridge University Press and the German Historical Institute, 2003) Sian Reynolds, *France between the Wars: Gender and Politics* (Routledge, 1996) Lucy Noakes, *War and the British: Gender, Memory and National Identity* (I.B. Tauris & Co., 1997).

having the signifiers, as well as material conditions, of a normal life.¹⁷⁷ Marriage was, of course, one of those signifiers and much has been written on societies where there is a "surplus" of women who will not marry and for whom society must accept or create alternate signifiers.¹⁷⁸ For the women themselves, negotiating a socially legitimate life style was difficult within the new set of options. Was it going to be more acceptable, to them and to society, to marry an Englishman (or American) or be a spinster? What was marriage to an enemy occupier and foreigner going to mean? Research to date indicates that tens of thousands of German women married occupation soldiers.¹⁷⁹ Some of these relationships were supported by the woman's family for any number of reasons. As well as sharing in the material benefits, family members also often expressed the feeling that women in some demographic groups had not yet experienced youthful romance. The German men returning from POW camps were not likely to be as physically or emotionally healthy or financially able to support a wife and family as an occupation soldier.¹⁸⁰ Of course not all German families and individuals were supportive of these relationships. German women have often been portrayed as the embodiment of betrayal of the German men who were fighting for their country because they were in such relationships.¹⁸¹

¹⁷⁷ Elizabeth Heineman, Robert Moeller, Maria Höhn, Petra Goedde, "From Villains to Victims: Fraternization and Feminization of Germany, 1945-1947", *Diplomatic History*, vol. 23, no. 1, 1993. p. 1-20.

¹⁷⁸ See examples in the previous two footnotes.

¹⁷⁹ Heineman, p. 98.

¹⁸⁰ Ibid.

¹⁸¹ Hsu-Ming Teo, "The Continuum of Sexual Violence in Occupied Germany, 1945-1949" *Women History Review*, vol.5, no. 2, 1996; Norman Naimark, *The Russians in Germany: A History of the Soviet Zone* (Harvard University Press, 1995) Biddiscombe.

The symbolism of women in war and post-war is a vast topic and cannot be covered here in any comprehensive manner. What will be discussed is the way in which German women were regarded by the BE of the CCG and will show how this created image intersected with policy regarding marriage. For example, the questions and examination deemed to be necessary to “clear” them as appropriate marriage partners for British personnel were not necessarily based on experience with German women, but rather on an imagined projection of them. The regulations and administrative barriers that were put in place by the Allied military command, the MG and then the CCG, all served the purpose of the victors and aimed to control the “predatory” actions of German women. The regulations also thus protected assumed-to-be naive British soldiers and CCG(BE) civilian employees who in fact were able to hide behind the regulations and leave the relationship without any consequences to themselves, even if the woman was pregnant or had already had a child in that relationship.

An important first step toward prohibiting marriages between Allied soldiers and enemy aliens can be found in the discussion of a proposed SHAEF order in 1944 regarding the regulation of marriage generally, and specifically prohibiting marriage to German women. This proposed regulation, SHAEF Administrative Memo No. 59, was originally developed to cover members of the U.S. Forces who did not have a Foreign Marriages Act (FMA) as did the British. It was also intended to facilitate acceptable marriages and prohibit others, including inter-racial marriages. The memo was worded such that it also covered United

Nations displaced persons.¹⁸² The implications of the memo for the British were multi-faceted. To begin with, an examination of the discussion of the legal aspects of the situation shows the rivalry and confusion between the FO and the CCG (COGA). It additionally allows a view of the opinions of some of those involved in generating the legal restrictions and their perceptions of the social situation which they were attempting to regulate and control. The discussion concerning the legality of the SHAEF order and its implications for whom it could legally be applied, is representative of other debates that plagued the CCG administratively with regard to marriage through the whole of the interregnum. It also highlights the complex dialogue regarding marriage that characterizes the occupation period.

Between October 1944 and January 1945 a number of secret memos circulated between various offices and officials in Norfolk House discussing the SHAEF order. In October the “ticklish question” of whether it was legally enforceable for both service personnel and civilians under military control was raised by Lt. Colonel Rootham of the Commissioner’s Office, who asked for the opinion of the Legal Division.¹⁸³ He was answered by the Assistant Chief of the Legal Division, Andrew Clark, who stated that a marriage contracted in Germany between a member of the British forces and a German woman in accordance with German law would be recognized as valid by an English court, regardless of

¹⁸² Memo to Political Division, Main Headquarters, Control Commission for Germany (British Element), B.L.A., from Major-General D. C.A., Mil Gov [sic], 13 July 1945. FO 1060/874.

¹⁸³ Letter (HQ/1519) to Major G.C.D.S. Dunbar, Legal Division from Lt. Col. J. St. J. Rootham, Commissioner’s Office, Room 206, Norfolk House, 24 October 1944. FO 1060/874.

the fact that such action was in direct contravention of a Military order.¹⁸⁴ Clark suggested that an order should nevertheless be issued by the Commander-in-Chief (C-in-C) 21st Army Group forbidding such marriages. He argued that such an order would be legal, both before and after surrender under the Army Act, since it related directly to performance of military duties. At the same time Clark suggested that the Commander should also forbid the German authorities to perform any such marriages. Prohibiting marriages for civilian employees of the CCG(BE) did present a different legal problem. Still, his opinion was that the Control Commission could nevertheless issue an appropriate order to German authorities and let civilians know they would be dismissed if they married a German.¹⁸⁵

Notwithstanding Clark's position, the FO was of the opinion that since Allied Commanders in Germany were only occupiers they could not legally control the actions of British civilians at that early date. After hostilities had ceased, however, Allied Representatives would assume supreme authority in Germany including, it was expected, the powers of the German government, and could certainly pass such a law.¹⁸⁶ Other difficulties from the FO point of view included, for example, that the law as written referred to the AEF and its Supreme Commander, neither of which would exist very long after the German surrender or defeat. It is important to note also that the FO found the whole document rather inadequate noting that as drafted the law would prohibit any

¹⁸⁴ Letter to "Secretariat (C)", reference HQ/1519 from Brigadier Andrew Clark, Assistant Chief, Legal Division, Room 118, Norfolk House, 24 October 1944. FO 1060/874.

¹⁸⁵ Ibid.

¹⁸⁶ Letter to "Dear Smith", War Office from G. O'Neill, Foreign Office, S.W.1, 21 November 1944. FO 1049/58.

British or U.S. personnel marrying an English, American, French or Russian woman without the written authorization of the Supreme Commander whereas Germans were not mentioned in the document anywhere. In addition, it did not prevent such personnel from marrying Germans in Austria, the Netherlands, Belgium or France and it did not cover any of the women's services.¹⁸⁷

On 25 January 1945, in a memo to Sir William Malkin, FO, ("My Dear Malkin"), Clark set out what he (and others) saw as the major problems with the SHAEF order.¹⁸⁸ His arguments here illustrate that while this order was regarded as necessary to restrain Allied soldiers it had unintended consequences for many others living in Germany and for the policy makers as well. One of the immediate public relations difficulties, for example, was that such an order would prohibit a marriage between any nationals of any UN nation if either of them were serving in the AEF. Clark found it difficult to believe that it would be a security threat for a French officer to marry a French woman who had been brought to Germany by the Germans and he noted that such a prohibition of marriages by an American C-in-C might cause unnecessary friction. Furthermore, he disagreed with the argument that it was necessary to reinforce the prohibition through declaring any such marriages null and void. This stance, he argued, could cause friction not only with other United Nations but most especially with the Catholic Church, which was viewed as an important contributor to the well being of German civilians.¹⁸⁹

¹⁸⁷ Ibid.

¹⁸⁸ Memo to Malkin from Clark, 25 January 1945. FO 1060/874.

¹⁸⁹ Ibid.

Clark also questioned the legal implications. He reported that in his own discussion with the Attorney General, it was clear that the legality of the prohibition of marriage rested on the assumption that this was essential to the security of the Army of Occupation but that legally, this was a stretch. If this was not the case, the Attorney General felt post-surrender legislation might be necessary. This idea raised even more difficulties from Clark's perspective, particularly since it would have to be agreed upon at a quadri-partite level. His main criticism, however, was that it was "most undesirable to make laws of doubtful validity when one of our main objects [sic] is to restore the 'Rule of Law' to Germany". He feared repercussions during the Control Commission period and proposed discussing the whole matter with the U.S. Control Group with the aim of reaching an agreement on least an Anglo-American approach.¹⁹⁰

At this point there were, theoretically, a number of people or departments that could take charge and make a decision regarding the regulation of marriage between British and German nationals. Clark corresponded several times with Malkin in the FO in an attempt to control the outcome but was than effectively cut out of the process as the FO reasserted its authority. The FO made it plain in a letter to Kirkpatrick (head of COGA) that since

the subject was raised at the Armistice and Post War Committee on 25th January, when it was discussing Mr. Attlee's paper on fraternization... the committee "invited the Service Ministers to "consider [sic] the question of

¹⁹⁰ Ibid.

Anglo-German marriages and, "if [sic] necessary, to bring the matter before the "Committee" [sic].¹⁹¹

The letter clarified the FO's position that the legal aspect of the question had already been dealt with by the Attorney-General and Clark's letters were actually raising points of policy. The FO representative, Troutbeck, stated that he was, consequently, taking over the correspondence and expected to be communicating directly with Kirkpatrick. The latter, he suggested, should simply give him "any observations the British Element may have to make" and he would then take them to the War Office.¹⁹² In this case, the legal, social and political implications of regulation were disputed among the various departments, highlighting the inadequate and confused bureaucratic situation. The CC and the FO were hardly working together although they both ostensibly had the same goal of preventing British personnel from entering into a marriage contract.

The debate within the CCG(BE) concerning the approach to be taken regarding the regulation continued throughout the next few years. The ongoing discussion regarding marriage illustrates the continued objection on the part of some bureaucrats to Anglo-German marriage and the response of others that everything must be done with an even hand. Some took the position that anything could and should be justified with regard to army security because of the desperation and character of German women. Mr. King in Political Division, who eventually became HM Consul in Hamburg, expressed the belief that there

¹⁹¹ Letter to I. Kirkpatrick, C.M.G., Control Commission for Germany, (British Element), from J. M. Troutbeck, Foreign Office, S.W. 1. 3 February 1945. FO 1049/58.

¹⁹² *Ibid.*

had been a considerable traffic in marriages after the Great War and “the undesirable women amongst D.P.’s not to mention the German population, who would now be glad to acquire British nationality, considerably outnumber the French and Belgian prostitutes of the 1920’s.”¹⁹³ Legal Advice and Drafting (LAD) argued that it would be very strange if a marriage declared valid by both English and German law should than be “declared invalid by what is after all a temporary authority.” If these marriages were going to be declared invalid, the mechanism to do so would have to be enacted through the British legal system and not the Military Government in the opinion of LAD, and the “cumbersome machinery” of enacting such a law was not obviously necessary to protect army security.¹⁹⁴

Although the order was approved by the Combined Chiefs of Staff on 14 April 1945, it was not promulgated prior to SHAEF’s dissolution, and it had than to be decided whether a version of the same law should be enacted for the British Zone.¹⁹⁵ This was an important decision, and the British reasoning for not doing so is notable in understanding the complexities of the later circumstances. For one thing, London strongly objected to the voiding of marriages after the fact and therefore put a great deal of emphasis on regulations to prevent problems before the marriage happened. It was also decided, however, that Memo no. 59 would simply complicate matters and that relying on German law was the most efficient manner of controlling the situation. German law allowed the marriage in

¹⁹³ Letter to A. F. Orchard, Foreign Office, London from A. H. King, Political Division, Main HQ [sic] Control Commission for Germany, (British Element), Lübbecke, BAOR, 7 March 1946. FO 1049/486.

¹⁹⁴ Ibid.

¹⁹⁵ Letter to S.O.I. Co-ordination Section from A/Director [sic] Legal Advice and Drafting Branch, Legal Division, 7 Kaiser Strasse, Lübbecke, 27 July 1945. FO 1060/874.

Germany of people whose countries did not object to their citizens marrying German women and allowed any country such as Britain to do the opposite.¹⁹⁶

Reliance on German law also appeared, at that time, to address the difficulties of the wider issues presented by Allied soldiers from Holland or Belgium, displaced and stateless people and other UN nationals who were living in the zone. Not only was it necessary to ensure that marriages within and amongst these peoples were legal; one of the main issues in this regard was the prohibition of movement of German women into an Allied country through marriage.¹⁹⁷ In attempting to regulate on behalf of UN Allies or to assist stateless persons, British authorities often compromised German women who were directly affected as a result. A German woman who might have been expecting, because the war was over, to be able to marry a non-German with whom she had had a relationship, was not then able to marry a non-German for precisely the same reason.

One of the main challenges with regard to complying with German law involved facilitating British forces personnel marrying each other or another UN national, while prohibiting or preventing marriage to Germans. Both of these objectives had legal and social obstacles that were not easily overcome. For example, while a Standing Routine Order (SRO) could be issued allowing military personnel to be married to each other "in the lines" by a Services Chaplain, this would not make the marriage legal in Germany. While British law required the

¹⁹⁶ Memo by A/Director, Legal Advice and Drafting Branch to S.O.I. Co-ordination Section, 27 July, 1945. FO 1060/874.

¹⁹⁷ Note by Ivor Pink, Political Division to Colonel G.S.D. Dunbar, Acting Chief, Legal Division, Lübbecke, 2 August 1945.

celebration of a church wedding, German law required a civil ceremony in a Civil Registry Office (*Standesamt*). In contrast, since a German civil ceremony was legally recognized by British law, the occupation authorities were challenged to prevent them happening. Furthermore, it was not clear that civilian employees of the CCG were governed by the SRO and it definitely did not apply to any other civilians who were in Germany. As it became clear that the non-fraternization order was preventing neither fraternization nor marriage proposals, administrators scrambled to put additional regulations in place.

Inquiries into the practical details of arranging marriages between two British subjects revealed that when dealing with a marriage involving a non-German subject, German marriage registrars were required to satisfy themselves that, according to the law of the person's own country, they were free to marry. Since German registrars were not able to do this research, the same law required the foreigner to submit a "no-impediment" certificate from his home country. Exceptions from this rule could be granted by the President of the *Oberlandesgericht* (Court of Appeal) in the district in which the marriage was to take place, particularly in cases of nationals from countries, such as Britain, that did not issue these certificates. Lastly, even if this rule was not followed, the marriage was still valid.¹⁹⁸ An immediate practical concern was that the *Oberlandesgerichte* were to re-open in the near future and instruction was required for the *Oberlandesgerichtspräsidenten* whose offices were the main authority for waiving the "eligibility to marry" certificate (*Ehefähigkeitszeugnis*).

¹⁹⁸ Memo to S.O.I. Co-ordination Section, from A/Director [sic], Legal Advice and Drafting Branch, 27 July 1945. FO 1060/874.

Consequently Legal Division issued an instruction to German registrars prohibiting them from performing these marriages and an instruction blocking the *Oberlandesgerichtspräsident's* power to grant exemptions from having an eligibility to marry certificate.¹⁹⁹ They were instructed to forward all such requests to the appropriate MG headquarters. By the middle of September the *Oberlandesgerichtspräsident* in North-Rhine Province reported that he had 37 such requests.²⁰⁰

At that point, several other difficulties arose that required direction from the MG. The *Oberlandesgerichtspräsident* reminded the MG that when a couple wanted to be married and they both had the *Ehefähigkeitszeugnis*, he was required to contract the marriage immediately, in accordance with German law. Such cases were not within his control to prohibit despite requests to do so. He acknowledged that since many foreign states such as Belgium, France, and the USSR did not issue *Ehefähigkeitszeugnis*, or it was impossible to obtain one because of the non-functioning of the *Postverkehr* (mail service), he was often faced with a request for an exemption. He informed the MG that his policy with regard to exemptions had changed because of recent experience. On several occasions he had given such an exemption for the marriages of French or Belgian men and German women, but the authorities in these countries refused to acknowledge the marriage as valid. He had changed policy, and only carried

¹⁹⁹ Letter to 714 P Mil Gov Det [sic] Düsseldorf from Legal Division (Main) HQ, Control Commission for Germany, British Element, Lübbecke, BAOR, 9 October 1945. FO 1060/875.

²⁰⁰ Letter by *Der Oberlandesgerichtspräsident*, Düsseldorf, to the Headquarters Military Government, North-Rhine-Province [sic], Legal Section, Düsseldorf, 19 September 1945. FO 1060/875.

out these ceremonies if the applicants had a certificate from their own country (*Heimatbehörde*) stating that the marriage was approved, and that the German wife was allowed to live in the native country of her husband.²⁰¹ The *Oberlandesgerichtspräsident* suggested that the MG was probably not interested in prohibiting such marriages and inquired whether it was necessary to forward these applications of exemption as well. The North-Rhine legal section expressed the opinion that while the CCG(BE) may wish to control marriages, difficulties may arise concerning the question of legitimacy of any children and this would be best avoided. The *Oberlandesgerichtspräsident* was instructed to continue to perform marriages where he was satisfied the marriage would be accepted, thus reinforcing the status of German practice and control.²⁰²

A more complex situation existed regarding many Poles in the zone who wished to marry. In the parts of Poland which before 1918 were included in Russia or Austria-Hungary, a marriage was required to be celebrated by a priest. In Western Poland, formerly a part of Germany, German law prevailed and a civil ceremony was required. This situation was further complicated by the fact that if two Poles from the first group married each other before a priest in Germany, the marriage would be considered legal. If a Pole from that region was married to a German by a priest in Germany, the marriage would not be legal. Furthermore, the Warsaw government had enacted new laws, the content of which was unknown to Polish DPs in Germany. A group of Polish officers who approached

²⁰¹ Ibid.

²⁰² Memo to HQ Legal Division, Control Commission for Germany, Lübbecke from Headquarters Military Government North-Rhine Province, 24 September 1945. FO 1060/875.

the MG was therefore very anxious that legislation be introduced to give legal validity, in Germany, to the marriages of Polish nationals celebrated in the presence of a Polish priest.²⁰³

An illustration of the problems caused by lack of clarity and communication involved a Polish woman residing at the DP camp at Bergen-Belsen and a British civilian employed by the British Red Cross Society. They were married in September 1945 at the *Standesamt*, Bergen, *Kreis* Celle and then again by a Polish priest at Bergen-Belsen so that their marriage would be valid in both England and Germany. Both of these ceremonies were performed the same day and they had both marriage certificates. This came to the attention of British Interests Branch (BIB), Political Division, because the woman, Antonina, requested a British passport so that she could travel to England with her husband, Eduardo. British Interests Branch had two points of clarification that it wished to raise. First, it queried the validity of the marriage under English law, an issue that had already been successfully cleared up and second, it questioned how this couple was able to marry without the required certificate.²⁰⁴ The *Standesamtbeamte* replied that since this document was not available he demanded a declaration upon oath, which was sufficient according to the German law.²⁰⁵ Not surprisingly, this created additional administrative hurdles for

²⁰³ Letter by Legal Advice and Drafting Branch, Lübbecke, to Lt. Col. Thomas, H.Q. Legal Division, 3 October, 1945. FO 1060/875.

²⁰⁴ Letter to A/Chief [sic] Legal Division, from British Interest Branch, Political Division, c/o Main HQ, CG Lübbecke, 2 October 1945. and letter to Headquarters, 618 Military Government Detachment, Bergen-Belsen from British Interest Branch, Political Division, c/o Main HQ, CCG, Lübbecke, 8 October 1945. FO 1049/58.

²⁰⁵ Letter to 912 Mil. Gov. [sic] Detachment from Standesamt (Registration Office), Bergen Celle, 10 November 1945. FO 1049/58.

the occupation administration in preventing marriages but since the individual concerned was a civilian and not governed by either army or CC regulations, there was not much that could be done to legally challenge the validity of his marriage.

Alongside the efforts of some officials to prevent marriages to Germans were the efforts of others to facilitate acceptable marriages between British subjects. A.H. King, in the Political Division, expressed his discomfort with British subjects being directed to the German *Standesamt* for a marriage ceremony and declared his belief that “there will be a natural repugnance among British subjects for years to come against being married by Germans in a country which we occupy.”²⁰⁶ These sentiments prompted some officials to attempt to arrange civil marriages under the FMA of 1892. Under this act, British subjects could be married by a consular officer appointed by the C-in-C. In the case of military personnel, the appropriate forms were to be sent to the CO ahead of time so that the marriage could be approved.²⁰⁷ The FMA, however, had been developed in a colonial context in the late Victorian era and this made it difficult to simply apply it to conditions in Germany. For example, civilians were to apply in person at the consular office regarding permission to marry. Since the consular representatives were in Hamburg and Berlin and travel was heavily restricted, other methods of notifying the consul were considered. Eventually a “notice by post” procedure was accepted which, it was noted, had been “invented years ago by Swan in the

²⁰⁶ Letter to the Principal Secretary of State for Foreign Affairs, Foreign Office, S.W. 1 from A.H. King, British Interests Branch, Political Division, c/o Main Headquarters, Control Commission for Germany, (British Element), Lübbecke, BAOR, 11 October 1945. FO 1060/875.

²⁰⁷ Letter from Andrew Clark, Norfolk House, 24 October 1944. FO 1060/874.

Congo,” and a special telegraph code (IMPED) was sent in May 1946 from the British Embassy, Consular Section in Rome, in order that the consular office would be able to obtain the information required to give permission to marry. Both of these procedures required the express permission of the FO which was rather skeptical at the start of the process, even questioning the use of the title “consul” since Britain would not normally have a consulate or consular facilities in a country with which it was technically still at war.²⁰⁸

Even after these obstacles had been overcome, difficulty in registering civilian marriages remained. Since marriages in this category were normally carried out by a consular authority, he simply kept a register of the marriages he performed and then sent copies of his registers to Somerset House on January 1st each year where they were then officially registered by the Registrar-General. When a couple in Germany were married by a Forces chaplain or in the *Standesamt*, although they would have a valid marriage certificate, if it was lost or stolen they would have no proof of a valid British marriage since the consul could not register a marriage he had not performed. Without proof of marriage, children involved would be declared illegitimate and deemed to have citizenship of the country in which they were born rather than that of their father. The wife also would have no proof of British citizenship.²⁰⁹ One example of the complications this could create involved Mr. Richardson, who married a German woman under the provisions of the FMA, but the marriage was not registered

²⁰⁸ Letter to H.M. Consul, Vienna from the British Embassy, (Consular Section), Rome, 7 May 1946. FO 741/11.

²⁰⁹ Memo to “Distribution List B” from Personnel Branch, HQ Military Government, Hansestadt Hamburg, 609 HQ CCG BAOR, 25 November 1946. FO 1014/325. Marriages of Forces personnel were recorded by second echelon. Ibid.

with the *Standesamt* or performed according to German law. This was not a problem while they were residing in the UK. When she decided to return to Germany, ostensibly temporarily, she reportedly discovered that she was not married according to German law and married another, German, man. This, however, left Mr. Richardson in the position of having to obtain a divorce before he could consider remarrying since he was still married to her according to English law.²¹⁰

Control Council Law (CCL) No. 16, the official marriage law (*Ehegesetz*) for Germany was published on 5 March 1946 and was intended to clarify procedures regarding marriage in Germany. In the opinion of the Special Legal Unit, it was substantially a re-enactment of the 1938 law, "pruned of conspicuous Nazi doctrine".²¹¹ The administrative and legal debate concerning this Law revolved around two issues. Initially, the question arose as to whether or not the Control Commission should become involved in changing German marriage law. Some argued that it was a purely German affair. Others argued that Germany did not have a government and that the law had to be changed quickly because of the Nazi-inspired clauses.²¹² In addition, the British wanted to amend certain aspects of it so that their personnel could have a civil marriage by a consular authority, and have this marriage be legal in Germany.²¹³ In the end, the British

²¹⁰ Correspondence between Mr. Richardson, 43 North View Drive, Westcroft on Sea, Essex, H.M. Consul-General, Hamburg, and the Treaty Department, Foreign Office, London S.W. 1, 26 November 1948 to 2 April 1949. FO 372/6747.

²¹¹ Report from British Special Legal Research Unit, "Comments of the BSLRU on the Control Council Marriage Law", 1 April 1946. FO 937/86.

²¹² Ibid.

²¹³ Letter by A.H. King, Deputy Chief, Political Division to Legal Division, Main HQ, CCG (BE), BAOR. 14 May 1946. FO 372/4515.

disagreed with a number of aspects of the law and they sought to avoid its constraints. The two main sections of the law itself that were declared unpalatable covered adultery and a waiting period after divorce. The adultery provision provided that a person could not marry someone with whom they had committed adultery if that act had been the cause of divorce. The section dealing with a waiting period applied exclusively to women, stating the requirement of waiting ten months after a divorce before they could remarry unless they had a baby in the meantime.²¹⁴ Since by the provisions of Ordinance 57 this was a German responsibility however, the British could not effect any change in the matter.

Furthermore, the requested amendment for the provision of consular marriages for British subjects in Germany was problematic. The purpose of the amendment was expressly to permit Consular marriages between non-Germans to be celebrated in Germany. The passage of this amendment through the Legal Directorate took a year and the end result did not unequivocally validate consular marriage because of two objections by the Americans. The consular representative, A.H. King, found the American attitude difficult to understand since they had no Federal Marriage Law and were unlikely to be interested, then or in the future, in Consular marriages abroad. Nevertheless, their objections meant that although Consular officers in Germany who held marriage warrants could perform marriages, the marrying parties still had to be informed that their marriage would not be valid in Germany. In this case, since the British were

²¹⁴ Allied Control Authority, Control Commission Law No. 16, Marriage Law, p. 2, *Bundesarchiv*, Koblenz, Z21 567.

unable to by-pass German law, with the amendment, a second ceremony was still necessary.²¹⁵

The publishing of CC Law No. 16 did not clarify policy and procedure either, and confusion was widespread. In July 1946 a German pastor applied for information concerning procedure through Religious Affairs, regarding a couple who had asked him to marry them. This British Officer and his German fiancée, an interpreter, requested to be wed in church without the ceremony being preceded by a civil marriage. Their request was based on a number of false assumptions circulating at the time. Their first assumption was that, since the bridegroom was a British subject and the bride-to-be would soon become one, they could proceed on the basis of British law under which a church ceremony is sufficient. In addition they stated to the pastor that under British law even soldiers and officers were allowed to marry German women and the Forces Commander had unlawfully prohibited them. Since this ban was unlawful and not binding, a marriage contracted against this ruling would be recognized in England as legally contracted according to British law. They further stated that according to reports in the papers, many such marriages had occurred and the Commander had let this pass because he knew the order to be unlawful. Because the military authorities did not give soldiers certificates permitting them to contract marriage, neither British chaplains (who had to obey the orders of the high Command) nor the German registry office (because it was a state institution) could perform these marriages. The church and its clergy were claimed an exception to this because

²¹⁵ Letter to undisclosed recipient ("Sir") signed A.H. King, British Consulate-General, Hamburg, c/o 63 HQ, CCG, BAOR, 2 May 1947. FO 372/4959.

they did not need the permission of the MG to perform their ecclesiastical duties.²¹⁶ The reply to Religious Affairs confirmed that British officers could only marry in Germany “in-the-lines” under Section 22 of the FMA (which could be by an English pastor) or by civil marriage in accordance with German law and therefore at least implied that permission of the C-in-C was required.²¹⁷ German authorities had other types of difficulties with the new law.

The *Oberlandesgerichtspräsident* in Hamburg, for example, was concerned that jurisdiction for its administration was in Berlin. Those who were forbidden to marry due to adultery might seek a pardon and the jurisdiction, he argued, should be in the British zone if that was where they were seeking to remarry. Seeking a pardon from the judge who passed the original decree might be impracticable in the circumstances. He also stated his belief that he should have authority for those who did not have a permanent address but wanted to marry in the British zone. Furthermore, difficulties frequently occurred regarding situations concerning divorce decrees from countries other than Germany and whether or not to accept them.²¹⁸ He suggested that this was further confused by the wording of the carrying-out law because jurisdiction was not clear. In some cases the British and the Soviets could both declare jurisdiction. The *Oberlandesgerichtspräsident* was primarily concerned though regarding situations where the couple was Russian and had moved to the British zone and

²¹⁶ Letter to Religious Affairs forwarded to I.A. & C., ZECO, Bünde from *An das Lipp. Landeskirchenamt in Detmold, Hornsche Str. 4*. 12 July 1946. FO 1050/1557.

²¹⁷ Letter to Religious Affairs from Secretariat Section, IA&C. Division, Zonal Executive Offices, CCG (BE), Bünde, 62 HQ, CCG, BAOR, 23 August 1946. FO 1050/1557.

²¹⁸ Letter by *Der Oberlandesgerichtspräsident, An das Zentral-Justizamt, Celle*, 11 October 1946. *Bundesarchiv*, Z21 567.

where both governments denied jurisdiction.²¹⁹ This of course would put the Germans in the position of being responsible for the outcome. The *Oberlandesgerichtspräsident* suggested that decisions regarding this type of situation were often required quickly and should not be made in Berlin.²²⁰ The ACC did act on the recommendations of a committee of *Oberlandesgerichtspräsidenten* and effected the recommended changes.²²¹

All of these legal questions contributed to a complex situation, one in which it was then difficult to get married. On 10 September 1946, a German newspaper in Berlin announced that the “first” British marriage to a German woman would take place the next day when Captain John Downing would marry Fräulein Meuer. The article said that they had been married in the *Standesamt* on 7 September with the religious ceremony to take place on 11 September. This prompted an immediate investigation by HQ Berlin and it was determined that Downing was in fact a civilian employed by 135 Friends (Quaker) Ambulance Unit and was a Captain in the Church Army. The pre-arranged British pastor was ordered not to perform the ceremony and Downing was said to be attempting to arrange a German pastor instead.²²² The civil ceremony was reported to have been performed on the production of a “no objection” certificate issued by British Interests Branch (BIB), Political Division, Berlin, on the recommendation of

²¹⁹ Memo to “Allierte Kontrollbehörde Rechtsdirektorat, Ausschuss über die Reform des Deutschen Rechts, # 606 der ZPO“, 30 September 1946, *Bundesarchiv*, Z21 574.

²²⁰ Letter by *Der Oberlandesgerichtspräsident*, An das Zentral-Justizamt, Celle, 11 October 1946. *Bundesarchiv*, Z21 567.

²²¹ Ordinance for the carrying out of the Marriage Law of 20 February 1946 (Control Council Law No. 16), *Bundesarchiv*, Z21 577.

²²² Telegram to HQ British Troops Berlin from HQ BAOR, A(PS2), Staff Group CCG, Sec Mil Gov [sic]. 11 September 1946.

Downing's superior. The Military Government stated that they had not issued a security clearance for Fräulein Meuer. The investigation showed that the Consul in Berlin had been asked by Downing for an "eligibility to marry" certificate as required by German law. The Consul told Downing that he was unable to do this, but that in certain circumstances could issue a "no objection" certificate and then Downing himself would have to satisfy the German authority that he was free to marry. Downing produced a questionnaire (*Fragebogen*) completed by Fräulein Meuer and "annotated by Special Branch P.S., HQ Mil Gov [sic] Berlin," which stated that their assessment would be one of "no objection." He also produced a letter of recommendation from his superior. The Consul added that two other Quakers whose opinion he trusted had stated that Fräulein Meuer was "of good character, that her intention in marrying Downing is honest, and that she is not a person from whom British nationality should be withheld." He added that both sets of parents approved of the marriage; the couple had met in May 1945 and had been engaged since January, 1946. On the strength of this information, Downing was issued a "no objection" certificate, the officials in the *Kammergerichte* satisfied themselves that both parties were free to marry and the marriage took place. Mrs. Downing was then issued a temporary British passport. It was the opinion of HM Consul that since Downing was a member of neither the armed forces nor the CCG, he was free to do what he did and that special powers would be required to limit the personal freedom of British civilians in Germany.²²³

²²³ Memo from H.M. Consul to Zonal Executive Offices, CCG (British Element), Lübbecke, 23 September 1946. FO 1049/486.

The media coverage of the situation resulted in increased pressure from members of the Forces of Occupation and the CCG(BE), who were restricted in ways that civilians were not. It was immediately requested of HQ that the C-in-C's directives on marriage be extended to all civilians. On September 19 officials agreed that in fairness to soldiers and CCG(BE) employees, British civilians wanting to marry German women ought to undergo a six months waiting period. They agreed further that this should be done by administrative means since a formal regulation would have to distinguish between various groups in Germany at the time such as employees of the Red Cross or United Nations Relief and Rehabilitation Administration (UNRRA) and British citizens who were there for a range of private reasons. These were estimated to be a group of several hundred.²²⁴ It was thus agreed that further directives would be sent to the *Standesamt* with strict instructions concerning the new administrative path to an approved marriage. Unfortunately, this did nothing to make the situation any clearer for those attempting to provide the service.

"Notes for the guidance of British Nationals (other than members of the Armed Forces and Navy Army Air Force Institute (NAAFI)) wishing to marry in Germany" gave the following procedure: the person concerned was to "make application for the publication of the banns of marriage to the German Registrar's Office (*Standesamt*) competent for the place of residence of your fiancée." This application would then follow a very circuitous route and be,

forwarded by the German Registrar through various channels, German and British in order that it may be considered and decided whether or not

²²⁴ Memo to Political Division from Zonal Executive Offices, CCG Lübbecke, 60 HQ CCG, BAOR, 17 September 1946. FO 1049/486.

permission will be granted to the marriage.... If, and when, consent is given to, [sic] the marriage, authority will be given to the Standesamt to solemnize the marriage. The Registrar will inform you when he receives authority to perform the marriage ceremony...The only action to be taken by you is that detailed in para [sic] 1. above. The steps set forth in para.2. and 3. follow automatically without need of action by you. The above procedure [sic] must be followed and applicants must not apply in person to Legal Branch, H.Q. Mil. Gov. [sic] in an effort to short circuit the procedure.²²⁵

The Regional Administrative Office (RAO) also requested to be advised on whether these rules applied to civilian staff of the CCG, since instructions had conflicted, in his opinion, and were sent from too many different departments.

This confusion led to a variety of problems. One couple writing to the FO in 1946 had been advised by the consul in Frankfurt that they could be married in Germany, but he did not say that his personal attendance was necessary in order that the marriage be registered in England. This couple did want their marriage registered in England for the benefit of their children.²²⁶ Mr. and Mrs. Crichton were informed that there was no way of doing this. Since this couple had a copy of their German marriage certificate, their children could be proven to be British subjects, which was one of Mr. Crichton's goals. It still left them, however, with the stigma of a German marriage certificate, the authenticity of which was continually questioned by English authorities. This contributed to Mrs. Crichton's continual feeling of not being accepted as a proper English wife.²²⁷ An additional

²²⁵ Attachment, Memo from Regional Administrative Officer, Personnel Branch, HQ Military Government, Hansestadt HAMBURG, 609 HQ CCG, BAOR, to Personnel Branch, Zonal Executive Offices, 60 HQ CCG, Lübbecke, BAOR, 18 November 1946. FO 1014/325.

²²⁶ Letter to The Under Secretary of State, Foreign Office, S.W.1 from Lightbounds, Jones & Co., Bevis Marks House (North Wing), E.C.3, 21 June 1946. FO 372/4515.

²²⁷ Ibid.

example comes from a letter written by a civilian CCG employee. His fiancée was also British and also worked for the CCG but was stationed 200 miles from him. He was wiring to the FO because he had been told that there was “no machinery in the whole of the British zone to effect the ceremony which would be recognized by HM Government in Great Britain.”²²⁸

While these kinds of administrative problems existed for Brits and Germans alike, there were certain categories of hurdles that were faced primarily by German women. For example, restrictions on travel presented difficulties for a German woman whose fiancé had already returned to England. In one confusing situation, Miss Kummerfeld and her fiancé, Mr. Saunders, were advised that she should acquire a UK visa from the British Passport Control office in Lübeck where she lived. In order to get this, she should have a letter from her fiancé saying that he had made preparations to marry her within two months of her arrival in England.²²⁹ A week later, Mr. Saunders was told by the FO that he could travel to Germany to marry his fiancée, but marriage in Germany was very difficult to arrange and it would be easier if his fiancée came to the UK on the same arrangements.²³⁰ A great difficulty for Miss Kummerfeld and other German women and their fiancés was that they had to arrange their own transportation.²³¹ This was obviously challenging and very expensive in 1946. Women could not

²²⁸ Letter to The Foreign Office, London from John Rhind, No. 2 District Censorship Station, BAOR, 16 September 1946. FO 372/4515.

²²⁹ Letter to The Secretary, Foreign Office, Whitehall, S.W.1 from Rev. L.G. Fisher, The Rectory, 191 Bermondsey St., S.E. 1, 21 April 1946 and return letter from Foreign Office, 17 May 1946. FO 372/4515.

²³⁰ Letter to Mr. Saunders, Esq., 26 Brainard St., Old Swan, from Foreign Office, S.W. 1, 21 May 1946. FO 372/4515.

²³¹ Letter to Reverend Fisher from Foreign Office.

take any family or friends with them and were at the mercy of their fiancé's family in England. The "Foreign Born Wife" was met at the airport or port by someone from the RAF Transit Booking Office or Embarkation Authority and taken over by London District Welfare on arrival in London. She was met by the local police when she arrived at the final destination and was released to her husband or fiancé or his family. In addition, accommodation in England had to be documented before she could secure transport to her final destination.²³²

Carola Althoff and her fiancé of 12 years, Mr. Williams, were confronted with similar obstacles. Mr. Williams had settled in Cologne with Althoff where he ran "The Great William's [sic] Circus Show" and they had three children born in 1941, 1942 and 1945. They had not been able to marry because of the war but in 1946 wished to do so and take their children to the UK. They soon discovered that this was almost impossible. Even though they could prove they had accommodation in the UK with Mr. Williams' father, they could not be married in Germany and, as the children were German nationals, they could not travel to the UK.²³³

Even though Althoff's children had a British father they were illegitimate and therefore took the nationality of the mother under German law and were stateless under British law. Althoff was, of course, only one of thousands of women who had illegitimate children by British fathers. Some of those fathers, like Mr. Williams, were willing to support their children, others were not. This left

²³² Letter to Corps District headquarters from BAOR Headquarters, 30 March 1946. FO 1049/618.

²³³ Letter to the Foreign Office, London from E.H. Williams, The Great Williams Circus Show, Military Government License number 4501, Under Supervision of 1 Corps Army Welfare Services, Cologne, 3 October 1946. FO 372/4515.

German women in difficulty in several ways. To begin with, they could not sue for support. Furthermore, if the British man did want to support the children, but not marry her, he could do this as long as he remained in Germany, yet he could not legally send money from the UK to provide such support.²³⁴ The legal argument from the British perspective was that affiliation and maintenance payments were intended to support the child. Illegitimate children of German mothers were German nationals and it was difficult for the British authorities to see why they should pay for these children. There were also two practical difficulties from the British point of view. Most of the British fathers were not going to remain in Germany for any extended length of time and it was thus impossible for the authorities to enforce maintenance orders against these men. Secondly, public scrutiny of these cases in court would be damaging to British prestige. In the opinion of the MG in Berlin, the Soviet press would have a “field day” and this would also leave British men vulnerable to the “possibility of blackmail and extortion at the hands of unscrupulous German women.”²³⁵

These British anxieties often left “unscrupulous German women” in a desperate position. For example, Elisabeth Judt wrote to the Foreign Office in May 1948 explaining that she had met David Brown in Liebenau in October 1945, where he was stationed until the following May. She became pregnant and had a child in October 1946. She stated that the father was aware of the pregnancy, had claimed he would return to Germany in August 1946, and that he would then

²³⁴ A. Michelson, for Chief Legal Division to P.W. & D.P. Division, Zonal Executive Offices, 16 December 1947. FO 937/136.

²³⁵ Telegram from Berlin, HQ BAOR to Foreign Office (German Section) London, 13 February 1948. FO 371/70845.

take her with him to Scotland. When he failed to return she wrote to his address in St. Andrews repeatedly, and received no reply. Finally she received a letter from his mother stating that he had moved to Canada. Through a firm of solicitors in St. Andrews, she was able to initiate a police enquiry through which she discovered that not only did he still live in St. Andrews, but had subsequently married another woman. She was now pressing the Foreign Office for information on how she could claim support.²³⁶ In a similar case, Mrs. Banck met Major P. while she was still married to her Austrian husband, but since the Major agreed that she should get a divorce, she had two children with him. When her divorce became final, Major P. disappeared. The FO reply assured Mrs. Banck that it was impossible for her to obtain an affiliation order in Germany that would be enforceable in England. The FO letter also revealed that, because there were so many of these cases, the issue was now with the United Nations Organizations and was the subject of international agreements.²³⁷

There were, of course, some British personnel who were willing to take responsibility for the support of their children even though they did not expect to have a long-term relationship with the German mother. Letters from these fathers to the FO inquiring as to how they could provide support to their children were met with similarly unsatisfactory replies. For example, Mr. Cook, a sapper in the BAOR, was told that his child was the responsibility of the German authorities and both the FO and the CCG(BE) were powerless to assist him. Mr. Cook had

²³⁶ Letter from Elisabeth Judt (resident of the British zone) to Foreign Office, 20 May 1948. FO 371/70845.

²³⁷ Letters between Mrs. Banck and Basil Marsden-Smedley, Foreign Office, London S.W.1, 17 April and 7 May 1948. FO 371/70845.

heard through the CO of his regiment that the child was suffering from malnutrition. The FO suggested that the only action he could take was to use his UK family rations for medicinal items such as cod liver oil which could be sent through the regular Post. Mr. Cook was also informed by the WO, mistakenly as it turned out, that volunteer organizations were also powerless to help in this situation.²³⁸ In fact, one organization, with the unlikely name of the National Council for the Unmarried Mother and Her Child, had money entrusted to them by British fathers of German children. This organization, after great difficulty, negotiated with another relief organization, Save Europe Now, to handle these funds for many British fathers seeking to give such support for their children.²³⁹

Child support was only one more problem German women faced in a long list of complex issues. Many aspects of their relationships with men were unstable and unpredictable, as conditions changed in the post-war period. Along with the dilemmas of relationships with British men, many faced uncertainty in their relationships with their German husbands. Many women sought divorce or were faced with the presumption of death of a husband. The occupation administration had some role to play regarding all of these issues, each of which potentially limited a woman's ability to move on and make a new life. Divorce and presumption of death were handled by the German central Legal Office with the authority of the MG. The new fledgling German government had its own internal issues to work through in developing these laws. It is difficult to ascertain, in this

²³⁸ Letters from the War Office to the Foreign Office, London, S.W.1, 17 February and 23 March 1948. FO 371/70845.

²³⁹ Notes on a meeting between the National Council for the Unmarried Mother and Her Child representatives Miss Granger and Miss Steele, and members of the Foreign Office, including Lord Pakenham, 20 February 1948. FO 371/70845.

particular situation, how much autonomy the German legal office had and how much authority the MG asserted without an in-depth analysis of the development of this law. The outcome, however, and its effect on German women was clear enough. German courts were able to make a presumption of death one year after the husband was known to have been in danger, either through war or concentration camp incarceration. Where there was any doubt as to the exact date, 8 May 1945 was to be used. Again, however, the technicalities were tremendously complex and political. The main issue was that where the first husband reappeared after a second marriage and the husband was a German national, German court judgments applied. Where the husband was any other nationality, English law applied. This meant that in the first scenario, the first marriage was dissolved while under English law the second marriage was dissolved.²⁴⁰

The ruling allowing for presumption of death was a benefit to German women who wanted to move on with their lives. The process remained difficult and lengthy, however, and not everyone was content to work their way through it legally. There were, of course, cases where German women attempted to circumvent the necessary forms and regulations. One example concerned Leni Wittman [sic] who produced a presumption of death certificate in order to marry James Diplock. Eventually it was discovered that she had forged various documents, her previous husband was in fact still alive, and she was pursued

²⁴⁰ Letter by A. Michelson, Chief, Legal Division, Z.E.C.O., Herford, to A(P.S.1), Headquarters, BAOR, 4 December 1946. FO 1060/889.

and prosecuted by the Special Investigations Department.²⁴¹ Another instance included two couples who were married by Army Chaplains in Lübeck in June 1947; the women claimed, in both cases, that their former husbands were dead. This was subsequently found to be false information. One of these men had been a POW in Russia, but had returned to Germany, and the second was a POW in Yugoslavia who had written to the MG on several occasions. The women concerned had claimed to be Brazilian and Polish since at that time British men were forbidden to marry German women. PS Düsseldorf was investigating whether charges would be laid. Interestingly, the writer of the preliminary report suggested that this situation “emphasiz[ed] again the prevailing need for an early change of the marriage procedure for members of H.M. Forces.”²⁴² On the other hand, there were situations where a woman had remarried on what she believed was authentic information concerning the death of her previous husband. Mrs. Rennie discovered that her first husband was still alive in 1949 when she had already moved to Scotland with her new husband. Although her marriage to John Rennie was declared valid by British law, the two had been married at a Catholic Church only, and in 1946, when marriage of CCG personnel to German women had not been sanctioned.²⁴³

²⁴¹ Letters between the British Consulate-General, Headquarters, CCG (BE), Berlin, BAOR 2 and Personnel Branch, Administrative Staff, Headquarters, control Commission for Germany (BE), Berlin, BAOR 2, 3 December 1948 to 27 May 1949. FO 372/6747.

²⁴² Report from Land Legal Department, HQ Land North Rhine/Westfalen, Dusseldorf [sic], 714 HQ, CCG (BE), BAOR to Legal Division, Zonal Executive Offices, CCG, Herford, 65 HQ CCG, BAOR, 12 November 1947. FO 937/120.

²⁴³ Letter from the British Consulate-General, c/o Commissioner's Office, Hansestadt Hamburg, BAOR 3 to Treaty Department, Foreign Office, London, S.W. 1. 14 November 1949. FO 372/6748.

Modifications to divorce procedures also benefitted German women, often allowing remarriage more quickly. Women who were attempting to get divorced and those who had already managed it both faced a number of obstacles. Until 1948 divorced individuals were required to produce a complete official “long certificate” of the divorce decree with their application for marriage banns or marriages. This was sometimes impossible in the post-war confusion since this type of certificate could only be issued after the fact by a government registry office. This regulation was finally amended so that the person concerned could appear with a “short certificate”, the record that is given to the individual at the time the divorce is granted. This still had to be made out by the Registrar of the court, “who must belong to the higher grade of the legal civil service,” and it was required to show “whether any and if so which persons are prevented from contracting the proposed marriage on account of sexual intercourse or adultery.”²⁴⁴ If the certificate presented did not contain this information, the reasons for this were considered, in case it was impossible to obtain the information.²⁴⁵

Divorce presented other categories of problems as well, for both officials and divorcees. One major problem, as stated by the *Präsident des Zentral-Justizamts für die Britische Zone*, was the negotiation of “recognition of foreign judgments in divorce cases and exclusive jurisdiction of German courts in

²⁴⁴ “Certificates in divorce cases for banns proceedings before the Registrar, General Instruction of the President of the Central Legal Office” 8 June 1948, *Bundesarchiv*, Z1 1145 folder 1.

²⁴⁵ *Ibid.*

matrimonial cases.”²⁴⁶ From the perspective of the German courts, it needed to be clear that provision had been made for the protection of the German party concerned. The other significant problem for the courts was the requirement of reciprocity which was lifted in 1948. This meant that nationals of foreign countries could subsequently sue for divorce in Germany, making it easier for German women to divorce nationals of countries such as Austria, Holland or Poland.²⁴⁷ This is significant because a remarkable number of divorces in this period were a result of marriages in the immediate post-war, which in all likelihood were not between two Germans. In Hamburg in 1951, 1,628 of 4,109 divorces were of post-war marriages.²⁴⁸

A significant obstacle to divorce for German women, as well as those of other nationalities, was the incarceration and thus inaccessibility of the men they wished to divorce. In January 1947, the *Justizinspektor* in Hamburg, Dr. Höpfner, wrote to the MG recommending a new ordinance regarding serving documents to internees in civilian camps.²⁴⁹ This had not been allowed, with only a few exceptions in Hamburg and Hannover, which Dr. Höpfner reported as “rare and inconsequential.” He suggested that, after the first delivery of a document, the internee could appoint someone outside the camp to represent him and thus

²⁴⁶ Letter by *Der Präsident des Zentral-Justizamts für die Britische Zone*, Hamburg to *Justizministerium*, Stuttgart, Archivstrasse 15, 29 June 1948. *Bundesarchiv* Z21 576.

²⁴⁷ *Ibid.*

²⁴⁸ Heineman, p. 125. As mentioned earlier, tens of thousands of German women married occupation soldiers and others married Allied or UN nationals. Heineman, p. 98.

²⁴⁹ Letter by Dr. Höpfner, *Justizinspektor*, to Liaison Officer, Legal Division, Central Legal Office, Control Commission for Germany (BE), c/o Military Government, Hansestadt Hamburg, 10 January 1947. *Bundesarchiv* Z 21 566.

many divorce cases could be initiated or completed.²⁵⁰ Since civil legal concerns passed to the authority of the German legal department with Ordinance 57, divorce became a strictly German matter. The difficulty was that many of these men were arrested on criminal charges and remained incarcerated and under the control of the British legal authority.

In the wider picture, marriage in the zone was characterized by the British struggle with internal administrative issues. For example, many British subjects wished to marry in a *Standesamt* and have their marriage registered in the UK. Mr. King, the newly appointed Consul, was intent on maintaining his notion of British superiority, however, and refused to even attempt to attend marriages of British subjects at the *Standesamt*, which would have allowed them to be officially registered at Somerset House. He stated that he did not,

propose to kick my heels in a scrubby German office just because a British subject wants to be married to a German woman...he can get married legally, without my presence, and he will just have to do without a *lex loci* [sic] registration.²⁵¹

This obviously did not do much to improve relations with Germans. Dunbar of the FO was careful to appreciate the “unseemliness” of the inconvenience of having to attend at a *Standesamt*, but encouraged King to be cognizant of his position as relations with the Germans returned to normal. Furthermore, Dunbar did not

²⁵⁰ Letter by Dr. Höpfner, *Justizinspektor*, to CLO British Liaison Officer, Legal Division CCG, Hamburg, 21 August 1947. *Bundesarchiv* Z 21 566.

²⁵¹ Letter to “Dunbar”, Foreign Office, London, S.W. 1. from A. H. King, British Consulate-General, Hamburg, c/o 63 HQ, CCG, BAOR, 22 October 1946. FO 372/4515.

want the situation to occur where a member of the CCG(BE) took this to mean that the marriage was not valid.²⁵²

King was also specifically set against the approval of marriages of British subjects and Germans at the *Standesamt* because he believed that this would inevitably lead to a significant problem concerning marriages of convenience. He reiterated his belief that "there are a good many women in Germany at present who would be prepared to pay a British subject £50 in order to get a British passport."²⁵³ The underlying assumption is that the same number of British men would be willing to take the £50. For this reason, as well, King wanted to maintain the necessity of the certificates of no impediment. This required the applicants giving notice to the Consul after the residence qualifications of the Marriage with Foreigners Act of 1906 had been met and satisfied.²⁵⁴ This involved about six weeks delay and the FO felt that "the parties are apt to feel that their marriages are unnecessarily postponed by what appears to them to be gratuitous interference by the British authorities." Dunbar, at the FO, insisted that this was both very unpopular and that it was very unfortunate that part of the procedure for waiving German marriage requirements was the same certificate from British authorities.²⁵⁵ To underline the point, Dunbar included, with his own letter, a letter from a civilian employee of the CCG expressing irritation against the existing

²⁵² Letter to "King" from R. Dunbar, Foreign Office, S.W.1, 3 October 1946. FO 372/4515.

²⁵³ Letter to Dunbar from King. 22 October 1946. FO 372/4515.

²⁵⁴ The Marriage with Foreigners Act of 1906 gave the requirements necessary for a marriage of a British subject in a foreign country to comply with the laws of that country when they were different than British laws, including the issue of relevant documentation.

²⁵⁵ Letter to "King" from R. Dunbar, Foreign Office, S.W.1, 3 October 1946. FO 372/4515.

restrictions on marriage. Dunbar feared that, when the restrictions were removed, "it will be unfortunate if the benefits to British subjects should appear to be whittled down by a formality which it is the ostensible purpose of the new instructions to eliminate."²⁵⁶

King's sensibilities were only one element of the many obstacles involved in regulating marriage in the British zone. Providing facilities for legal and acceptable marriages was a challenge, given the tension between the official agenda and the actions of British personnel on the ground. Much of this tension remained into the 1950's because German women continued to be viewed officially as a security threat and although the MG did its best to keep the two groups separated, it could not prevent British men from marrying German women. Some of the restrictions were therefore eased. The most significant change for German women was the lifting of the ban on marriage between British subjects and "ex-enemy aliens" in March 1947. Even though this made marriage possible, many restrictions remained in place and German women continued to experience a number of security barriers. Changes to the FMA, for example, resulted in Anglo-German marriages where the German wife did not any longer automatically acquire British nationality. This created some dilemmas for her regarding her status as a "foreign-born" wife with German children. The next chapter will examine the evolution of marriage regulations after the ban was lifted in 1947 and the impact of the changes on the lives of German women and their families.

²⁵⁶ Ibid.

Chapter 5: Marriage to Ex-enemy Occupiers

If a woman of German nationality marries a foreign national or a stateless person her attention must be drawn to the fact that she loses German nationality on her marriage if she acquires a foreign nationality.

-Excerpt from the Ministerial Gazette for Land North-Rhine Westphalia²⁵⁷

In the first two years of occupation MG and CCG(BE) officials implemented and then adapted many different policies, some of which were intended to prevent Anglo-German relationships. Initially, policies of this kind were meant to prevent social contact of any sort between the two populations. Later, after the fraternization ban was lifted, its purpose was to prevent specific types of relationships such as sexual affairs or marriage. As it became more apparent that such marriages could not be prevented, regulations were implemented to control as many aspects of the process as possible. From the point of view of a German woman, these regulations made marriage to ex-enemy soldiers or civilians a complicated and public affair. Her character was officially questioned, her motive for marriage brought under suspicion and her children, if she had any, were only partially accepted. Although by 1947 relations between Britain, the U.S., and the western zones of Germany were being repaired in important ways, as Germany became the main battleground of the cold war, German women remained enemies in the eyes of the occupation bureaucracy.

During 1947 and 1948 the British made two significant changes to marriage regulations, both of which affected German women directly. The first of these was the lifting of the ban on marriage to "ex-enemy aliens." The second

²⁵⁷ "Extract from Ministerial Gazette for Land North-Rhine Westphalia, No. 77, 28 September 1949," FO 372/6748.

involved changes to the Nationality Act. Although the lifting of the ban made marriage between British men and German women officially possible, it did not make it easy to accomplish. Many regulatory obstacles were put in place to safeguard British interests. Similarly, the changes to the Nationality Act prevented foreign-born wives from acquiring British nationality. There were no doubt many objectives influencing this decision; to begin, it also safeguarded British interests by preventing large numbers of Poles or DP's from acquiring British nationality through marriage. Nevertheless, it is likely that German women were the most significant target.

Elizabeth Heineman has recently examined the role of marital status for German women in Nazi and postwar Germany and asked the question "What Difference Does a Husband Make?"²⁵⁸ In exploring this issue she examines the lives of single, divorced, widowed and married women and the different types of problems and status issues each group experienced. She found that, at several points in the immediate postwar, a great deal of support existed for single women to remain so and live happy lives. Despite this, there were obviously many women for whom marriage and family were preferable. The difficulty was lack of marriage partners. It is clear that British personnel, soldiers and civilians, were acceptable marriage partners and were even more attractive than German men in some ways. However, a relationship with a British man was no guarantee of security, given the early regulations against fraternization and marriage, the anti-fraternization movement, and the possibility of being left with a child and no

²⁵⁸ Heineman, *What Difference does a Husband Make?*

support at any time during the occupation but particularly before marriage was allowed.

Furthermore, the barriers put in the way of German women marrying British personnel were so numerous that the couple concerned must have been quite motivated, and having a husband must have made a great deal of difference to some German women. German women were treated as security risks during both engagement and marriage, affecting both their husbands' careers and their potential standard of living. The husband could be transferred to a lower grade or even discharged from the CCG as a result of marrying a German. Access to material resources after marriage was somewhat restricted depending on her exact situation and this also potentially affected her family's standard of living. Although some amenities such as married quarters, were potentially available, clothing for children was not. In addition, after 1 January 1949, even when German women had cleared the security barriers, they did not acquire the nationality of their husbands. Therefore, marrying a British man did not mean an immediate change for the better in terms of her material resources. If this was the only reason that German women were pursuing British men, they were in for some disappointment.

The announcement and communication of regulations to allow the possibility of marriage between British subjects and ex-enemy aliens came in March 1947.²⁵⁹ Although very officially worded, the tone of this document was

²⁵⁹ "Marriages of CCG Civilians to Persons of Enemy or Ex-enemy Nationality" by Organization Branch, Office of the C.A.O., Zonal Executive Offices, CCG Lübbecke 60 HQ CCG, BAOR, 17 March 1947. This was superseded by amendments 19 September

rather stern reminding applicants several times that no exceptions would be made for any reason and that applicants should not attempt to short-circuit the process. Given the time and effort it likely took to fulfill the requirements, it is not surprising that people attempted to bypass some of them. The regulations were onerous and specific and were clearly designed to preclude any regulatory difficulties or security concerns. The most prominent concern was apparently the vulnerability of certain departments within the CCG(BE) and the organization's ability to withstand an assault by unscrupulous German women. Consequently waiting periods, screening mechanisms and character references were all part of the process of safeguarding the system. The instructions began with a notification that the six month waiting period would continue, unless the applicant was leaving the CCG(BE), and then proceeded to list the various responsibilities of each party.²⁶⁰ This was not always observed, and many marriages took place without the six-month certificate. The Treaty department maintained that these were valid marriages and the wives were entitled to a British passport.²⁶¹

Assuming the employee planned to remain in the employment of the CCG, he first applied on Form BAOR 120, "in duplicate and suitably adapted" to the relevant Regional Administrative Officer (RAO). The RAO determined whether or not the applicant could remain at his current position or would need to be transferred for security reasons. In all cases, a "certificate of good character" of the prospective wife from the *Oberbürgermeister* of the *Stadtkreis* where she

1947 and 17 December 1947. None of the amendments changed the regulations to any noticeable degree. The changes were concerned with specific wording. FO 1014/325.

²⁶⁰ Ibid.

²⁶¹ Letter from British Consulate, Munich to H.M. Under Secretary of State for Foreign Affairs, Foreign Office, London, 27 January 1947. FO 372/4930.

lived, (or alternatively the *Landrat* of the *Kreis* or their equivalent in large cities), as well as from her Priest or Minister, was required with the application. Both of these letters were to have “certified translations” attached. The woman concerned had also to include two copies of a questionnaire (*Fragebogen*). When all of this was reviewed and provisional approval given, the *Oberlandesgerichtspräsident* could be approached for the “eligibility to marry” certificate or an exemption from it. When the exemption was received the RAO sent an instruction for the applicant and his fiancée to go to the consulate office in Hamburg or Berlin for “completion of the formalities under the Marriage with Foreigners Act 1906.” Normally, this could be done more than two months ahead of the date of marriage. Permission to make such a journey also had to be acquired from the superior officer.²⁶² And, although not stated in the instruction, the woman concerned might have to have leave from work, arrange to have children or other dependents cared for or make any number of other arrangements so that she could make this trip. Her absence from home and work may have been a serious obstacle. All applicants were instructed to note that no exceptions to the procedures would be made on account of pregnancy or if the couple had already been married “in the lines,” but still required the German ceremony at the *Standesamt*. In addition, anyone who had applied prior to 20 March 1947 was required to apply again according to the new instruction. The six months waiting period, however, would be taken from the date of the first application.²⁶³ Since it is feasible that it could take months to meet the entire list

²⁶² “Marriages of CCG Civilians.”

²⁶³ Ibid.

of requirements, this was probably a benefit. It was also pointed out that the *Standesamt* would not normally take a notice to marry longer than one month ahead, but notices to marry could be renewed after the dispensation from the *Oberlandesgerichtspräsident* was received.²⁶⁴ It is difficult to imagine the emotional toll that all of this took on the couple concerned.

It was likewise a significant undertaking for the CCG(BE) personnel involved in the scrutinizing and processing of the documentation and many problems occurred. Although the whole procedure was laid out in the Zonal Executive Control Office (ZECO) document, instructions were not always heeded and were often misunderstood. From a bureaucratic point of view, the application was required to be processed through the applicant's Division, Intelligence Division, Public Safety and HQ which entailed a good deal of "paper shuffling." Parts of the documentation, the *Fragebogen* and character statements as well as Form BAOR 120, were gathered at the RAO to be forwarded to Intelligence Division. The RA officer arranged for the prospective bride to be medically examined by a British doctor to ensure that she was free of VD and tuberculosis and that there was no other medical objection to the marriage. When Intelligence received the two copies of the *Fragebogen* they were instructed to forward one copy with the "certificate of good character" to a PS Officer (Special Branch). In any "doubtful cases," HQ Intelligence Division should be consulted. In all cases the woman's name was checked against a list received from HQ "of the certain classes of German women who, by reason of their past political associations, must be considered to be automatically banned from marrying CCG

²⁶⁴ *Ibid.*

personnel.”²⁶⁵ When the woman concerned had been cleared by Intelligence and PS, the paperwork could all be returned to RAO. The Division official was then to let the couple know that provisional approval had been given and that final approval could be given six months later. Division personnel were instructed to countersign Form BAOR 120. Everything could be sent to Regional HQ at the expiry of the six months and notice of final approval given to the applicant. Application could at that point be made to the local *Standesamt* for the appropriate certificates. If anything was found to be unsatisfactory at any point, everything should be sent to ZECO.²⁶⁶

The monthly reports from the Chief Legal Officer in Niedersachsen to Legal Division, ZECO, indicate that there were a substantial number of applications to marry in the second half of 1947.²⁶⁷ In July for example, the Legal Office handled a total of 994 applications from the *Standesamt* and *Oberlandesgerichtspräsident*.²⁶⁸ For the same period the legal office received only fourteen from the Consul. Furthermore, of the applications from British personnel, most were from the military. This is particularly surprising given the overwhelming number of CCG(BE) civilian employees in the zone at that time. From July to December, 53 civilians and 512 military personnel applied to marry a non-British person. These figures also reveal that a vast majority of the total

²⁶⁵ Ibid.

²⁶⁶ Ibid.

²⁶⁷ Monthly report by Chief Legal Officer, Military Government, *Land Niedersachsen* to Legal Division ZECO, FO 1060/162. The figures for the first part of 1947 have not survived.

²⁶⁸ These German authorities were at this time still required to obtain approval for marriage for all non-German applicants.

applications were from Poles (675 in July). Of the additional applications there were 18 non-British nationalities in all.²⁶⁹

There were a number of glitches in the system. Some were bureaucratic and some were the responsibility of individual applicants. Legal Branch in Hamburg complained in June that it was receiving papers related to marriages of CCG(BE) personnel and requested clarification of the procedure.²⁷⁰ By September it appears that all the Divisions concerned were sending the applications to the RAO as per instruction. The Legal Branch continued to receive applications directly from individuals however.²⁷¹ In 1948, individuals arriving at the Consulate in Hamburg continually did so without a letter of provisional approval. The RAO Hamburg stated that it was always given to the applicant and could not, according to procedure, be sent to the Consulate instead. The Consul was therefore, required to delay the marriage while another copy of the security clearance was obtained.²⁷²

By early 1948, the officials responsible for handling the applications were looking for means of streamlining the process. The Intelligence office in Hamburg requested that "in order to save time and for the convenience of all concerned," the applications of military personnel should be forwarded directly from the unit to

²⁶⁹ The other nationalities include American, Baltic, Belgian, Brazilian, Chilean, Czech, Danish, Dutch, French, Greek, Hungarian, Iranian, Luxembourgian, Polish, Russian, Turkish, Ukrainian, and Yugoslav.

²⁷⁰ Letter by Legal Branch, HQ Military Government, Hansestadt Hamburg, 609 HQ CCG BAOR to Legal Division, ZECO, 65 HQ CCG (BE), BAOR, Herford, 20 June 1947. FO 1014/325.

²⁷¹ Letter by Legal Branch, HQ Hansestadt Hamburg, 609 HQ CCG (BE), BAOR to Personnel Branch, HQ Hansestadt Hamburg, 12 September 1947. FO 1014/325.

²⁷² Letters to Regional Administrative Office, HQ Hansestadt Hamburg, 609 HQ CCG (BE), BAOR 3 from British Consulate General, 63 HQ CCG, BAOR 3 and replies, 1-17 April 1948. FO 1014/325.

PS. Intelligence Division required only the name and date of birth of the woman concerned in order to clear her. It was suggested that a written confirmation could be sent as follow-up.²⁷³ PS approved of this new procedure and suggested that it should apply to all CCG employees as well.²⁷⁴ With the approval of PS, Intelligence sought agreement with the RAO adding that the routine work of security clearance took only a few minutes and the handling of such a large amount of documentation seemed quite unnecessary.²⁷⁵ The RA Officer agreed with the proposed procedure but emphasized at the same time that it was not the practice of his office to forward any documents to Intelligence Branch. He was somewhat unclear as to exactly which documents were under discussion.²⁷⁶ The Regional Intelligence Officer (RIO) then circulated a letter he had just been forwarded from PS Bünde stating that since very few objections had arisen to the women being checked, it had been decided to discontinue the bulk of enquiries.²⁷⁷ Assumptions made at the time of the original regulation concerning the risk of German women to the British establishment had proven to have little substance. Many marriages were, however, no doubt delayed due to this whole process.

²⁷³ Letter from 16 (Hamburg) Intelligence Office, BAOR 3 to Public Safety, 609 HQ CCG (BE), BAOR 3, 3 March 1948. FO 1014/325.

²⁷⁴ Letter by Public Safety (Special) Branch, HQ Hansestadt Hamburg, 609 HQ CCG (BE), BAOR 3 to R.I.O., 16 (Hamburg) Intelligence Office, Hansestadt Hamburg, BAOR 3, 5 March 1948. FO 1014/325.

²⁷⁵ Letter from 16 (Hamburg) Intelligence Office BAOR 3 to Regional Administrative Officer, 609 HQ CCG (BE), BAOR 3, 23 March 1948. FO 1014/325.

²⁷⁶ Letter from Regional Administrative Office, HQ Hansestadt Hamburg, 609 HQ CCG (BE), BAOR 3 to Regional Intelligence Officer, 16 (Hamburg) Intelligence Office, BAOR 3, 3 April 1948, FO 1014/325.

²⁷⁷ Letter from 16 (Hamburg) Intelligence Office, BAOR 3, to Regional Administrative Officer, 609 HQ CCG (BE), BAOR 3, 3 April 1948. FO 1014/325.

At the same time, the administration appears to have been concerned with the number of ex-enemy women who were acquiring British nationality through marriage. The WO reported that 95% of marriages had proceeded under the FMA and suggested that this “gap in defences” be closed.²⁷⁸ While it appears that some of the foreign-born wives were of east European origin, they were primarily German. A list of personnel in Education Branch and Cultural Relations Branch with wives of German or East European origin indicates of total of 20. Of these foreign-born wives 16 were German, one Italian, one Austrian, one Czech and one Polish. All but one of the employees listed were temporary civilian employees.²⁷⁹ The Nationality Act was therefore changed in 1948 and the changes became effective on 1 January, 1949.²⁸⁰ The amendments prevented any foreign-born wife acquiring British nationality by marriage. Instead, after the marriage was completed she could apply to be registered as a citizen of the United Kingdom and Colonies at any Consulate office and take an Oath of Allegiance. This conferred on her the status of a British subject. She could also at that time apply for an emergency certificate if they were travelling to the UK immediately. She could not apply for a passport until she received her registration certificate.²⁸¹

²⁷⁸ Memo by E.J. Bowman, Somerset House, London to “Daltroff”, War Office, 3 September, 1948, WO 32/3153.

²⁷⁹ “List of Personnel in Education Branch and Cultural Relations with German or East European wives”, n.d. as an appendix to a memo from Personnel Administration Branch, 4 April 1951. FO1035/22.

²⁸⁰ Regional Administrative Instruction No. 1/49, “Marriage of CCG Civilians to Persons of Enemy or Ex-Enemy Nationality or Birth, British Nationality Act 1948”, 7 January 1949. FO 1014/325.

²⁸¹ Ibid.

Judging from correspondence soon after this announcement, it appears that there were a significant number of couples requesting that their applications be fast-tracked since the women concerned were pregnant. In these cases the couple wanted their marriage to occur under the old rules so that the child would automatically have British nationality rather than having to apply for it later.²⁸² This was approved in some cases but with the proviso that although the date of marriage was moved forward, the application for married quarters was not so that they did not have any advantage over other applicants.²⁸³ There appear to have been an equal number requesting some modification of the waiting period because of the length of time they had already been waiting and they simply wanted to be married under the old law.²⁸⁴

At the same time as regulations were established for British-German marriages, the CCG(BE) moved to deregulate the marriage process for non-Germans. CC Law No. 52 superseded CC Law No. 16 and stated that a marriage celebrated between two parties, neither of whom was a German national, would be valid if performed by an official of a country of which either was a national.²⁸⁵ This allowed British couples, British and non-German persons and those from the East of Poland, to be married by a priest only for example. The recording of

²⁸² Memo by Personnel Branch P.1., Office of the C.A.O., Zonal Executive Offices, Lübbecke [sic], 60 HQ CCG BAOR 1 to Governmental Structure Branch, Berlin, HQ CCG (BE), BAOR 2, 16 June 1948. FO 1049/1224.

²⁸³ Personnel Branch Instruction No. 15, 28 September 1948 "Marriage with Enemy & Ex-Enemy Nationals", FO 1014/325.

²⁸⁴ "The Foreign Marriage Order in Council, 1947, Section 2", FO 1014/325.

²⁸⁵ "Consular Marriages under the Foreign Marriage Act 1892" as attachment to a covering letter from the British Consulate-General, Hamburg, c/o 63 HQ CCG, BAOR to Secretariat, HQ CCG (BE), 609 HQ Mil Gov [sic], Hansestadt-Hamburg, 22 August 1947. FO 1014/325.

these ceremonies was not automatically carried out, however, and individuals were directed to obtain a certified copy of the marriage for the German register, "duly authenticated by the proper authority."²⁸⁶ The German Legal Office raised the issue of the verification of such certificates but it does not appear that this was a huge obstacle despite the fact that the list of possibilities was potentially endless.²⁸⁷ Where a British citizen was involved and wanted the marriage registered in England, a listing of "proper authorities" from whom a certificate of marriage could be obtained was attached to the instruction as was the consular fee and instructions regarding the English translations which were required with the British registration request.²⁸⁸ In order to authenticate the marriage registration certificates for British purposes, the Consul requested the legal signatures of the proper officials in each *Land*.²⁸⁹ This registration of marriages clearly benefitted German women who would now have a more secure record.

The securing of a record was an important part of the process from which German women benefitted in unpredictable ways. The proper recording of a marriage contract did mean that the marriage was carried out according to the prevailing law. It is remarkable how many examples exist of couples who did not marry according to regulations only to find later that their marriages were not valid in some way. Elfreda Lopatta married J. Richardson in November 1947 at the Church of England Garrison Church at Celle, but not also in a *Standesamt*.

²⁸⁶ Letter from Legal Division, Zonal Executive Offices, CCG, Hereford, 65 HQ CCG, BAOR to Headquarters, British Army of the Rhine, BAOR, Flag Officer Commanding, British Naval Forces, Germany, 8 June 1948, *Bundesarchiv*, Z1 1145 fol. 1.

²⁸⁷ Legal Division to Headquarters, 8 June 1948., *Bundesarchiv*, Z1 1145 fol. 1.

²⁸⁸ *Ibid*.

²⁸⁹ Personnel Branch to Governmental Structure Branch, 16 June 1948. FO 1949/1224.

The ceremony was performed by an R.A.F. "Padre" who may not have realized the legal difficulty in which Mr. Richardson was putting himself. Given the number of changes to the significant number of marriage regulations over a short period of time, it may well be that even the officials performing the marriages could not keep up with all the legal aspects. When Elfreda decided to return to her life in Germany in 1949, she could do so as a single person. Mr. Richardson, however, had to sue for divorce because his marriage was legal in England.²⁹⁰

In spite of the ongoing suspicious attitude to German women on a bureaucratic level, British personnel continued to contract marriages that were approved despite the barriers. This did not mean that the situation was suddenly more open or the bureaucracy necessarily more accommodating. The view that "things were changing" or that German women were becoming more accepted must be balanced with the list of instructions and restrictions officially detailed for "families of all ranks after their marriage to enemy or ex-enemy nationals in BAOR."²⁹¹ These instructions stated that the official intention was to address both the status of these families as well as their living conditions. In doing so, however, it is clear that the underlying purpose was to ensure that these families took their proper place relative to the families of British-born wives.

The instructions address several topics under the scheme of Operation Union, including the definition of a family, privileges accorded to that family and

²⁹⁰ Letters between the British Consulate-General, Hamburg, The Treaty Department, Foreign Office, London, Mr. J. Richardson, 43 North View Drive, Westcroft on Sea, Essex, and the British Liaison Officer, Central Legal Office, Hansestadt Hamburg, 2 February 1949 to 21 April 1949. FO 1060/889.

²⁹¹ Appendix "C" to British Army of the Rhine General Routine Orders No. 215 (4015), 7 November 1947, "Instructions concerning Families of All Ranks after their Marriage to Enemy or Ex-Enemy Nationals in BAOR," FO 1014/325.

travel to the UK.²⁹² The instructions for personnel married to or planning to marry enemy or ex-enemy nationals were intended to ensure that British-born wives were able to access the resources they were entitled to and that foreign-born wives were not able to have any advantage. The fact that the foreign-born wives were already in Germany with their husbands, for example, could be perceived as their having more urgent need for married quarters. The intention of avoiding any advantage was made explicit in several ways. To start with, the requirement of the year's expectation of service was to begin from the date of the application to marry but application for married quarters could not be submitted until after the marriage took place. In addition, those who did not qualify under Operation Union could not marry until they were within six weeks of the husband's departure from employment with BAOR. This also meant that the family did not qualify for any Operation Union privileges except for "Short Leave" sleeping out passes. The reason that the family could not receive privileges under Operation Union was,

because the permission to marry is only granted so that it may be easier for the husband to take the family to [the] UK and, if they were granted the privileges, the husband would have advantages over other Officers and OR married to wives of British origin, who are only able to have their wives and families in BAOR under strict Operation Union rules.²⁹³

To the German woman's advantage, "family" was defined as including wife and children even if the children were from a former marriage or born "out of

²⁹² Operation "UNION" was begun as a plan to bring British wives and families to Germany to live with their husbands who were either in the services or employed by the CCG(BE). British-born wives of British service men and CCG staff became eligible to join their husbands in Germany as of June, 1946. These families qualified for Operation Union if the husband had at least 12 months still to serve. This was announced by Mr. Lawson, Secretary for War, in the House of Commons on 21 June 1946. *The Times*, 21 June 1946, pg. 4, Issue 50483, col F.

²⁹³ Appendix "C", Instructions, p. 2.

wedlock", at least for the purposes of accommodation.²⁹⁴ The children of former marriages were not, however, awarded the same privileges as British children and, in fact, a good deal of the initial part of the instructions dealt with the definition of the status of the many categories of children. For example, illegitimate children born to a German mother of a British father were categorized one of two ways. If the couple had been free to marry when the child was born, then their subsequent marriage legitimized the child.²⁹⁵ However, the child was only considered legitimate from the date of marriage and retained the nationality of the mother at its birth. These children therefore remained German. If the couple had not been free to marry then the child did not become legitimate.²⁹⁶ The difference was significant because only legitimate children could apply for British nationality. This was particularly relevant if the husband was trying to move his family to the UK. Visas for illegitimate children and children of German nationality, even if legitimate, were difficult to arrange. Obviously children of former marriages retained their original nationality and presented the same difficulty with respect to travel arrangements.²⁹⁷

If the husband elected to remain in Germany and continue in his employment with the CCG, two separate matters needed to be addressed. First, his position within the CCG(BE) and second, his eligibility for married quarters. If he was employed in certain categories or departments of the CCG (BE) then his marriage to a German woman was considered a security risk and he was

²⁹⁴ Males up to age 18 and females until their marriage. Ibid, p. 1.

²⁹⁵ Or when the child was conceived if the father was Scottish. Ibid, p. 1.

²⁹⁶ Ibid. p. 1.

²⁹⁷ Memo from Maintenance, ZECO, CCG Lübbecke, 60 HQ CCG, BAOR 1 to Personnel Branch, 4 July 1948. FO 1014/325.

transferred to a less sensitive position. The basic issue was whether or not the individual concerned was in a position to influence policy or would be dealing to any appreciable extent with secret or confidential material. The list of these was significant and "most officials at CO I and above in all offices, Divisions etc." were likely to be included in this group.²⁹⁸ Also included were those employed in "Secretariats, Message and Mail Centres, Planning Staffs, in work on security and defence schemes, Public Safety, British Civil Police, Note Printing Section of Finance Division, etc., etc."²⁹⁹ The last group was comprised of anyone working on the Military Security Board, in Intelligence Division or "certain grades and appointments in Political Division."³⁰⁰ In order to remain with CCG(BE) in any capacity, the employee concerned had also to provide certain assurances in writing. To start with, an advance statement was required from the fiancée stating that she intended to apply to become a British subject immediately after marriage. The next requirement was written confirmation from the Consulate office that she had applied for citizenship. Lastly, the RAO was to be notified as soon as she received her passport.³⁰¹ It was expected that the length of time between the date of marriage and the "final evidence of registration" would not normally exceed two months. This was followed by a warning that without the advance assurance, it would not be possible to approve his retention in CCG and

²⁹⁸ Control Commission for German (British Element), Office of the Chief Administrative Officer, Deputy Chief of Staff (Exec) [sic], Personnel Branch (P1) Instruction No. 48, 5 May 1949, "Marriage of CCG Civilians to Persons of Enemy or Ex-Enemy Nationality or Birth", FO 1014/325.

²⁹⁹ Ibid.

³⁰⁰ Ibid.

³⁰¹ Regional Administrative Instruction No. 1/49, "Marriage of CCG Civilians to Persons of Enemy or Ex-Enemy Nationality or Birth, British Nationality Act 1948," 7 January 1949. FO 1014/325.

that “failure on the part of the wife to implement that assurance” would result in termination and interim privileges concerning accommodation and rations would not be given.³⁰²

Those who remained in Germany, and remained safely employed with the CCG, were next faced with finding living quarters and arranging rations, ID cards and other identification documents. Eligibility for married quarters was a sensitive issue because housing was in short supply and British-born wives who wanted to join their husbands in Germany did not want to be denied this opportunity due to housing being given to German-born wives.³⁰³ If there was no officially requisitioned housing available, the employee could apply to the RAO for permission to live in a German household on a “sleeping out” pass. This was normally granted on a monthly basis if the quarters his wife was living in were deemed to be acceptable to both his CO and the Unit Medical Officer. However, the husband could also not displace a German person to obtain this living space, cause over-crowding in the German house nor get preference or priority over a German civilian. The employee also had to apply for papers from the RAO or RAC certifying that the marriage had taken place and outlining the couple’s

³⁰² Ibid.

³⁰³ Three factors influenced the amount of housing available in the British Zone and in Hamburg specifically. The first was the increase in population in the zone as a whole. For example between July and November 1947 the population increased by 200,000 people. “Minute to Chancellor,” 11 March 1948. FO 371/70860. Furthermore, headquarters for the CCG(BE) moved to Hamburg in the second half of 1947 thereby increasing the need for housing by a significant percentage. “British Headquarters in Germany,” *The Times*, 15 June 1946, p. 3, Issue 50478, col E. Lastly, the number of families that applied to go to Germany was so significant that the home office had to send them on military travel permits because it could not keep up with requests for passports. Letter from Immigration Branch, home Office, 10 Old Bailey, E.C.4 to The office in Charge, Hull. Gravesend. London. Dover. Folkstone. Newhaven. Croydon. Northolt. Heathrow. 18 January 1947, HO 213/1090.

circumstances. Furthermore, such quarters were to “conform to standards which are normally associated with the applicant’s rank.”³⁰⁴ No exact specifications were given, which may mean that some flexibility existed. The applicant had also to be able to get to and from barracks on time and without using government transport.³⁰⁵ While this list of requirements was no doubt necessary, they made living together after marriage a challenge for such couples.

The main difficulty in this situation appears to have begun with finding the accommodation in the first place. The shortage of housing meant of course that the German authorities were struggling to provide safe accommodation as well and did not want to be in the position of giving some of it away to non-Germans. Until married quarters were available, however, the wife remained the responsibility of the German Housing Authority.³⁰⁶ Not surprisingly, perhaps, women in this situation frequently met with discrimination. They were reportedly turned out of rooms they already occupied upon their marriage or were refused alternate accommodation. If the husband’s unit moved and she then required housing in the new location, she was frequently denied it.³⁰⁷ The British authorities claimed they were seeking to ensure her “correct priority in accordance with the German Housing Authorities procedure” and when this did not happen, her husband should inform his CO.³⁰⁸

³⁰⁴ Appendix “C”, Instructions, p. 4.

³⁰⁵ Ibid, p. 5.

³⁰⁶ Appendix “A”, Personnel Branch Instruction No. 37, Zonal Executive Offices, CCG Lübbecke, 60 HQ CCG, BAOR 1, 4 September 1948. FO 1014/325.

³⁰⁷ Ibid.

³⁰⁸ Ibid.

The German-born wife and her husband, and possibly their children, needed resources such as clothing and food as well as housing, and the provision of these were covered in the same document. Rations and solid fuel were granted to foreign-born wives and children on the same basis as British-born wives with the important exception of children who did not have British nationality.³⁰⁹ If the family was unable to live together because of lack of housing the RAO issued authority for the wife to draw rations, NAAFI supplies and fuel on repayment by the husband. The Local Administrative Unit (LAU) submitted the names of these wives and children to the Regional Food Office so that their German rations cards could be withdrawn. When the husband and family were separated temporarily by transfer, the family could be attached to the closest Unit for purposes of rations. If the husband was discharged and the family was waiting to follow him to the UK, they were allowed to stay on rations but he was required to repay in Sterling and this was deducted from his final settlement.³¹⁰ In substance, the foreign-born wife did acquire some of the material status of her husband which may have been greater than what she had access to as a German. This was not always clear, however, as there were many complaints about availability of some resources.

In fact, a main issue of concern reported by RBs over this period was the difficulty British families had with the cost of living and acquiring sufficient food

³⁰⁹ Appendix "C", Instructions, p. 7.

³¹⁰ Normally the payment and repayment of rations was transacted in BAFSV's (British Armed Forces Service Vouchers) which were used in place of a currency. The use of BAFSV's allowed the control of prices of necessary goods in the face of the uncertain value of *Reichsmarks*, although they continued to be used even after the currency reform in 1948.

and clothing. By March 1948 it was reported that "the attitude of German born wives in NAAFI shops does not enhance the German in the eyes and hearts of a large section of the British Married Community."³¹¹ It was suggested that complaints by German born wives regarding the quality and quantity of goods available to them as wives of British subjects were not appreciated.³¹²

Particularly after the currency reform in June 1948, shortages gradually ceased to be as prominent a problem for Germans but the British standard of living remained the same. In March 1949, British rations were still drawing a significant number of complaints. The British were forbidden to purchase food in German markets which in some areas had fresh fruit and vegetables that were not available in NAAFI shops. NAAFI supplies were much restricted in comparison and prices were higher.³¹³

In other areas of life, foreign-born wives found that while many benefits accrued to them as wives of British subjects, this was not true across the board. For example, welfare, canteens, clubs, leave centres and messes were available only to relatives and friends of British nationality. On the positive side, recreational transport was available to all new families on the same basis as those already under Operation Union and families of any sort were eligible for the use of Operation Union educational facilities whether living in quarters or not. This was decidedly an advantage for German women and their children for whom educational facilities through the German system were still extremely limited.

³¹¹ CCG Discipline and Morale reports, HQ North Rhine Westphalia, March 1948. FO 1013/1392.

³¹² Ibid.

³¹³ CCG Discipline and Morale report for March, 1949, 609 CCG Lübbecke, FO 1013/1382.

With regard to the employment of enemy or ex-enemy wives, if she had been employed before marriage by any German civilian firm, she must stop upon her marriage. Children of such a wife who were not of British nationality could continue to be employed in such circumstances, their social insurance and accident insurance would continue to be paid, and they would continue to have access to Service medical treatment. Clothing coupons were available to foreign born wives after they had received their British passport which was a rather longer period of time after the implementation of the 1948 Nationality Act. Children of British nationality were eligible for clothing coupons, others were not (illegitimate children or children of previous marriages).³¹⁴ Clothing was a sensitive issue because it was in short supply especially for children and babies. The forbidding of a clothing ration to children of former marriages clearly created divisions between groups. Lastly, identity documents were issued in the case of the wife, but not the children. The children continued to use their German identity documents (*Ausweis*) which were endorsed (in both English and German) by the CO and identified the father's rank and serial number. The wife's illegitimate children or those of former marriages had to be verified with a Birth Certificate.³¹⁵

The same pattern applied to claims of marriage allowance and children's allowance. Although a wife became immediately eligible for marriage allowance, the method of payment of these allowances depended on the specific circumstances of the officer or soldier and his wife: whether or not she was able to get NAAFI supplies, and where she was living including in what country, with

³¹⁴ Appendix "C", Instructions.

³¹⁵ *Ibid.*

him or not, or at his duty station or not. Children of the British father were eligible for allowance but the question of whether or not children of a previous marriage who were not British subjects would be covered had been referred to the WO. If the husband had been discharged and gone ahead of her to the UK she could continue to get marriage allowance for the same six weeks as rations. Payment for the non-Operation UNION people was made in *Reichsmarks* and *Deutschmarks* after June 1948 since these wives were not eligible for NAAFI shops. Remittances in cases where the husband and wife were legally separated were the same for Operation Union and non-Operation Union although they were exceedingly complicated depending on whether he was an officer or an OR and whether or not he had been discharged and returned to the UK. This no doubt made for a lengthy process of sorting through what resources she was going to have to support her family. If the husband had been discharged, neither he nor his family was any longer the responsibility of HM Government which left the (ex) wife unsupported since there was no means of sending money to Germany.³¹⁶

Redundant members of CCG were permitted to stay in Germany until their marriage had taken place, provided that this did not delay their return to the U.K. past the date of final termination and this could not be changed for any reason. This was the case no matter whether the application to marry was made before or after the notice of redundancy. They were assured, however, that every effort would be made to ensure that the process was carried out as speedily as

³¹⁶ Letter from Legal Division, HQ Control Commission for Germany (BE), Lübbecke [sic], BAOR to J.L. Simpson, Treaty Department, Foreign Office, London, S.W.1, 14 February 1949. FO 372/6747.

possible.³¹⁷ Again, this potentially created many daily difficulties for the wife or fiancée if she remained in Germany. Although it was policy to send wives to the UK with their husbands on his discharge, there were sometimes personal reasons such as aging parents that were dependent on her or children who could not easily obtain visas.³¹⁸ If she remained in Germany she reverted to the German civil economy and became the responsibility of the German authorities. This in itself created potential problems for her as cases were reported where the German authorities had refused food and accommodation to women in this situation.³¹⁹

We do not know exactly how many women experienced these kinds of difficulties because the surviving documents are so inconsistent. What does remain allows some glimpses into their situation. In *Niedersachsen* in the first six months of 1948, again most of the applications to marry came from service personnel rather than civilians although it is important to note that not all marriages that occurred were officially approved. A total of 227 service personnel

³¹⁷ Letter from Appointments Branch A 2(b), Office of the CAO, Zonal Executive Office, CCG Lübbecke, 60 HQ CCG, BAOR 1. To Regional Personnel Offices Land North-Rhine Westphalia, Land Niedersachsen, Land Schleswig-Holstein, Hansestadt Hamburg and Personnel Officer, Office of Administrative Commandant Berlin, Frankfurt, ZECO Area, 6 April 1949, BNA FO 1014/325.

³¹⁸ "Children of nationality other than British must...obtain a visa to visit the U.K. from either the Passport Control Office, Berlin, the Visa Section Hamburg or the Visa Section Düsseldorf. Alien children under 16 may be endorsed on their mother's British passport and in that case do not require a visa. A Military Exit Permit is, however, required by both mothers and children." Letter from British Consulate-General, Düsseldorf, c/o 714 HQ CCG, BAOR 4, to Personnel Branch, P.1., Office of the C.A.O., Zonal Executive Offices, CCG Lübbecke, 60 HQ CCG (BE), BAOR 1, 26 August 1948. FO 1014/325.

³¹⁹ Letter by HQ Hansestadt Hamburg, 609 HQ CCG (BE), BAOR 3 to the Office of the Burgomaster [sic], Hansestadt Hamburg, 31 May 1948. FO 1014/325.

and only 82 civilians applied to marry German women.³²⁰ In the situations in which a marriage was not officially sanctioned, the marriage was often not legal or presented some other difficult circumstance for one or both of the persons concerned. Mrs. Elizabeth Sandy discovered two years into her marriage, and after she had moved with her husband to Nottingham, that her marriage was in fact invalid. She and Joseph Sandy were married in August 1947 by Major D.W. Basset even though the proper forms were not completed. What Mrs. Sandy thought was a marriage certificate was actually a form used by appointed Officers to notify HQ 2nd Echelon of any marriage which they had performed, and was also incomplete. Nevertheless, Private Sandy had been paid married allowances up to his demobilization. Mrs. Sandy was compelled to look into the situation when her husband informed her that the ceremony was invalid and he proposed to marry another woman.³²¹

In another, similar situation, a Mrs. Elizabeth Henton was married to Kenneth Henton on 29 November 1947 by a British Chaplain at the Protestant Church in Bonn under the FMA. He returned to the UK in January 1948 and she followed him on an Emergency Certificate from the Consulate in Hamburg. She was subsequently given a British passport. On the 14 August 1948, Mrs. Henton returned to Germany "for compassionate reasons" on a Military Entry Permit that expired on the 3 September. Mrs. Henton apparently did not plan on returning to England and married a German man on 2 October. Since her first marriage was

³²⁰ Monthly Report by Chief Legal Officer, HQ Military Government, Land Niedersachsen, January to June 1948 to Legal Division, ZECO, FO 1060/162.

³²¹ Letter by Eking, Manning, Morris and Foster, Solicitors, 7 Park Row, Nottingham to The Officer in Charge of Records, West Yorks Regiment, York, 26 October 1949. FO 372/6748.

not performed at a *Standesamt*, it was not legal in Germany and she was free to remarry. From the perspective of the Legal Department, once she was remarried she was again a German national (in fact she had not ever ceased to be) and she could not be prosecuted for remaining after her entry permit had expired (illegal residence in the British Zone) nor for giving false information when applying for her second marriage (she described herself as single and used her maiden name). Mr. Henton's only recourse was to apply for a divorce.³²²

Issues surrounding German women marrying British personnel remained into the 1950's, although the political focus was slightly altered. When the CCG(BE) became officially the High Commission for Germany at the passing of the Basic Law, the whole bureaucracy had shrunk to the point that there were many fewer positions where employees married to foreign-born wives could be accommodated.³²³ Furthermore, after May 1950, no candidate was posted to the German Section (FO) or the Commission if they were married to a woman of German, Austrian or "of certain Eastern European origins."³²⁴ It is not entirely clear why this position was taken. As one official in the COS noted, this seemed to conflict with the High Commissioner's latest view that "all of us here should begin to regard the Germans as potential allies."³²⁵ Warning was also given to existing permanent civil servants that they would be moved to another

³²² Report by British Consulate-General, Düsseldorf, 14 February 1949. FO 372/6747.

³²³ Personal Administration Branch Instruction No. 75, 20 March, 1951, "Marriage of CCG Civilians to Persons of other than British Nationality at Birth," FO 1035/22.

³²⁴ Letter by W.H. Hornby, Official Side Secretary, Foreign Office (German Section), Norfolk House, Room 608, St. James's Square, SW 1 to "Mr. Chandler", 4 May 1950. FO 1014/325.

³²⁵ Letter by L.L. Wansbrough-Jones, Office of the Chief of Staff to G.D. Kirwan, Foreign Office, Norfolk House, London, 11 October 1950. FO 1035/22.

Government department if they chose to marry a woman of one of these nationalities.³²⁶ Permission for exceptions was given in some cases and redundancy pay given in others. Some officers resigned freely and others were dismissed.³²⁷ In contrast, in cases where marriages to “Germans and other foreigners” were approved, it was agreed to discontinue medical and security clearances except in special cases.³²⁸ The COS’s office was particularly keen to publish the instruction to this effect to decrease the amount of work required of the Legal staff but also to stop the use of “such terms as “enemy” and ex-enemy” which, even if legally correct, are no longer appropriate.”³²⁹ Unfortunately, not everyone agreed.

The positions within the High Commission/Control Commission that were excluded were often controversial. For example, the British Civil Police was one of the excluded positions and Police Constable Hinkinson wrote to the CAO in February 1951 to request that this be looked in to. He stated that he had been “engaged to a very fine German lady, for a period of almost 5 years, and naturally, both my fiancé and myself, think it about time we were getting married.”³³⁰ He pointed out that other temporary civil servants who he felt were in more responsible positions had been allowed to marry Germans for some time. As examples he cited “Mail & Message, and Central Registrys [sic], both

³²⁶ Ibid.

³²⁷ Letter by Major-General Wansbrough-Jones, Office of the Chief of Staff, to H.E. the United Kingdom High Commissioner, 31 October 1950. FO 1035/22.

³²⁸ Letter from J.B.L. Munro, Office of the Chief of Staff to D. Kirwin, Foreign Office (German Section), 10 November 1950. FO 1035/22.

³²⁹ Ibid.

³³⁰ Letter by A. Hinkinson, British Civil Police, Land Commissioners Office, Kiel. BAOR 6, to Mr. J.B.L. Munro, Chief Administrative Officer, Wahneheide [sic], 16 February 1951.

Unclassified, and Classified” and compared these to his own position which he stated was that of a building security guard.³³¹

The situation of female members of the CCG(BE) was different than their male counterparts. Women who wished to marry a person of enemy or ex-enemy nationality or birth were always required to leave the CCG(BE) no matter their position by the date of marriage. If the woman concerned wished to continue to be employed, she could be returned to the Home Civil Service not later than the date of marriage. It was recognized that she might also wish to resign and remain in Germany. Temporary employees who wished to resign on marriage were to give at least a month's notice. If this was not done, they would be terminated as of the date of marriage “or from such date as the marriage is reported or [came] to light.” If they wished to stay in Germany after marriage and to continue to be employed by CCG, they would have to do so under the “conditions applicable to the employment of German nationals,” and would apply through the local Civil Labour Employment office. It was sometimes possible to transfer from the “British Establishment” to the “German Establishment” and arrangements were made through Establishment Branch. If these women wished to return to the UK immediately they were entitled to a free passage on the same basis as discharged men. If they elected to remain in Germany they relinquished “all claim to repatriation at public expense.”³³²

³³¹ Ibid.

³³² Memo titled Control Commission for Germany (British Element), Office of Chief Administrative Officer and Deputy Chief of Staff (Executive), Personnel Branch, Instruction No. 55, 27 June 1949. FO 1014/325.

Two additional issues that remained for German women marrying British men involved the order of marriage ceremonies and the retention of their own nationality. The arguments concerning the order of the *Standesamt* and religious ceremonies was a purely legal concern but created more difficulty and stress for those who were attempting to be married. The more serious issue for the women was the confusion centering on her nationality after marriage. Changes to the British Nationality Act (BNA) and the subsequent implementation of the Basic Law meant that at times, her nationality was at question. These two matters were also connected, creating even more confusion for the marriage participants, particularly the German woman.

The question of the order of ceremonies was debated throughout 1949, 1950 and 1951. One predominant legal opinion stated that since a marriage celebrated under the FMA 1947 was not one that would be valid in Germany, the German civil marriage must occur first.³³³ A Standing Order (SO) to this effect was issued in January 1950.³³⁴ Unfortunately, many *Standesamt* officials refused to solemnize such marriages on the grounds that they were not permitted to marry members of BAOR and Germans until the marriage had been solemnized by a British authority.³³⁵ In contrast, other marriage ceremonies appear to have taken place before the correct documentation had been received by the

³³³ Letter by J.D. Shapland, Lieutenant General, Commander-in-Chief, HQ British Army of the Rhine, BAOR 1 to The Under Secretary of State, The War Office (AG 3A/3), London, S.W. 1, 14 November 1950. FO 372/6747.

³³⁴ Letter from the Office of the Legal Adviser, Commissioner's Office, Hamburg, BAOR 3 to the Office of the Legal Adviser Wahnerheide, BAOR 19, 21 June 1950. FO 1060/668.

³³⁵ Telegram from EXFOR to Wahnerheide, HQ 7 Armd. Div., 2 Inf. Div., Hamburg, Berlin and Minden. 13 April 1950. FO 1060/668.

applicants. This was done reportedly with the intention of preventing any record of illegitimacy of children since it was apparently very difficult to have a child re-registered as legitimate.³³⁶ In yet another scenario, although by 1950 German women were no longer required to have security clearances, they were still required to arrive at the Consular ceremony with a "Free to Marry" certificate from the *Standesamt*. As the Legal Advisor to the Commissioner commented, while this regulation may have been justified when the British ceremony occurred first, by June 1950 "it [seemed] rather idiotic to demand a "Free to Marry" certificate from a person who can produce a Marriage Certificate."³³⁷ This was made all the more confusing by the fact that the WO had apparently issued an order in July 1949 stating the necessity of ensuring that the German ceremony was performed first and that the re-marriage at a Consulate was clearly not legally necessary.³³⁸ Consular re-marriages remained available for religious reasons and to facilitate a marriage by a British authority.³³⁹ This procedure was also believed to allow easier registration of the marriage in England, even though this could theoretically be done at that point with a copy of the marriage certificate from the *Standesamt*.³⁴⁰ Although the occupation bureaucrats did their best to put a standard in place that everyone would follow, many couples found their way

³³⁶ Letter from 1st Royal Tank Regiment, Hobart Barracks, Detmold, BAOR 15 to Legal Department, Land Commissioner's Office, Düsseldorf, BAOR 4, 17 June 1950. FO 1060/668.

³³⁷ Letter from the Office of the Legal Advisor, Commissioner's Office, Hamburg BAOR 3 to the Office of the Legal Adviser, Wahnerheide, BAOR 19, 21 June 1950. FO 1060/668.

³³⁸ Letter by E. Beckett, Foreign Office, S.W.1, to Sir Alfred Brown, Office of the Legal Adviser, Control Commissioner for Germany (BE), Wahnerheide, BAOR 19, 28 July 1950. FO 1060/668.

³³⁹ Letter signed "Yours ever, Political Division", Political Division, Berlin, to "Dear Department" 23 August 1949. FO 372/6747.

³⁴⁰ Note by J.W.P. Perkins, Office of the Legal Adviser, 12 June 1950. FO 1060/668.

around the regulations. It seems clear that there was no standard of marriage between British men and German women and many different circumstances dictated where and how a marriage ceremony (or two) may have taken place, and how it was registered.

Further debate centered on whether the British consul was even legally able to marry the couple after they had first been married in the *Standesamt*. During 1948 German women lost their German nationality on marriage, but they did not automatically acquire British nationality and were actually stateless for a period of time. Their status was determined by the marriage certificate and application forms for UK citizenship. After the German Basic Law came into force on 23 May, 1949, the woman concerned did not automatically lose her German nationality.³⁴¹ At that point, she actually had a choice. During 1949 the Germans did not yet have a mechanism in place to ensure that women knew about this situation and so the FO took steps to make it part of the marriage in the Consulate. Consuls were directed to explain the position with regards to nationality to the woman before celebrating the re-marriage and ask her to declare whether or not she wished to lose her German nationality. If she chose to keep her German nationality, the re-marriage could not occur because Consuls were not allowed to marry a British national and a German national.³⁴² If she

³⁴¹ Letter from the Foreign Office, S.W.1 to Consulates in Berlin, Bremen, Düsseldorf, Frankfurt, Hamburg and Munich, 31 October 1949. FO 372/6748.

³⁴² Ibid and Letter from H.M. Consul-General, Düsseldorf, to the Chief Administrative Officer, Control Commission for Germany, Wahnheide, BAOR 19, 19 March 1951. FO 1035/22.

chose to apply for British citizenship the re-marriage could occur after she had been registered as a British subject.³⁴³

In the end, the ability of German women to remain German and still marry a British man was no doubt a benefit. It is doubtful that this was the motivation for these changes. In fact, all of the constrictions regarding marriage, children, families and rations, appear to have had the purpose of simply doing what was possible to regulate these areas of people's lives. The attempt to control private space by administrative means, combined with the vagueness of the structural developments of occupation, created some very unsatisfactory situations. The rules of engagement and marriage were created so haphazardly at times that they contradicted each other. In addition, in a world where cold war issues were linking the western allies, German women continued to be treated as enemies. While it is clearly the case that by 1949 the Federal Republic was becoming increasingly independent, the occupation was still very much in evidence. The relationship between the two could not be predicted on the ground level any more than it was on a diplomatic level. While the direction and growth of the Federal Republic was controlled and directed as much as possible and to a significant degree by the victors, it was not a well-planned process. Furthermore, the degree to which many social issues, such as marriage, were determined by legal experts is remarkable. The British bureaucracy that saw German women as enemies did its best to work within the confines of the German legal system and used German resources such as legal and civil services and the police to assist

³⁴³ Letter signed "Yours ever, Consulate-General" British Consulate-General, Frankfurt-am-Main, to "Dear Treaty Department", Treaty Department, Foreign Office, London S.W.1, 29 August 1949. FO 372/6747.

in the regulation of marriage. Other German resources such as the police were used to control more public areas of life as well, as will be made even clearer in the next chapter.

The political and social tensions created by the effort to enforce the many marriage restrictions were symptomatic of the relative position of German women and British occupiers. Although marriage to Germans was eventually approved, despite the remaining enmity between the two groups, the rules proscribing such marriages were a product of a British perception of gender as it related to the defeated Germans. The next chapter will illustrate this as well in a discussion of the many ways that German women were labeled and treated as prostitutes. The extraordinary degrees of invasiveness to which German women were subjected, including a medical examination regardless of age or sexual history is remarkable for what it indicates concerning women's experiences in the movement from war to peace and the social markers of that process.

Chapter 6: Venereal disease and the “promiscuous patronage of street prostitutes”

In November 1944, when plans were made for the movement and control of Allied troops into Germany, a number of regulations were made concerning a ban on any contact with the defeated German population. At that time, Andrew Clark in the legal division of CCG(BE) expressed his opinion that “a large body of troops and civilians cannot be expected to live a life of enforced celibacy and unless some arrangements are made to address this issue the result will be the most dangerous of all forms of fraternization, promiscuous patronage of street prostitutes.”³⁴⁴ Clark was addressing an already heightened concern regarding the increasing rate of venereal disease (VD) among the troops and, although prostitution remained a central focus, there were many factors that contributed to this situation. As the fraternization ban failed socially and politically so it also failed to have any impact on the VD rate, which continued to climb through the first years of the occupation to reach unprecedented levels. The British occupation was characterized by a perceived need to protect British personnel from VD. This attempted protection took several forms, the most prominent of which was directed at controlling the actions of German women. There were several groups involved in the attempt to control the situation and the women, including lawyers, doctors, CCG authorities, the German police, and the British army.

The image of German women as “Veronika Deutscher” does not appear to have been as well established in the British popular imagination as it was in the

³⁴⁴ Memo by Andrew Clark, Legal Division, Norfolk House, 15 November 1944. FO 1060/874.

American. Advertisements depicting naïve American soldiers and worldly, seductive, “evil” German women waiting to take advantage of them are overwhelmingly familiar. Although this image was constructed slightly differently for British soldiers it was still intended to make German women look evil and dangerous. These images changed slightly in the post-hostility period, particularly after the fraternization ban was lifted, but the “Veronikas” have attained the status of mythologized sex fiends. The reality of the occupation was quite different. It was not a sex fest for well-fed, big-bosomed women “on the make” for attractive occupation soldiers. There was a significant amount of prostitution, but it was not glamorous and it was not a game. Many women’s lives and the well-being of their families depended on their relationships (of whatever sort) with the power holders. Furthermore, some of what was considered immoral behaviour by prudish British and American standards was socially acceptable by European standards, though it created conflict between the groups. MG (Military Government) commanders complained that German girls were bathing in the rivers in hot weather, some topless. In addition, the women apparently chose “the same time and place to disport themselves on the riverbanks in bathing costumes.” This was considered to be a “direct challenge to the resolve of British soldiers” and methods of restricting this behaviour were being considered.³⁴⁵ Since many people were still living in places without water, bathing in a river was a fairly obvious alternative. The fact that the women were not clothed according to military preference no doubt created difficulty for the authorities who were

³⁴⁵ “Appendix ‘C’”, Military Government 2nd Army weekly summary report, week of 19 May 1945 to HQ, Mil Gov [sic], August 1945. FO 1010/1.

trying to keep the populations apart. It is interesting that the suggested solution involved making the women change their behaviour rather than expecting the men to be able to control themselves, speaking once again to gender conventions.

The pursuit of women infected with VD was expected by the authorities to follow known methodologies including “identifying and disposing of GERMAN [sic] women.”³⁴⁶ This did not, however, work as intended since any number of the women concerned were relatively or absolutely homeless and may or may not have been living in something that qualified as a building corresponding with an address where they could be found. It is difficult to know how they were to be tracked down or what punishment was related to. Nevertheless, if they had a venereal disease they were considered a danger to the troops. In fact, the treatment and welfare of these women was delegated to the German authorities who were predictably short of money, drugs and facilities. Concern for the army and the performance of soldiers was understandably the British priority and, while it would have been very difficult to make an argument for British financial support of VD treatment for German civilians, this situation did leave the British in a position where they were relying on the Germans to assist in protecting British personnel. German authorities no doubt had their own reasons for wanting a healthy population and it is also the case that treatment of tuberculosis and other diseases required an equally significant effort.

The basic administrative structures regarding Public Health (PH) and VD were in place when the BAOR moved into Germany as the problem of troop

³⁴⁶ *Ibid.*

behaviour regarding prostitution was more clearly anticipated than other issues such as marriage. The central structure involved PH acting as a technical advisor to Public Safety (PS) with regard to prostitution and having general supervision of civilian VD clinics.³⁴⁷ Once again, however, the enormity of the task in a completely destroyed Germany had not been realistically anticipated and coping with the situation became a much greater problem than anyone wanted. Controlling prostitution, for example, was expected to be a police responsibility but it had not been anticipated that the German police would have to be completely rebuilt and were not able to undertake this task immediately. Given the destruction and the difficulties faced by both the German police and PS as described in chapter one, it is clear that controlling prostitution was going to be an enormous task. Additionally of course, prohibiting prostitution had the same effect as prohibiting fraternization and since the troops and employees of the CCG refused to acknowledge and obey the prohibition, it was largely ineffective. Procedures regarding reporting both prostitutes and VD were in place but the volume of cases appeared to the MG to require extraordinary measure at some points.

The pattern of identification, treatment and punishment of infected women was set out in May 1945 and medical officers identifying VD cases were instructed to follow the same procedures as had been used in Belgium. Appropriate forms were to be filled out and forwarded to the mayors (*Bürgermeister*) who were to be responsible for controlling their own populations and were expected to treat the women, report them to the MG, which would

³⁴⁷ Minute of Conference with SMO 160 Bde [sic], 20 July 1945. FO 1013/1929.

charge them if appropriate, and remove them “from the district to an area not frequented by troops.” It was noted that under German law, “it is illegal for a woman to act as a prostitute unless she is registered as one and undergoes regular medical inspections.” In contrast, soldiers were guaranteed that no action would be taken against them, even when it was clear that they had been exposed to infection from more than one woman. This was considered “essential to ensure that pro-formas are truthfully completed.” It was noted, however, that a soldier could still be charged with fraternization if there was evidence from other sources.³⁴⁸ An attempt was made to control troop behaviour by putting brothels out of bounds and announcing that any British troops found in them would be arrested. Brothel areas were to be patrolled by both Provost and German police and the Provost was to take action against any British offenders. Senior Military authorities were to form “Watch Committees” to patrol public areas and deal with prostitution with the *Bürgermeister* as well as local German police in attendance if required. The Watch Committees were to use their discretion to decide whether or not to establish them in areas frequented by displaced persons (DP’s).³⁴⁹

Throughout the summer and fall of 1945, PH and Public Safety (PS) struggled with the situation. In Berlin, which no doubt suffered the worst situation due to destruction and lack of security, it was estimated that there were approximately 10,000 registered prostitutes. It was thought that about 3,000 of these were having regular medical examinations and the other 7,000 were not

³⁴⁸ Report titled “Measures to combat Venereal Disease” from Lt. Col. J.R. Platt for Brig A/Q, [sic], Second Army. To Mil Gov [sic] (Public Safety Sub-sec) [sic], Medical, Provost, Chaplains, Welfare, and Rear 21 Army Gp-A (PS). 29 May 1945. FO 1013/1929.

³⁴⁹ Ibid.

thought to be regular “street walkers” and were examined only periodically. This was the group that both the regular prostitutes in the town and the civil police wanted to get under more control since they were likely to be more diseased. It was noted in this PH report, in rather typical British style, that the “whole position as regards prostitution is somewhat out of hand at the moment.” The situation was not likely to change, it was noted, until better police supervision occurred.³⁵⁰ Also in July, PH noted that VD was rising despite a “generous issue of condoms and E.T. packets” and there was a shortage of drugs to treat it.³⁵¹

At that point, it was ordered that German women reported to have infected British personnel be admitted to a German VD hospital and to remain until testing and treatment was completed. The German Vice Squads were instructed to send women when picked up to be examined by the proper Health Authority and hospitalized if found infected. Further, “in cases of doubt, they are held in hospital for a period of 8 days and re-examined frequently. Thereafter being handled in the same way as those found infected in the first case. If found uninfected, they are turned loose.” Repeat offenders were to be handled with special regulations since “it [was] an offence under German law for a woman who knows she is diseased to have connection with a man.”³⁵² Such a woman was tested daily for a week, and if her tests were all negative, she could be released. If the test was positive, she was forced to remain until treatment was completed. If the woman

³⁵⁰ Report by Public Health to HQ Berlin, BAOR, S.D.1, 19 July 1945. FO 1012/134.

³⁵¹ Minute of Conference with SMO 160 BdE, 20 July 45. FO 1013/1929.

³⁵² Ibid.

had been identified by more than one soldier, even if her tests were negative, she would be treated as a clinical case.³⁵³

Two examples of the types of detention facilities used were an asylum in Bonn and a reform school in Düsseldorf. In Bonn, a facility was required to hold and treat one hundred women and while it was stated that imprisonment was not the intention, it was considered absolutely necessary that the infected women had to be kept away from British troops. Unfortunately the only medically appropriate space available was a disused wing of local "lunatic asylum" and since even those only suspected of infecting British troops could be detained for ten days or so (until they had two negative smears and one negative Kahn test) it was no doubt traumatizing for many women. This "special wing," it was emphasized, was expressly for women who were known or suspected to have infected British troops and was not for all DP's or German women. Its stated purpose was to "safeguard British troops" and to discourage women from infecting the troops.³⁵⁴

A report was also submitted on a visit to a reform school in Düsseldorf, called *Christihilf*. This school took girls ages fourteen to eighteen who were either Catholic or Jewish; it was noted that Protestants were sent to *Dorotheenheim*. *Christihilf* accommodated 160 girls, including 60 beds for VD patients. Twenty-two of the beds were occupied at the time of the report. All of the girls were sent by the local PH office to which they were reported by the police. They were

³⁵³ Memo titled "Examination of German women in V.D. Hospitals." Signed for Major-General DCA/Mil Gov [sic] HQ 21 Army Group, BLA, 21 July 1945. FO 1013/1929.

³⁵⁴ Report titled "notes on conference on venereal disease" to Military Government police (Major Bird), OC (Major Webster), PH Dept (Miss Hanske), W. Gds, (Capt Bailey), from V.C. Verbi, Colonel ADMS, Guards Division, 27 July 1945. FL 1013/1929.

examined on their arrival and if found to have VD, they were treated. The final test of cure was by spinal fluid. The education of all of the girls lasted two years at which time it was found that 60% had "improved". The remaining girls were sent back to their parents if possible or on to supervised employment. About 5% were found to be mentally ill and sent to hospital.³⁵⁵ There were in addition 15 clinics aside from *Christihilf* and *Dorotheenheim* treating VD in Düsseldorf.³⁵⁶

A memo from PH in August 1945 noted both a continuing shortage of medical supplies for civilians and the difference in treatment between German civilians and British personnel. Germans were treated for syphilis with salvarsan bismostab preparations which required a 33 day stay in hospital and had a 12% relapse rate. British soldiers were treated with penicillin which required a 7 day treatment period with no relapses. Germans with gonorrhea were treated with Elindon, Ulivan or sulpha thiazole for 24 days in hospital and had a 12% relapse rate. British personnel were treated with one dose of penicillin and did not relapse.³⁵⁷ This was particularly relevant given that, in the same month the *Oberpräsident* in Düsseldorf reported 401 new cases of VD, 89 men and 312 women, mostly cases of gonorrhea.³⁵⁸ Added to this was the fact that treatment was more difficult for "patients who contracted gonorrhea in France since

³⁵⁵ Report titled "Visit to the Reformatory school "Christihilf" 27th Sept. 1945." FO 1013/1929.

³⁵⁶ "Hospitals for treatment of VD", 30 August 1945. FO 1013/1929.

³⁵⁷ Report to Health Branch, I.A.&C. Div [sic] from Mil Gov, [sic] Public Health, NR [sic] Province, 20 Aug 1945. FO 1013/1929.

³⁵⁸ Report to HQ Military Government, Düsseldorf from the *Oberpräsident der Nord-Rheinprovinz, Abteilung Gesundheit*, Düsseldorf, 4 September 1945. FO 1013/1929.

Sulphamionide preparations are available over the counter and consequently this has become sulphamide resistant.”³⁵⁹

Although military commanders acknowledged the shortage of drugs and condoms, they continued to insist that infected women were not being “rounded up in anything like sufficient numbers” and that it was particularly important that infected women should be isolated and treated as quickly as possible.³⁶⁰ Major Keene, the Public Safety Officer (PSO) in Düsseldorf expressed some concern about the apprehension process and what he saw as the duties in this regard of the German Vice Squads. His view was that the most important fact to be considered in the control of the situation was the speed at which a report given by an infected man reached “the parties responsible for tracing and segregating the women...Every office through which a venereal disease proforma goes, adds to the delay and makes it more difficult to identify and apprehend the woman.” He was additionally frustrated with the uncooperative attitude of the soldiers who in many cases did not seem to be able to give any detail as to “the appearance of the woman concerned.” Added to this was the “apparent ignorance of the soldier in most cases of the place where the cohabitation took place and the name of the woman with whom he cohabited.” He suggested that Units be lectured by their MOs as to the importance of this information so that the “offending woman may be picked up as quickly as possible.” He remarked that this worked very well in Belgium and resulted in a “very large increase in the

³⁵⁹ Memo to PH, Düsseldorf from Military Government HQ [sic] Detachment 313, 20 September 1945. FO 1013/1929.

³⁶⁰ Memo to Health Branch, IA &C Div [sic] from DD Mil Gov [sic], 1 Corps District, Military Government, Public Health, North Rhine Province. 20 August 1945. FO 1013/2929.

number of women identified and treated.” He therefore proposed a more streamlined process by which the identifying information could be handled more efficiently.

One such measure was that the German Vice Squads should submit weekly reports to their Military Government Detachments (MGDs) and then the Deputy Assistant Provost Marshal (DAPM) would forward a detailed report giving the woman’s aliases, her proper name and address and identity card number to the Assistant Provost Marshall (APM). He would maintain a card index and thus be easily able to identify repeat offenders.³⁶¹ Although this appeared to be a rather lengthy bureaucratic path, it did cut out the necessity of the Vice squads reporting to PH and then the MGDs.

By August, 1945 Major Keene was only one of many concerned about this issue. Public Health issued a long document to all MGDs confirming that the increase in the incidence of VD was “heavy” and necessitated “the strongest possible action.” A new scheme had recently been prepared that addressed several ongoing issues. It began by reinforcing the need for forced hospitalization of offending women and included more specific treatment details including the prohibition of vaginal douching while testing was undertaken (a practice at the time for preventing pregnancy). PH reiterated the fact that the pro-formas were a particularly important part of the process but had nothing to say concerning how

³⁶¹ Memo titled “Method of venereal disease control” from Major B.G. Keene, Public Safety Officer, 320 Mil Gov Det. [sic], Düsseldorf, 1 August 1945. FO 1013/1929.

to motivate the soldiers to report. PH planned to rely more heavily on the German Civil Police for apprehension of suspected women.³⁶²

One of the more prominent difficulties with motivating soldiers in this respect was imbedded in army regulations quite apart from the specific situation in Germany. When a soldier was identified as having a venereal disease, his pay was reduced. The immediate result was that his condition became common knowledge but it also affected his family since it meant a reduction in the amount paid to his wife. It was understood that the reduction in pay reflected the soldier's reduced ability but it remained a controversial element, particularly for the officers commanding units who routinely disagreed with the procedure.³⁶³ This penalty was eliminated in 1947 after an official paper was produced on the subject and for a number of reasons, including bringing the army in line with other services. It was also considered unfair to punish soldiers in this manner since "quite a number of soldiers join the Service already infected and it is regrettable that a fair number have caught the disease from their wives."³⁶⁴ The misogyny in this statement is striking in the absence of any hard evidence.

Notwithstanding efforts taken to increase reporting by British personnel, pressure continued on German authorities to increase efforts to identify the so-called amateur prostitutes and stop them. German health officials for their part, held their own conferences and took measures to treat their population. For

³⁶² Memo titled "venereal disease." From Mil Gov [sic] (Public Health), 1 Corps District, 4 August 1945. FO 1013/1929.

³⁶³ Official Report, House of Commons, Thursday 17 December 1942 and letter to the War Office, London from the Commander -in-Chief (India). WO 32/17801.

³⁶⁴ "Paper on the imposition of penalties for contraction of VD". March 1947. WO 32/17801.

example, a conference of German government officials held in Düsseldorf in September that included the *Regierungspräsidenten* from Aachen, Düsseldorf and Cologne, delegates of the *Landsversicherungsanstalt* Düsseldorf, and representatives of the *Landesfürsorgeverband* confirmed many of the British operating principles. It was recognized and agreed for example that the *Gesundheitsamt* (Health Office) was the “statutory health authority” in the fight against VD and was also the “advisory bureau” (*Beratungsstelle*) for VD. The other important agreement was that this aspect of the work of the *Gesundheitsamt* was recognized as central and important to the *Landsversicherungsanstalt* (State Insurance Agency). No doubt its resources were insufficient and tuberculosis and other diseases were just as high a priority for the German population and killing more people³⁶⁵.

They also felt compelled to insist that their experience had shown that successful tracing of subjects could only be maintained if professional confidentiality was maintained. They observed that, at that time, tracing of sources was at 15%, but that it could be raised to 40% with “suitable organization.” One organizational change recommended was that the *Beratungsstelle* be organized at the district (*Kreis*) level rather than larger, more centralized arrangements, which had been found to be ineffective.

More importantly they insisted that information concerning the illegal prostitution of so called respectable girls, citizens or housedaughters could not be obtained. The German committee members described the situation in terms of

³⁶⁵ Report to HQ Military Government, Düsseldorf from the *Oberpräsident*, Düsseldorf, 4 September 1945. FO 1013/1929.

“constantly changing sex relations reminding their occupiers that the social situation was more complex than straight forward.” They saw its cause as “sometimes economic need, usually however it is the desire to obtain luxuries such as good food, cigarettes, tea, coffee, chocolate etc.” This was therefore not prostitution in their view. It was their opinion that therefore no success could be seen from police raids and that detailed careful inquiry by the health officers would be more productive. They recommended that lists of infected people from the hospitals and doctors should be forwarded to the *Beratungsstelle* on a weekly basis so that appropriate action could be taken in a timely manner. The reporting form was to continue to give as much detail as possible including a comprehensive physical description, particularly where the patient refused to give a name. In addition, information was requested from the patient regarding the place, time and circumstances of the act of intercourse, and the profession or other identification of the person responsible for the source of infection.³⁶⁶

It is notable that statistics received by the military government show that the numbers of women charged with prostitution were relatively low compared to the number of women identified with the disease and the statistics were sometimes misleading. For example, in the week ending 27 October 1945, 44 pro-forma were received, 43 persons were traced, 41 persons were sent to hospital and only 1 was charged with prostitution. For the week ending 29 September, 34 pro-forma were received, 39 persons were traced and 40 sent to hospital, suggesting some overlap with previous weeks in terms of tracing and

³⁶⁶ Report to HQ Military Government, Düsseldorf, from *der Oberpräsident der Nord-Rhein-provinz, Abteilung Gesundheit*, Düsseldorf, 4 September 1945. FO 1013/1929.

hospitalization. During that week only 10 women were arrested for prostitution. That is the highest number in any week from 22 September 1945 through to 1 April 1946. The average number per week, according to this report, was 4.4.³⁶⁷ This is particularly remarkable given the continued insistence on prostitution as responsible for the infection of British personnel.

The number of persons identified with the disease also requires examination. "Relapse" for example, was found to be a somewhat inaccurate category, since in many cases no test of cure was performed. Public Health confirmed in September that tests of cure were confined to a "limited sector of the community", those who were "social insurance cases." It was also noted that prior to the MG taking over, private practitioners were only required to report cases of VD which were known if the person had not appeared for treatment. The MG changed this law, however, so that all cases were to be reported at identification. Since "cures" were still not reported by private practitioners it was acknowledged that the increased VD rate "must to a certain extent be regarded as apparent rather than real, due to improvements in notification."³⁶⁸

Despite this analysis on the part of PH, German women continued to be a focus of complaint for the military. In November 1945, 30 Corps published a notice referencing "Ordinance 1 Sec. 43" stating:

It is an offence to communicate any Venereal Disease to any member of the Allied Forces.

³⁶⁷ "Venereal Disease Return" to Mil Gov [sic] North-Rhine Region, Public Health from Headquarters Military Government, Düsseldorf, 6 May 1946. FO 1013/1929.

³⁶⁸ Letter to HQ Mil Gov North-Rhine Province, Public Health from 318 Ph Det Mil Gov [sic], 14 September 1945. FO 1013/1929.

A woman who commits this offence is liable to be prosecuted under Ordinance 1 Sec. 43. The maximum punishment is imprisonment for life.
BY ORDER OF MILITARY GOVERNMENT.³⁶⁹

The notice was issued by 30 Corps apparently without consultation and caused “innumerable queries and objections” by both Legal and PH. This was in part because PH’s job was the control and treatment of VD among the German population as the occupying forces were the responsibility of the Army. This action by 30 Corps brought the two factions into the now familiar pattern of conflict regarding the resolution of issues affecting both parts and determining the style of the occupation. The concern of the legal division in this instance involved the discrepancies between regions since each one had its own military commander which Legal was working to bring into line with zonal policy. The specific legal issue was very narrowly defined and concerned whether or not knowledge of having the disease was relevant in such cases, and since the ordinance did not forbid the act of intercourse, could a woman be prosecuted if she knew she had VD but did not give it to the soldier. Furthermore, it was difficult to imagine how a conviction would be secured without calling the soldier to identify the woman and stating that he himself had VD which violated the confidential character of the treatment program.³⁷⁰ PH particularly objected to this implication because they were experiencing difficulty with the pro-formas in any

³⁶⁹ Letter by Health Branch, IA&C Division, Control Commission for Germany (BE), Main HQ., Bünde, BAOR to Maj. Gen. Balfour, Chief, IA&C Division, Bünde, BAOR. Attachment, Appendix ‘B’, 3 December 1945. FO 1050/10.

³⁷⁰ Later in 1947 the Legal department attempted to deal with this aspect of the situation but was not successful at convincing the other departments. Memorandum “Prosecution of persons infecting personnel of the Occupation Powers with V.D.” by C.W. Harris, Chief Legal Officer to Public Safety, [and] Military Government Courts, 10 September 1947. FO 1012/677.

case and additionally supported the Legal Division's objections since their job was made that much more difficult when zonal policy was undermined by regional variation in policy.

PH was also satisfied with existing German law which provided for prosecution if the woman knew she had VD and covered anyone who was ordered to undergo treatment and did not.³⁷¹ Legal division pointed out that it was possible to punish women for the communication of VD in any case since Sec. 43 stated that anyone could be prosecuted who had committed "an act to the prejudice of good order or of the interests of the Allied Forces or any member thereof" and that while the notice of 30 Corps was "correct," the court might well require proof which again violated zonal VD policy. Apparently the main difference between 30 Corps' notice and German law (section five of the *Gesetz zur Bekämpfung der Geschlechtskrankheiten* 1927) was that under German law prosecution could only be initiated on the complaint (*Antrag*) of the person who contracted the disease.³⁷²

The final word was given by Health Branch, IA&C division, whose opinion was that the Ordinance would fail for several reasons. First, it was inequitable, in that it sought to heavily punish one party while the other, the British soldier, "is, as a matter of policy exempt from any punishment." Further, British troops would

³⁷¹ Letter to Legal Section, (Legal Advice & Drafting), Main HQ Control Commission for Germany (British Element), from Lt. Col. S.O.I. (Legal), Mil. Gov. [sic] Hanover Region, 16 November 1945. FO 1050/10. PH requested that this law be "set out in English" in order that the Courts did not have to seek German legal advice presumably to maintain as much control as possible over the process. Normally this was only done when a German law required amendment.

³⁷² Letter to Health Branch, IA&C. Division, Bünde, from Legal Division, main HQ. [sic], Control Commission for Germany (BE), 6 Osnabrücker Strasse, Lübbecke, BAOR, 27 November 1945. FO 1050/10

be reluctant to give any knowledge of their partner when they knew she would be so severely punished. Most importantly, it would undermine the “already shaky foundation in law of the proforma system” since in the end, it is his word against hers.” According to Health Branch, the rules of British public health law had already been “undermined” in Germany since in Britain, the Medical officer of Health was required to have two identifications of a person before treatment could be ordered and even then the order required the signature of a VD specialist, if it concerned a member of the Armed Forces. Because of the situation in Germany, this had been amended but “invidious comparisons” between CCG policy and that of H.M. Government at home were thought best avoided by any attention to the matter. Policy in Germany, it was suggested, might not “stand critical scrutiny at home.” IA&C’s conclusion was that 30 Corps’ notice had to be repealed and they were satisfied that in view of the “recently issued Instruction No. 11 Mil Gov [sic] ordering the reporting of fresh cases and notification of name of sources of infection and defaulters from treatment, together with administrative measures shortly to be issued in consultation with the German Advisory Committee on Public Health...there will be no necessity for any such measure.”³⁷³ Thus PH was able to reassert its claim to authority on what was supposed to be its area of expertise.

An exchange between the Controller General of IA&C, R. Boucher, and Major General Balfour, Chief of IA&C, demonstrates both the military perspective on the running of the occupation and the CCG(BE) perspective, as well as

³⁷³ Memo to Controller General of Health Branch, I.A. & C. Divsn. [sic], Control Commission for Germany (BE), 8, Philippstrasse, [sic] Bünde, ABOR, November 1945. FO 1050/10.

individual differences in style. Boucher's letter expressed his feeling of being "seriously disturbed" at the action of 30 Corps and his belief, based on past experience, that this would only drive the disease underground. He argued that while he knew that the Germans had made a similar change to their law, it was far too early to know what the result would be, and he suspected it would not meet their expectations.³⁷⁴ In addition, 30 Corps was apparently "told it was a purely Mil Gov [sic] affair" and the CC's (CCG's?) role was never entirely clear to the military as regards their own troops. Furthermore, the Director of Medical Services stated that he was "not greatly concerned with the German's legal rights" but was clearly in favour of anything that will help with the VD situation and agreed that the Ordinance would not have the desired effect.³⁷⁵ A few days later the office of the Deputy Military Governor informed the Director of Medical Services (DMS) that the Ordinance in question [had] been unconditionally withdrawn bringing 30 Corps into line with the rest of the zone.³⁷⁶

By the spring of 1946, efforts were underway to create a British style public health system. In April the WO approved penicillin for treatment in all cases of gonorrhea (MG Instruction No. 60) and at the same time more effort was made to convince the German population that treatment at a hospital was

³⁷⁴ Memo to Maj. Gen. F. M. Balfour, C.B.E., M.C., Chief, I.A. & C. Division, Bünde, BAOR, from Health Branch, I.A. & C. Divsn. [sic] Control Commission for Germany (BE), Main HQ, Bünde, BAOR, 3 December, 1945. FO 1050/10.

³⁷⁵ Letter to Jam. Gen. P.M. Balfour, CBE, MC, HQ IA&C [sic] Division, Main Headquarter, Control Commission for Germany (B.E.) Bünde, BAOR. From Director of Medical Services, Headquarters, British Army of the Rhine, BAOR, 11 December 1945. FO 1050/10.

³⁷⁶ Letter to Major-General P.M. Balfour, CBE, MC < Headquarters, IA&C [sic] Division, Control Commission for Germany (BE), Bünde [sic], BAOR from Brigadier G.V. Britten, CBE. Office of the Deputy Military Governor, Main Headquarters, Control Commission for Germany (BE), Lübbecke [sic], BAOR, 15 December 1945. FO 1050/10.

preferable to seeing a doctor privately. On one hand, this is openly discussed by the CC authorities as a move to a more open system.³⁷⁷ On the other hand, although not explicitly stated, due to the shortage of penicillin, it was also the only logical way to approach the problems of both the equitable distribution and sulpha-resistant strains. The German Advisory Committee (*Beratungsstelle*) realized that this would require more clinics than Instruction No. 60 provided for and decided to prepare area-specific reports which were sent to the PHO at regional HQ. It was part of the stated policy of Public Health Branch (PHB), IA&C, "to bring about a state of affairs in which the German civilians become habituated to the idea of having V.D. treatment at treatment centres sited in suitable, preferable general, hospitals." PHB expected to staff such clinics with VD specialists who were to be "paid sufficiently well to compensate them" for the income they would lose through the reduced number of private patients. It was also anticipated that most Germans would want to be treated with penicillin rather than anything else and this would also encourage them to be treated at hospital, since that was the only place it would be legally available. Of course it was also assumed that this would give the German health care system more control over the VD situation "in a manner which has never before been attempted in Germany."³⁷⁸

³⁷⁷ Memo to HQ Mil Gov [sic] Hannover Region, Westfalen Region, Schleswig-Holstein Region, North-Rhine Region, Hansestadt Hamburg, from the Controller General, Public Health Branch, IA&C Division, Control Commission for Germany (BE), 5 April 1946, FO 1013/1929.

³⁷⁸ Letter to Regional Offices from the Controller General, Public Health Branch, IA & C [sic] Division, Control Commission for Germany (BE), Bünde, BAOR, 5 April 1946. FO 1013/1929.

One of the most controversial and criticized parts of the scheme to control VD were the raids on public places. Bars were raided, but also cafes and other leisure venues. Both the CC authorities and German police were involved in these activities, and eventually German women felt unsafe on the streets even during daylight, since they were routinely harassed and forcibly confined by VD patrols. An article in the *Hamburger Volkszeitung* entitled "Persecution of women" (*Jagd auf Frauen*) described the forcible transport of some women and girls to a VD centre to be examined (in this case Altona hospital). The women quoted in the newspaper were two of those released; one was taken on her way home from work and was released at 3:00 am and compelled to walk home. The newspaper article states that "[t]he population is exasperated by these measures, as only women and no men are being taken for inspection." More damagingly, the reporter relates the action of a British soldier who, after his two companions were taken away, walked over to a third woman and "laughingly discussed his present experience and was looking forward to a pleasant evening."³⁷⁹

Other complaints from Hamburg include one from a local doctor, a teacher and a 20 year old woman. Dr. Albrecht, on behalf of the Hamburg Chamber of Doctors, expressed his concern to the MG stating that, as well as the raids having upset people in general, they had also "seriously disturbed the nervous system of many a young girl." It was his opinion that it was "unbearable" that women at tram stops and well reputed restaurants were indiscriminately rounded

³⁷⁹ "*Jagd auf Frauen*," English translation attached to a memo to Secretariat, Hamburg from *Kreis* Inspecting Office, Adm [sic] & Local Gov [sic] Branch, HQ Military Government, Hansestadt Hamburg, 609 HQ CCG, BAOR, 10 August 1946. FO 1014/470.

up. He related women having been taken away for examination even though their papers were in order and they were with their husbands. Apparently, the only reason to have suspected them at all was because they were in a café by a train station. Although a female police officer accompanied the British police, in the doctor's opinion the new women recently hired had very little experience and no power to oppose the male British police. In addition, he objected to juveniles being detained with older women particularly when no judgment was brought to bear on whether or not the young women or girls even required such an examination.³⁸⁰

The teacher voiced similar complaints. He related an incident where some female students were apprehended on their way home, along with some other women who were standing on the same corner and were accompanied by German men who protested on their behalf. The students complained of being subjected to "an extremely unpleasant physical search and examination." They were released at 9:00 p.m. to return home on their own.³⁸¹ This episode is similar to the experience of Ruth Brandt, twenty years old, who was apprehended on her way home from a dance at 9:15 in the evening in Blankenese. By her account she was driven to Dammtor to a hospital "bunker" and examined for VD. According to her testimony, when the women were leaving they had to "pass between a double row of British police and torches were flashed in the face of

³⁸⁰ Letter to Regional Governmental Officer from Senior Control Officer, Office of Regional Commissioner, Secretariat, HQ Military Government, Hansestadt Hamburg, 609 HQ CCG BAOR, 3 December 1946, Attachment from Dr. Albrecht, 27 November 1946. FO 1014/470.

³⁸¹ Ibid, letter attachment from Bonn Commercial and Foreign Language School, Hamburg 36. 14 November 1946.

each one of us.” She was released at 1:00 a.m. and had to walk back to Blankenese. She also stated that there were no female police present.³⁸²

When the doctor’s complaint was initially received in August, the district Inspecting Officer (KIO) requested that the whole procedure be accomplished differently. He acknowledged that the women picked up by police were driven in open trucks and often stood in line for hours “with local prostitutes and harlots.” He recommended closed trucks, only picking up women known to the police and that “women free from disease be returned to their homes by transport after Public Service Vehicles have ceased to function [and] that more discretion be used by Military Police.”³⁸³ As a result of the complaints and recommendations, changes were recommended by the Deputy Provost Marshall (DPM) including avoiding the larger reputable cafes, and only apprehending those women identified by pro-forma, known prostitutes, women “obviously loitering for purposes of prostitution” or “in the company of British soldiers in circumstances giving rise to the probability of immoral purpose.” The DPM felt that the resentment was better avoided but claimed that the system was working. In Hamburg in the previous three months, 742, 518 and 808 women had been checked and women found positive for VD were 113, 70 and 98 respectively.³⁸⁴ Despite the assertion that overall this is 13.6% it also means that 710 women were “checked” for no reason.³⁸⁵ When the DPM received additional complaints

³⁸² Ibid, attachment, translation of statement of Ruth Brandt. No date.

³⁸³ Ibid, Letter to “Secretariat.”

³⁸⁴ Ibid. Attachment memo to Deputy Commander from JFM Openshaw Lt-Col, Deputy Provost Marshal. No Date.

³⁸⁵ Ibid. Attachment memo to Deputy Commander from Lt. Col. J. Stokoe, ADH, 5 July 1946.

in December, he was reportedly “annoyed and deeply concerned” and re-issued the orders to stop the raids.³⁸⁶ The second order did have more effect but raids continued and remained controversial.

The statistics regarding VD in 1946 vary widely between regions and *Länder*, both in numbers and in the manner in which they were reported although some comparisons can be drawn. Hannover reported an estimated 100,000 cases of VD among DP’s in August while other, smaller areas such as Minden, Detmold and Düsseldorf, reported lower overall statistics.³⁸⁷ The categories from Nord-Rhine Westfalen in one specific report allow a more detailed view since age groups are noted. For the week ending 22 November in Detmold, in the age category fourteen to twenty-one years, four cases of VD were reported, two syphilis and two gonorrhea. In the category “21+” years, eight women were found positive, three with syphilis and five with gonorrhea. For the week of 7 December, Minden reported twenty-one men with gonorrhea and eighteen with syphilis, and forty-five women with gonorrhea and thirty-one with syphilis. For the same week, the Düsseldorf report gives both age and gender categories reporting that one hundred eighty-nine women were reported to have VD, three under age fourteen and twenty-nine between fourteen and twenty-one. Of a total of two hundred and seven men reported positive, none were below age fourteen and seventeen were between the ages of fourteen and twenty-one. Interestingly, the only category in

³⁸⁶ Letter to Regional Governmental Officer, HQ Military Government, Hansestadt Hamburg, 609 HQ CCG BAOR, from Deputy Inspector General, Public Safety HQ Military Government, Hansestadt Hamburg, 609 HQ CCG BAOR, 5 December 1946. FO 1014/470.

³⁸⁷ Report to HQ Military Government Hannover Region, 229 HQ, CCG, BAOR from Public Health. 22 August 1946. FO 1010/8.

which syphilis was higher than gonorrhea was males, aged fourteen to twenty-one.³⁸⁸ Possibly young men in this age group were more motivated to seek out a physician due to the more immediate symptoms of gonorrhea.

In early 1946 a good deal of confusion remained and the debate concerning the number of prostitutes and where to lay responsibility for the rate of VD was unresolved. A report from Gunnersbach stated that VD was "rife amongst the local prostitutes... [and] 80% suffer from it. Cases amongst the troops, thanks to the continual lectures from the M.O. have declined."³⁸⁹ The PH department covering *Oberbergischer Kreis* reported that there were no registered prostitutes in their area. They also reported that "of the 'amateurs' reported as sources of infection, all have been examined either by order of Mil Gov Det [sic], German Police, or on the initiative of the P.H. Dept. [sic]...The result of most examinations was negative, and it is estimated that not more than 10% are suffering from V.D."³⁹⁰

The main challenge for the occupation authorities in 1947 was the devolution onto the *Länder* governments of exclusive powers to legislate by MG Ordinance 57 (see chapter one) which meant in this instance that the German authorities were in charge of the VD and prostitution laws. This increased tension between occupied and occupier, particularly since individuals within PH and other departments were not ready to give up control over how VD was handled,

³⁸⁸ Report by Public Health, North Rhine-Westphalia, 27 November 1946. FO 1013/1916.

³⁸⁹ Report to Mil Gov Det [sic], Attention Public Health by Brigadier W.E. Harvey, DD Mil Gov [sic], 1 Corps District, 23 January 1946. FO 1013/1929.

³⁹⁰ Report by Public Health, 808 (L/R) Mil. Gov. Det. [sic], 15 March 1946. FO 1013/1929.

and control of the police remained with the MG. The British wanted raids to cease and VD to be seen as a social issue. The Germans favoured a more legalistic approach and thought raids were a good tool. Part of the argument however, clearly concerned what German women should or should not be allowed to do since some part of the debate concerned how much freedom should they have to negotiate their own treatment. For example, if a woman knew she had VD and would therefore be incarcerated until cured, she might prefer to begin treatment after she had negotiated childcare or any number of other daily responsibilities. A welfare worker might give her the time, the police probably not. The differences between the two groups on the approach to the problem were eventually worked out in various committee and conference settings involving many officials from both sides. Not surprisingly, none of the planning committees involved any of the women the rules were designed to control.

Part of the difficulty between British and German health authorities in early 1947 was the process of redefining the dynamics after Ordinance 57. For example, a coordinating committee (inter-zonal and inter-departmental) met in January to discuss a draft law regarding combating VD in Germany, even though at that point they did not have the legal power to pass a law. Hence the wording in the resulting report is very careful to make agreement in principle as clear as possible and to confirm the message that combating VD among the German population was not a suitable subject for CC legislation. At the same time a Directive (No. 52) rather than a law was signed in Berlin and a memo was sent to

all the Regional Commissioners requesting them to inform their “Minister President” to introduce new legislation in accordance with the new principles, suspending police raids and replacing them with a VD welfare system.³⁹¹

The principles of a system to replace raids and forced detention were discussed in July between a very broad group of CC and German representatives including PH, PS, Public Health & Welfare (PHW), a female police officer, a German Legal Advisor and other representatives from the *Landesjugendamt und Sozialbehörde*, and the German Board of Health. In the opinion of Dr. Lennox, the Principal Control Officer for PH and Chairman of the Committee, the discussion was “considerable and free” and it was agreed that VD should be entirely under the control of PH which in effect meant that physicians and hospital clinics treating VD could only do so with the approval of the Minister of Health. It was additionally agreed that the welfare department would be responsible for ensuring that identified subjects received treatment from a doctor. And although these treatment options were theoretically to be applied equally to men and women, the language betrays the prejudices of the system since both the welfare worker and the infected person were assumed to be female. “If she failed to [go for treatment] within 48 hours, the [treatment] clinic should report to the welfare organization [and] she should interview the girl and unless she then complied” the police should be authorized by welfare to arrest her.³⁹²

³⁹¹ Memo to Regional Commissioners, *Länder Niedersachsen, Nord Rhine/Westfalen, Schleswig-Holstein, Berlin*, from Deputy Military Governor, Headquarters, Control Commission for Germany (BE), Berlin, BAOR, 10 May 1947. FO 1014/470.

³⁹² Ibid.

The German City Council (*Bürgerschaft*), however, did not approve of this system and wanted the police involved from the beginning. To begin with, in the judgment of the *Bürgerschaft*, anyone who had a venereal disease and did not present himself or herself for treatment was committing a crime that should be dealt with by the police. In addition welfare personnel were assumed to be women and viewed as having very little authority. The official statement was, “if female assistants of the Social and Youth Administration are engaged in [this process], it could, in view of the lack of authority of such personnel, be efficiently carried through only by [sic] means of Police assistance.”³⁹³ Not surprisingly, PH disagreed, particularly Dr. Lennox, who suggested that the *Bürgerschaft* was being undemocratic. He stated that he had “gone through a great deal of trouble to get VD welfare on its feet” and his opinion was that the main objection of the *Bürgerschaft* was the expense of hiring the new welfare workers. Since in Dr. Lennox’s opinion “the whole purpose of the Ordinance was to prevent too much power going to the police” and the purpose of the welfare system was “to give help to these delinquents in their unfortunate position” it would defeat the whole system if the police were allowed to have more jurisdiction.³⁹⁴ The official end statement on the question was Directive 52. Despite the fact that it was arrived at through a series of conferences organized by PH and included German representatives, it had still to be taken only as advice (even though this was

³⁹³ Letter to HQ Military Government, Hansestadt Hamburg, 609 HQ CCG, BAOR, Hamburg from *Der Bürgermeister*, Hansestadt Hamburg, 9 September 1947. FO 1014/470.

³⁹⁴ Letter to Public Health Section, HQ Hansestadt Hamburg, 609 HQ CCG (BE), BAOR from Dr. Lennox, Principal Control Officer PH Sec [sic] HQ 609 CCG (BE) BAOR, 13 September 1947, FO 1014/470.

advice in the strongest terms) since Ordinance 57 conferred authority for legal decisions on the *Länder* government. Since the *Bürgerschaft* and the Senate continued to oppose Directive 52 it was recommended that “further persuasion” be attempted through a conference called and chaired by the Regional Commissioner.³⁹⁵

This additional meeting was duly held and the principles of Directive 52 were generally agreed upon, although there were some additional suggestions. The Niedersachsen representatives proposed a Zonal Venereal Disease Committee (ZVDC) sub-committee to consider the comments and criticisms of the various *Länder* and then develop revised uniform legislation for the whole zone. It was presumed that the interests of British forces and CCG would be safeguarded by the fact that the Regional Commissioner still retained approval on legislation passed by *Länder* governments.

Perhaps the most interesting aspect of this meeting is the language of the Deputy Regional Commissioner (DRC), who chaired it and began with an outline of intent. The DRC, Mr. Dunlop, began by stating that the British PH authorities were convinced that a “proper solution” could only be obtained through a broad moral education (and therefore presumably the use of female welfare workers) and not through “technical, Police or medical precautions.” Most notably, Mr. Dunlop attempted to reassure the group that neither the military nor the CC was any longer solely concerned with protecting soldiers from the effects of VD. They had developed a program principally concerned with “their education into the

³⁹⁵ Minute to the Regional Governmental Officer by the Senior control Officer, Governmental Structure Section, 24 September 1947. FO 1014/470.

conviction that a happy and satisfactory family life as husbands and fathers in the years to come could have its best and most sure foundation on a life of self-control and fair living in the days of their youth.” This was the new message that Commanders were passing on.³⁹⁶

Furthermore, Mr. Dunlop assured the *Bürgerschaft* of German men that “any suggestion of the right of a victor to express his victory in terms of possession of the bodies of German women is completely abhorrent to our British way of thought.” There was also, however, the expectation that the *Bürgerschaft* would assist in this endeavour by “securing among the German girls a standard of chastity and self-respect to match the ideals which we are trying to instill among our British soldiers.” The British were well aware of the difficulties faced by German girls and women according to the DRC, particularly poverty, over-crowding and “lack of German men their own age.” The situation of German women was being explained to British soldiers and it was hoped that this would assist in a change of attitude and behaviour. Mr. Dunlop did acknowledge that until this was accomplished, the technical measures were needed to prevent the spread of disease.³⁹⁷

A number of additional inter-services VD committees were initiated at the same time, since the rate of VD within the whole of the British occupation force was considered to be alarmingly high. It was hoped that, if the problem was discussed from a multitude of perspectives, the behaviour of the force could be changed. These committees operated on a number of levels and included

³⁹⁶ “V.D. Conference, 28 November 1947” signed J.K. Dunlop, Deputy Regional Commissioner. FO 1014/470.

³⁹⁷ Ibid.

representatives from the RAO, the Army and the CCG, Legal, PS, the Ministry of Labour, Reconstruction and Health, the Ministry of Health, and Ministry of the Interior from each of the *Länder*. They addressed a range of issues including loopholes in the identification system, condom distribution, treatment of infected persons and the situation of the German police. These committees met until the end of 1949 and are one signifier of the range of issues that required attention, and what changed and what did not. The minutes of these committees will be referenced.

One of the first issues that the Zonal, Regional and *Land* Committees intended to address was the behaviour of service personnel and how to gain more control over their actions with regard to both the prevention and treatment of disease. Actions with this intention necessarily involved other groups of people, including German doctors and women who were just as often the object of control. Issues such as condom use and distribution did, however, get the attention of these prevention focused committees. In late 1947, condoms were available at the rate of one per week which was recognized at all levels as being inadequate for the circumstances.³⁹⁸ In addition, there was some suggestion that the condoms that were available were finding their way into the Russian zone and onto the Black Market.³⁹⁹ However, the Zonal committee disagreed with this and stressed that the Russians made their own and were not impinging on the supplies of other zones. It was estimated by this committee that the combined

³⁹⁸ Memo to Regional Governmental Officer from Lt. Col. J.R. Cole, 2nd Infantry Division [Cole memo], 23 December 1947. FO 1013/1932.

³⁹⁹ Minutes of Niedersachsen Inter-Services Venereal Disease Committee [Niedersachsen ISVDC], 18 November 1947. FO 1013/1932.

requirements for the British and US zones was 36,000 gross per month and acknowledged that current production was at 8,022. It was doubted that even at capacity production enough condoms would be available.⁴⁰⁰ An additional obstacle was the attitude of the Catholic Church which was against any pressure on soldiers to use condoms.⁴⁰¹

Other measures to impose more direct control included suggesting that Forces Medical Services examine the men more frequently, particularly those who had suffered from VD previously.⁴⁰² Soldiers could be charged if they failed to use a Prevention Ablution Center (PAC) after they had exposed themselves to the risk of infection. Visits to a PAC were recorded with the result that frequent users were ostracized and if later tested and found infected, were charged with failing to obey unit orders. A second charge made the soldier liable for Courts-martial.⁴⁰³ Furthermore, some units took a social approach such as 2nd Infantry whose policy was intended to provide "the maximum possibly amenities inside bks [barracks] in order to lessen the desire to seek his amusements outside bks where he is subject to temptation....and it is hoped that his life in the British Army of the Rhine (BAOR) will be such a full one that he will have little desire to associate with undesirable women."⁴⁰⁴ Those who did go out of bounds were subject to disciplinary action and out-of-bounds cafes were checked by Watch Committees, although since there were not very many of these, the checks were

⁴⁰⁰ Minutes of Zonal Standing Inter-Services VD Committee, [Zonal minutes], 17 December 1947. FO 1013/1932.

⁴⁰¹ Minutes of Regional Inter-Services Committee, North Rhine-Westphalia, [sic] 14 April 1948. FO 1013/1932.

⁴⁰² Niedersachsen ISVDC, 18 November 1947. FO 1013/1932.

⁴⁰³ Ibid.

⁴⁰⁴ Cole memo, 23 December 1947. FO 1013/1932.

probably not all that frequent. In addition, German café owners were acted against if they served soldiers.⁴⁰⁵

German doctors became the focus of scrutiny at some points and the various committees often disagreed concerning how to handle the situation. One of the loopholes in the system was that German doctors could treat service personnel and were not required to report having done so if the person concerned finished the necessary treatment,⁴⁰⁶ although the soldier could be convicted of concealing the disease, if he was caught.⁴⁰⁷ The Niedersachsen representatives recommended nevertheless that a zonal ordinance be created forbidding German doctors treating British service personnel. The Zonal committee rejected the idea as it felt the cooperation of German authorities was good and did not want to be too heavy handed.⁴⁰⁸ The Regional VD committee suggested that German doctors were giving negative certificates to women who were actually infected and that these doctors did not check the woman's identity carefully and infected women were sending replacements in for the test. There is no evidence supplied for this accusation but nevertheless a request was made for a Belgian or British doctor to attend exams to ensure they were done properly and that German doctors checked the identity of their patients.⁴⁰⁹ German doctors were a further focus for PH and its experts in the transition to the exclusive use of penicillin for the treatment of syphilis. It was recognized that the

⁴⁰⁵ Ibid.

⁴⁰⁶ Niedersachsen ISVDC, 18 November 1947. FO 1013/1932.

⁴⁰⁷ Cole memo, 23 December 1947. FO 1013/1932.

⁴⁰⁸ Zonal minutes, 17 December 1947, FO 1013/1932.

⁴⁰⁹ Minutes of Regional Governmental Office, Regional meeting on VD, 5 February 1948. FO 1013/1932.

traditional treatment for syphilis was limited in various respects, but the technique and application of penicillin was not proven to German doctors. PH was anxious for German doctors to cooperate with its use and appears to have provided additional information and training that made a great deal of difference during 1949.⁴¹⁰

Useful statistics from this period can be found in comparative figures for Niedersachsen and the zone. During the first quarter of 1947 a total of 5,363 people were treated for gonorrhea and 4,040 for syphilis. In the zone as a whole the numbers were 16,872 and 13,844 respectively. In the second quarter, slightly more information is available and it indicates that men were more commonly treated for gonorrhea and women for syphilis. Of a total of 5,696 treated for gonorrhea, 3,028 were men and 2,668 were women. The total syphilis cases were 4,066 of which 1,723 were men and 2,343 were women. The statistics for the zone were 18,481 with gonorrhea and 13,338 with syphilis.⁴¹¹ The percentage of persons per 1,000 in Niedersachsen and the zone are very similar at 30 – 35/1,000 with gonorrhea and 23 – 25/1000 with syphilis. By 1948 this had dropped to 12.2/1,000 and 12/1000 respectively, and by 1949 to 9.1 and 7.2.⁴¹²

Throughout 1948, raids, the powers of the German police, and the women themselves remained the main focus of attack. Vice squads continued to work with the German police to track down women “suspected of infecting soldiers,”

⁴¹⁰ Minutes of V.D. Inter-Services Committee, Niedersachsen, 5 April 1949 and 5 July 1949. FO 1050/636.

⁴¹¹ “Gesundheits-und Wohnungswesen”, *Die meldepflichtigen Krankheiten im 1. u. 2. Vierteljahr 1947 in Niedersachsen, und Die meldepflichtigen Krankheiten im 1. u. 2. Vierteljahr 1947 im der Britischen Zone*, Nds. 50/221.

⁴¹² “Gesundheits-und Wohnungswesen”, *Geschlechtskrankheiten in Niedersachsen und in der Britischen Zone, im 1. Halbjahr 1947*. Nds. 50/221.

but legally the Police had no powers of arrest when VD was suspected. The authority to enforce compulsory examination and treatment rested solely with the Health Authorities as a result of Ordinance 57 and Directive 52. However, raids were still undertaken by the Police with or without British or Belgian Military Police but were supposedly more carefully carried out than had previously been the case including the fact that these forces only raided certain cafes and only arrested known women, those who appeared to be vagrant or those “whose appearance or the circumstances in which they are found give grounds for strong suspicion of their mode of life.” Women who had not committed an offence, but were suspected of having VD because of their behaviour or appearance, were “directed” to attend a clinic for examination and the Health Office was notified.⁴¹³

This in itself presented some problems for the authorities, because vagrant women often had identity cards and since they could not therefore be arrested on the spot, were given a 48 to 72 hour notification to appear. The suspicion that such women sent another healthy woman to be examined and that German doctors did not do enough to check the woman’s identity prompted the committee in Nord-Rhine Westfalen to recommend that some powers of arrest without warrant be given to police with regard to VD suspects so that this could be stopped. The committee was aware, however, of the dynamics with regard to the problem of the powers of the German police and therefore also recommended that these powers be outlined very carefully so that innocent people were not humiliated. In addition, they wanted it to be noted that men were

⁴¹³ Memo to “Inter-Services Standing Committee on Venereal Disease” from Public Safety, 1 January 1948. FO 1013/1932.

“just as serious a source of infection as women though this point is not often mentioned.” Uniquely, they suggested that as living conditions improved, so would the VD rate. In their view,

the root cause of the lowering of moral standards are the present conditions in Germany. Persons who normally would not think of it are drifting into immorality to obtain food, clothing and other extras. It is felt that if the cause were removed the effects would gradually disappear. This is, of course, an obvious truth.⁴¹⁴

It is noteworthy that food and clothing are listed with “other extras.”

The behaviour of certain groups of German women was a fairly constant focus for these committees. They discussed the many ways of defining women as prostitutes, charging them with solicitation and forcing them to undergo treatment and quarantine. By German law, identified women were to refrain from intercourse until a certificate of cure was obtained but some VD committees wanted this to be more stringent. The pro-forma filled in for PH records, stated that she must refrain from intercourse for six months but is unclear how this might be enforced. The Niedersachsen Minister of Health stated that every patient was given an information pamphlet and women under treatment were required to sign an undertaking that they would not cohabit until they had been certified as cured.⁴¹⁵ At the Regional Committee meeting in February 1948, discussion ensued as to whether or not German police had the right to arrest a person suspected of soliciting. According to German law, the police had to have proof that it was for gain and, in the case of amateurs, this was not automatically clear since they were not regular prostitutes registered with the Health

⁴¹⁴ Ibid.

⁴¹⁵ Minutes of the Third Conference of Regional Standing Inter-Services VD Committee, Hannover, 13 January 1948. FO 1013/1932.

Authorities. The majority of amateurs was to be found loitering around train stations, dance halls or cinemas and this activity could not be proved to be habitual. This group of women were, however, considered to be prostitutes by the British and a greater source of VD than the professional prostitutes who reported twice weekly for examination.⁴¹⁶ In one specific instance a Brigade Commander obtained lists of suspected infected women before a dance which was to be held in that area and the women whose names were on the list were turned away.⁴¹⁷

The available statistics for this period are thin but appear to indicate some success in the war against VD. In April 1948 VD among the troops in North-Rhine Westphalia was reported to be twenty-five per week, down from fifty to sixty the previous August. At the same time rates of VD among the civilian population were stable. The ratio of infected men to women was reportedly 2:3.⁴¹⁸ In July this had dropped to 1:1, the rate per week among troops had dropped to twenty-one and cases among the civilian population had also dropped.⁴¹⁹ In January 1949, the Minister of Health for Niedersachsen reported "rough figures" for syphilis and gonorrhea for 1947 at 18,000 and 24,000 respectively, and for 1948 at 15,562 and 19,250.⁴²⁰ In April 1949, the rate of

⁴¹⁶ Memo to Regional Standing Committee from Deputy Inspector General, Public Safety Branch, Land North-Rhine Westphalia, 10 March 1948. FO 1013/1932.

⁴¹⁷ Memo to Regional Government Office, HQ Land North Rhine/Westphalia from Acting Chief, Public Health, 18 March 1948. FO 1013/1932.

⁴¹⁸ Report by Regional Inter-Services V.D. Committee, North Rhine/Westphalia, 14 April 1948. FO 1013/1929.

⁴¹⁹ Minutes of Regional Inter-Services V.D. Committee, North Rhine/Westphalia, 14 July 1948, FO 1013/1929.

⁴²⁰ Minutes of VD Inter-Services Committee, Niedersachsen, 4 January 1949. FO 1050/636.

disease among the DP population was determined to have dropped as well. In 1948 the rate of syphilis was 4.7/1000 and gonorrhea was 6.4/1000. In the first quarter of 1949 these rates had dropped to 3.7/1000 and 3.8/1000.⁴²¹

By 1949, although controversy remained regarding raids, the degree of organization in combating VD was significant. The minutes of the Zonal Sub Inter-Services VD Committee held in June, show organized categories of concern and reporting structures from each *Land*. CCG Directive 52 and the progress on related *Land* legislation, action regarding “Notes for guidance in combating VD”, VD propaganda films, VD rehab centres and the DP aspect were all reported on with each *Land* reporting improvement. It also appears that progress had been made regarding target groups and related problems. For example, it was confirmed that the VD rate in the DP population was consistently low and it therefore ceased to be a major target. At the same time it was discovered that cafes were kept open beyond legal closing because forces personnel refused to leave.⁴²² The problems that remained concerned the shift of an additional level of responsibility to the German authorities with the promulgation of the Basic Law, and the resultant reordering of roles with regard to the civilian German population.

In Niedersachsen, for example, a new law regarding prostitution and the apprehension and treatment of suspected VD carriers was a contentious process and the document was sent back and forth between the regional committee and

⁴²¹ Report by Dr. Murphy, displaced Persons Branch (Medical) to VD Inter-Services Committee, Niedersachsen, 5 April 1949. FO 1050/636.

⁴²² Minutes of Zonal Standing Inter-Services V.D. Committee submitted to “Secretariat,” Control Commission for Germany (British Element), 13 June 1949. FO 1052/241.

the *Landtag* several times.⁴²³ In the meantime, guidelines had to be set that both satisfied PH and did not violate the pending legislation. In February 1949, VD patrol activities re-commenced under a new structure. In contrast to the earlier indiscriminate raids and apprehension of women, a specified team went out with a specific objective. Legal authority for the control of VD was vested in the *Gesundheitsamt* under the terms of German law (*Gesetz zur Bekämpfung der Geschlechtskrankheiten*, 1927). Under this law all other authorities were required to give assistance as required. The police were clearly one of those authorities, but had no power of arrest in a suspected case of VD. They could arrest someone only on the request of the Health Authority but if they suspected someone they could submit the name and address. Due to the fact that most of the women the police suspected at that point were vagrants who did not have a permanent address, they could not be found when the health authorities went looking for them. In order to circumvent this, it was decided that a welfare worker, invested with the authority of the *Gesundheitsamt* would carry out vice patrols with the support of both the Allied and German police. Their role was to ensure that the welfare officer was able to complete the task as efficiently as possible without interference by either military personnel or civilians. If the welfare officer suspected that a person possibly needing treatment would not appear at the appointed time for examination, they could order the person hospitalized until examined.

⁴²³ Minutes of V.D. Inter-Services Committee, Niedersachsen, 4 January 1949. FO 1050/636.

Difficulties arose in some cities, however, where the military had maintained control of operations. Although welfare was to be determining the tone and agenda of actions in public places, this was not always the case. The CO, 101 Provost Company, Corps of Royal Military Police (RMP), sent a letter to the 7th Armoured Division requesting clarification in August regarding vice raids. He reported that he had received direction from Bielefeld PS that “the practice of visiting German cafes, by Military Police accompanied by German Police and German Women Police, for the purpose of checking VD suspects has been declared by recent legislation to be illegal.” The raids, he stated, had therefore been discontinued “until a ruling has been obtained from a higher authority.”⁴²⁴ It is not clear why he thought PS might be incorrect on this. The CO was informed by return letter that these had been renamed Medical Inspection Patrols and must be led by welfare.⁴²⁵ The CO then asked for assistance from PS in Bielefeld and was told of course that PS could not assist with the patrols.⁴²⁶ Subsequent letters make it clear that several people in this scenario were operating under misunderstandings. The Principal Health Officer in Düsseldorf believed that “the introduction of the Occupation Statute” was what had changed the role of PS and neither he nor the 7th Armoured Division appeared to be aware of Directive 52.⁴²⁷

⁴²⁴ Memo to DPM, 7 Armd Div [sic] BAOR by T E Collins, Capt., for Major Commanding, 101 Provost Company, Corps of Royal Military Police, 16 August 1949. FO 1013/1931.

⁴²⁵ Memo to O.C. 101 Pro Coy [sic] by A Hunt Lt Col., DPM HQ 7 Armd Div. [sic], 22 August 1949. FO 1013/1931.

⁴²⁶ Memo to DPM HQ 7 Armd Div [sic] BAOR 23, by G W Jones, Major, Commanding 101 Provost Coy [sic], Corps of Royal Military Police, 26 September 1949. FO 1013/1931.

⁴²⁷ Memo to Public Safety, Land Commissioner's Office, Düsseldorf, BAOR 4, from Mr. L.J. Nichols, Principal Health Officer, Public Health Branch, Land Commissioner's Office, Düsseldorf, BAOR 4, 19 October 1949. FO 1013/1931.

There are many number of reasons for this – frequently changing personnel for example – but this seems an important item to have missed in training, and the result was less than satisfactory consistency in the observance of the changing dynamics between what was now the Federal Republic and the British military which was no longer an occupying army. Directive 52 stopped raids in July 1947 and German welfare took over with Ordinance 57. In January 1949, the Basic Law was passed yet raids continued in Bielefeld until August.

Public Health continued to work with the new German *Sozialministerium* after the propagation of the Basic Law to keep VD under control, especially given that it was clear, particularly into 1950, that military personnel would continue to be in Germany. Several types of individual cases from 1949 and 1950 illustrate the coordination of efforts between PH, the German agency and the police. These cases also indicate the degree to which conventional categorization of women remained consistent. For example, in October 1949 the German health authorities passed on to PH the name of a soldier serving with the Belgian forces who had been identified by a German woman.⁴²⁸ This information was then passed to the Belgian Liaison officer who traced the person but found that he was not suffering from gonorrhea, had never had it according to him and was very indignant that he had been accused of having such a disease.⁴²⁹ He in turn

⁴²⁸ Letter to *Die Polizeibehörde der Stadt Aachen, Chef der Polizei, Kriminalabteilung des Oberstadtdirektor, Gesundheitsbehörde*, 12 October 1949. FO 1013/1931.

⁴²⁹ Letter to Belgian Liaison officer, C/O Land Commissioner's Office, Bad Salzuflen, BAOR 15 from Land Public Health Department, Land Commissioner's Office, Düsseldorf, BAOR 4, 12 November 1949. FO 1013/1931; and letter to Land Public Health Department, Land Commissioner's Office Düsseldorf, BAOR 4 from Belgian Military Mission Allied Liaison Branch Bad Salzuflen, BAOR 15, 19 December 1949. FO 1013/1931.

asked to be told the name and address of the woman concerned so that he could prosecute her. The Principal Health Officer (PHO) suggested that in view of the fact that it was such a serious accusation the German authorities should release the woman's name.⁴³⁰ They replied that they could not do this and they were then challenged by the Principal Health Officer to "forward a copy of para [sic] 10 of the Anti VD (Law) to which you refer."⁴³¹ Nevertheless, the *Sozialministerium* did forward the PHO's concerns to the PH office in Aachen for "repeated investigation of the case." When they did so, they found that the woman concerned was at that point living in "a new Belgian territory," and this was likely why she had acquired the soldier's name. It also drew attention to her having been identified by the PH officials in Aachen, implying that she was not reliable in any case.⁴³² The *Sozialministerium* did include the above mentioned paragraph from the 1927 VD law. The PHO in Düsseldorf felt that at that point no further action was needed.⁴³³ Other similar cases can be found where a soldier named was subsequently found to be free from VD and the physician involved wrote to the health department, in one case suggesting that he was "being victimized by a

⁴³⁰ Letter to *Sozialministerium*, *Landeshaus*, Düsseldorf, (Attn: Dr. Lange), from L.J. Nichols, Principal Health Officer, Public Health Branch, Land Commissioner's Office, Düsseldorf, BAOR 4, 28 December 1949. FO 1013/1931.

⁴³¹ Letter to Land Public Health Department, Land Commissioner's Office, Düsseldorf from Dr. Lange, Minister of Social Affairs, *Der Sozialminister, des Landes Nordrhein-Westfalen* 12 January 1950. FO 1013/1931; and letter to *Sozialministerium* *Landeshaus*, Düsseldorf, (Attn: Dr. Lange), from J.G. Gill, Principal Health Officer, Public Health Branch, Land Commissioner's Office, Düsseldorf, BAOR 4, 19 January 1950. FO 1013/1931.

⁴³² Letter to Land Commissioner's Office, Public Health Branch Düsseldorf, from *Der Sozialminister des Landes Nordrhein-Westfalen*, 24 February 1950. FO 1013/1931.

⁴³³ Letter to *Sozialministerium*, *Landeshaus*, Düsseldorf, (Attn: Dr. Lange), from Public Health Branch, Land Commissioner's Office, Düsseldorf, BAOR 4, 27 February 1950. FO 1013/1931.

former girlfriend” and again requesting the name and address of the woman involved.⁴³⁴

In contrast, cases were followed where it was found that the soldier did have a disease but had left the army and could not be located. One such case involved a soldier identified as Sergeant “Erny” or “Oerny.” This Sergeant was reported by two different women one who met him near the barracks (Essen-Kray) and reportedly had sexual intercourse in the open air near the barracks, and another who met him at a near-by public house and had intercourse there; both said that they received no payment. He was reported by both women to have an unnatural colour of blue-black hair.⁴³⁵ This Sergeant was eventually identified as having left the army and his whereabouts were unknown.⁴³⁶ A similar case involved another Belgian who was eventually identified by a fellow soldier, who reported that he had had to leave the army for reasons not stated and that it was quite possible he had syphilis.⁴³⁷

The scenarios involving searching for women are more resolute. While the search for Sergeant Erny appears a bit of a lark, the search for “Black Inge” and the so-called “secret prostitute” Hilde, are much more serious in tone. Inge was a

⁴³⁴ Note by Lt. RAMC MO Gordons, Consulting Room, 8 November 1949. FO 1013/1931.

⁴³⁵ Memo to A.D.M.S., 2nd Brit Inf Div [sic], Hilden, BAOR 4, from Chief Public Health officer, Land Public Health Department, HQ Land North-Rhine Westphalia, Duesseldorf [sic], 714 HQ CCG (BE), BAOR 4, 26 August 1949; and Translated Copy, “Notification”, no date, FO 1013/1931.

⁴³⁶ Memo to DADMS, 2 Brit Inf Div., [sic] Hilden, BAOR 4, from Principal Health Officer, Public Health Branch, Land Commissioner’s Office, Düsseldorf, BAOR 4, 19 December 1949. FO 1013/1931.

⁴³⁷ Series of eight letters between the Chief Public Health Officer, Land Public Health Department, HQ Land North Rhine Westphalia, Düsseldorf; Belgian Liaison, HQ Land North-Rhine Westphalia, Düsseldorf; and Ministry of Social Affairs, Land North Rhine Westphalia, Düsseldorf (Attn: Dr. Lange). 10 August 1949 to 6 October 1949. FO 1013/1931.

young, 22 year old woman, who was described as a prostitute who was “wandering.” She was known to visit a bar in Ruhrort. The *Sozialministerium* did find her and had her arrested for having “promiscuous intercourse.”⁴³⁸ Hilde was 24 years old and variously identified as a prostitute or secret prostitute.⁴³⁹ In May 1950 the *Sozialministerium* notified PH that she was in prison and was being treated for syphilis.⁴⁴⁰ Martha Kalthoff was found to have syphilis and completed the first round of treatment. She did not appear for the second round and when the Intelligence Office investigated they found that she had left for England. She was located there in a sanatorium in Westmorland.⁴⁴¹ These are some of the street prostitutes that the Army continued to be concerned about throughout the occupation. Given the living conditions and lack of food and clothing in 1945 there were no doubt many more of these early in the occupation and they presented likely as serious a disease threat to the soldiers as the soldiers were to them.

⁴³⁸ Series of four memos between the Principal Health Officer, Land Commissioner's Office, Düsseldorf, BAOR 4, Public Health Adviser's Office, Bad Salzuflen, BAOR 15 and the *Sozialministerium*, Landeshaus Düsseldorf, (Attn: Dr. Lange), 5 December 1949 to 13 April 1950. FO 1013/1931.

⁴³⁹ Memo to Principal Health Officer, Land Commissioner's Office, Düsseldorf, BAOR 4, from Public Health Adviser, Bad Salzuflen, BAOR 15, 13 April, 1950; and memo to Ministry of Social Affairs, Landeshaus, Düsseldorf, Attn: Dr. Lange, from Principal Health Officer, Public Health Branch, Land Commissioner's Office, Düsseldorf, BAOR 4, 18 April 1950. FO 1013/1931.

⁴⁴⁰ Memo to Land Commissioner's Office, Public Health Branch, Düsseldorf, from the *Sozialminister des Landes Nordrhein-Westfalen*, 26 May 1950. FO 1013/1931.

⁴⁴¹ Memo to Dr. med. [sic] Lange, *Sozialministerium*, Düsseldorf, from VD Centre, L.V.A. *Rheinprovinz*, Essen, 26 August 1949; and memo to Social Ministry, Land North-Rhine Westphalia, (attn: - Frau Dr. Lange), from Chief Public Health Officer, Land Public Health Department, HQ Land North-Rhine Westphalia, Düsseldorf, 714 HQ CCG (BE), BAOR 4, 10 September 1949; and memo to Public Health Branch, Land Commissioner's Office, Düsseldorf, from the *Sozialminister, des Landes Nordrhein-Westfalen*, 18 October 1949. FO 1013/1931.

Diseased German women were a primary focus throughout the occupation period. For a number of reasons, but in part as the VD rate among soldiers increased during 1944, plans were made to put a non-fraternization ban in effect to attempt to maintain some control over the situation and keep British soldiers and German women apart. This was not even remotely successful and the VD rate skyrocketed. The image of German women as carriers of disease and subsequent efforts to control and treat them is quite clear in the development of the VD program from 1945 to 1950. After Ordinance 57, German agencies became increasingly involved in and responsible for the VD program, but continued to focus primarily on women. Although this shifted somewhat over time, and troop behaviour was addressed at some points, women continued to be seen as the primary carriers of venereal disease and therefore the focus of control and treatment.

The VD welfare program itself was designed and implemented by the British. Initially, raids and a police controlled program appeared to both PH and the fledgling German authorities to be the most efficient means of controlling both women's actions in public places and, they assumed, VD at the same time. Eventually this method of war on VD changed as the British discerned the amount of criticism this was engendering among the German public at large. The *Bürgerschaft* and Senate disagreed and wanted to keep police raids as the main operating principle but the British would not allow it and their program of welfare VD became the standard. Probably German women benefitted from a program of

welfare rather than immediate incarceration although this was not the concern of either of these organizations.

The “promiscuous patronage of street prostitutes” was indeed a problem for the British army and the CCG. The focus on German women as prostitutes and the fact that generally both of these organizations cast German women as prostitutes did not help them in their war against VD. They had difficulty identifying the difference between victims and perpetrators and German women were seriously disadvantaged by this attitude. In addition, since they were unable or unwilling to identify a large group of perpetrators, they missed many opportunities to combat the spread of the disease.

Chapter 7: The Official Organization of German Women

A report describing German women in December 1947 stated,

Their energy and political experience are on a low level. This is understandable as the old feminine tradition of subservience to the male and his ideas had never been shaken and demolished as in England...The advent of Hitler which stripped German women of all social and political rights sent them back ruthlessly to the kitchen and nursery, followed by the war, has resulted in a blank 12 years of complete suppression.⁴⁴²

This description contains the central assumptions concerning German women made by both the German Education Department (GED) and Women's Affairs (WA): that German women were even more inexperienced in democratic principles than German men, and furthermore, had a great distance to travel to be equal to British women with regard to social status. The stated purpose of these two departments was to educate German women concerning their role as active democratic citizens. Like the Legal or Political Departments, GED and WA attempted to work within the existing German framework and to build in British-style improvements. Furthermore, like many other departments within the CCG (BE) administration, the work of WA was unplanned and had to be developed on the ground. Its situation was worse, however, because WA lacked the resources of other departments and could not make any independent decisions. The officers of WA felt that their voices were not heard and their efforts were often ineffective as a result. This chapter will discuss the efforts of the WA section to

⁴⁴² Report on German Tour by Miss Violet Markham, December 1947 as quoted in Denise Tscharntke, *Re-educating German Women* (Peter Lang: Frankfurt am Main, 2003), p. 71.

educate and garner support for German women and the ways that they were limited in their efforts by the bureaucracy of which they were a part.

The WA section, which existed from 1946 to 1951, has a complex bureaucratic history partly because it suffered from the same lack of clear objectives as other departments. It was initially placed in the new Civic Development Section (CDS) of Administration and Local Government (A&LG) which appointed the first three officers in May 1946.⁴⁴³ In the fall of 1946, CDS was transferred from A&LG to Education (both of which were part of Internal Affairs and Communication (IA&C)) until it was disbanded in 1947. Education then became a separate branch and CDS was officially renamed Women's Affairs.⁴⁴⁴ WA officers were also appointed at CCG HQ in Berlin and at Political Division HQ, also in Berlin.⁴⁴⁵ Denise Tschardtke insists that WA was primarily a liaison and advisory group reporting to different people within the administrative structure at different times. She notes that in 1948 the reporting structure was different in each *Land*: the Regional Government officer was responsible for WA in *Nord-Rhine Westfalen*, the Chief Education Officer in *Niedersachsen* and *Schleswig-Holstein*, and in Hamburg the WA officers were only loosely connected with the Education department.⁴⁴⁶ However, in the context of the wider functioning of CCG (BE), WA was not the only group lacking a cohesive direction. Given the prevailing British attitude to German women, it would be surprising if this department had been supported.

The main goal of WA was, with GED, to provide both education and vocational training for German women, with the objective of their greater participation in the public

⁴⁴³ Ibid, p. 22.

⁴⁴⁴ Donnison, Appendix "A".

⁴⁴⁵ Tschardtke, p. 23.

⁴⁴⁶ Ibid, p. 32.

domain. Education was to be informal and provided primarily through voluntary organizations. Vocational training was geared mainly to social work and nursing. The objective of both of these programs was that German women take more responsibility in their reformed democratic society. Despite the view of the British women involved that they were light-years ahead, very little of what they proposed to do for German women was anything other than traditional. A more central role in the public domain, from a British perspective, involved working to get the "*Hausfrau*" out of the house but not into the male domains of business or law for example, and with a limited role in public politics. The GED therefore undertook to set up non-political, non-sectarian, democratically organized societies, "which could provide a liberal education in citizenship."⁴⁴⁷ German women were already organizing their own voluntary organizations.⁴⁴⁸ WA officers and visiting experts, however, considered German voluntary groups too political and CDS was to organize and thereby demonstrate alternatives that German women were expected to follow. In addition, the main German voluntary groups were organized at *Länder* level or higher and the British felt that German women could learn the most on the local level.

The central policy statement regarding this part of the education of German women is Military Government Instruction No. 78, also known as Education Control Instruction No. 60:

⁴⁴⁷ IA & C. Division, Military Government Instruction No. 78, "Women's Voluntary Organizations – Adult Education", 10 April 1946. FO 1049/568.

⁴⁴⁸ See for example, Irene Stoehr, "Cold War Communities, Women's Peace Politics in Postwar West Germany, 1945-1952," in *Home/Front, The Military, War and Gender in Twentieth-Century Germany*, ed. Karen Hagemann and Stefanie Schüler-Springorum (Oxford, New York: Berg, 2002); Ute Gerhard, "'Anything but a suffragette!' Women's Politics in Germany after 1945: A Movement of Women?" in *When the War Was Over*, ed. Clair Duchon and Irene Bandhauer-Schöffmann (London and New York: Leicester University Press, 2000).

For the ordinary woman, formal education methods are rarely the most successful. Experience elsewhere has shown that voluntary, non-political organizations on the lines of the Rural Women's Institutes, Townswoman Guilds, Church Guilds, Co-operative Women's Guilds, YWCA can provide the type of education required in its most palatable form.⁴⁴⁹

These voluntary organizations were expected to give women a forum within which to discuss common "practical, social and human" problems, to learn from experience how to conduct meetings democratically, and how to give advice and assistance to others in the community. This was to be accomplished through "the free exchange of ideas and information on subjects of immediate interest" so that "German women may learn to practice democracy in ways which cannot fail to benefit their families and the community."⁴⁵⁰ It was noted that no public funds were currently available for such endeavours.⁴⁵¹ This was an important point; the obstacles involved in holding meetings included lack of transportation and fuel to heat the meeting places. German women were often found to be apathetic, depressed or exhausted because of the problems of their daily lives and lack of food and a cold, unheated meeting room discouraged attendance.⁴⁵² It appears that another obstacle to the success of these meetings was the bewilderment of German women. Herta Gotthelf, the SPD executive representative for women's affairs, reported after a visit to Hannover that the women she dealt with were getting a strange impression of policy for the participation of women in affairs in Germany. She suggested that if this was a reflection of women's activities in England,

⁴⁴⁹ Military Government – Germany, British Zone of Control, I.A. & C. Division Military Government Instruction No. 78, 10 April 1946. FO 1049/568.

⁴⁵⁰ Ibid.

⁴⁵¹ Instruction No. 78, FO 1049/568.

⁴⁵² Report from Information Services, Control Branch, "Visit of Mrs. Naftel, General Secretary of the International Women's Co-operative Guilds." 25 October 1946. FO 1049/568. One commentator noted that it was in addition impossible to hold a successful meeting because there was usually no speaker or craft demonstration "which provide the concrete interest which can stimulate member's minds at such meetings."

Women's Guilds and Institutes seemed to be the sole pastime of English women. She complained that she was not getting enough understanding and help for her efforts to bring over Englishwomen who had some experience of politics and wanted to be told when parliamentary delegations including women were coming over.⁴⁵³

WA officers appear to have spent a good deal of time categorizing and keeping watch on German women's associations both because of the central role they themselves saw for these groups and because they saw leadership within the groups as a method of countering communism. One report submitted to the Third Conference of Women's Affairs Officers included a descriptive list of all organizations in Hamburg in the categories of "political" (associated with a political party), "non-political" (not associated with a political party) and welfare. Some of the descriptions of these organizations reveal as much about the writer as the group. For example the *Christlich-Demokratische Union* (CDU) women were described as "younger and of fresher [sic] mentality than some of the other parties. They are more inclined to cut the cackle and get on with the practical work."⁴⁵⁴ This group reportedly focused on disabled soldiers and pensions. The *Freie Demokratische Partei* (FDP) women's group led by Frau Dr. Lange worked, primarily with the poor and refugees but also strongly desired study and lectures from prominent women such as "female doctors, welfare nurses and police women." In the opinion of the reporter, one of the most important things about this group was that it was willing to work much more "'überpartleisch' [sic] than [sic] some." The *Sozialdemokratische Partei Deutschlands* (SED) members were described as

⁴⁵³ Memo from Major Robert Harcourt, German Political Branch to Civic Section, A.&I.G. Branch, I.A.&C. Division, Berlin, 11 October 1946. FO 1049/568.

⁴⁵⁴ Report to the Third Conference of Women's Affairs Officers on Women's Organization in Hamburg, n.d., (1947), FO 945/284.

“using the normal channels” since the SPD was the party in power. The *Kommunistische Partei Deutschlands* (KPD) group was found to be a very energetic one that had lots of meetings and told “everyone else where to get off.” Its focus, not surprisingly, was on the equal distribution of rations and supplies and “championing the cause of the poor and the workers.” The leader of this organization was Frau Langhans, a member of the *Bürgerschaft* and a leader of the Women Committee (*Frauenausschuss*).⁴⁵⁵

The *Frauenausschuss* and the Women Circle (*Frauenring*) were identified as competing umbrella organizations. The SPD was reported to be active in the *Frauenring* and the KPD, CDU and FDP, it was suggested, worked harmoniously together in the *Frauenausschuss*. From the British perspective, the *Frauenring* was the most representative since it had members from various political parties, welfare, social, religious and cultural organizations, as well as 300 individual members who were “chiefly professional and vocational women.”⁴⁵⁶ This group was reported to have made progress in “furthering the interest and active part taken by women in public affairs” as evidenced by the election of a woman to the Senate, a woman in an administrative position in the housing department, and a nursing advisor on the Board of Health.⁴⁵⁷ The description of the *Frauenausschuss* is less sympathetic describing it as “professing to be non-party [while] it is actually backed and policy dictated by the KPD.” Its agenda was admittedly more political from the British point of view, having as its goals equal pay for women and the equal distribution of food and fuel. The *Frauenausschüsse* were believed to have been organized by the Soviets in Berlin before the other Allies had

⁴⁵⁵ Ibid.

⁴⁵⁶ Ibid.

⁴⁵⁷ Ibid.

arrived, to carry out social welfare work. WA hoped that these two groups would work together on some unspecified mutual matters but were concerned that the *Frauenausschuss* would use these possible occasions as recruiting opportunities.⁴⁵⁸

Voluntary associations were also to have a central role in what WA designated as “welfare work”, while more formal education schemes would be provided by Education. The goal of these activities was nothing less than the “changing of German society” according to Mr. Marsden-Smedley of the German General Department (GGD).⁴⁵⁹ He expressed the opinion that social work was as important as the police system in a democratic society and German social services should be taught not to use authoritarian methods. Teaching Germans the methods of a free democratic society would, he believed, encourage developments which would make Germans “more impervious to communism which thrives on mental and physical distress.”⁴⁶⁰ To this end, WA visiting experts researched the existing welfare groups in Germany. The list of associations included 13 which were said to “be with” the Red Cross, political parties, religious or relief committees. Cooperation in getting the work done was judged to be good, with less political friction than expected although it was noted that the SPD and FDP did not work as well together and the KPD “work only for their members of the *Frauenausschuss* and ex-political prisoners.”⁴⁶¹ Despite the positive comments, the visiting experts were occasionally somewhat judgemental in their assessments.

⁴⁵⁸ Ibid.

⁴⁵⁹ Letter from Basil Marsden-Smedley, Downing Street, Whitehall to Brig. I.W. Strelley Martin, Public Health Advisor, HQ CCG (BE), 26 January 1948. FO 371/70860. The German General Department was the section of the FO responsible for Germany which at that time included overseeing the occupation.

⁴⁶⁰ Ibid.

⁴⁶¹ Report to the Third Conference of Women's Affairs.

Where religious and political organizations have co-operated over welfare work, they have made the (to them) tremendous discovery that it is possible for people who do not hold the same views on every subject, to work together for a common cause...In other words, they have discovered one aspect of practical democracy.⁴⁶²

Pressure on WA officers regarding the teaching of social welfare and practical democracy was increased substantially as the fear of communism grew. The Soviets were very active in soliciting the support of German women and this becomes a clear theme throughout the minutes and reports from 1947-1951. A central initiative of the *Sozialistische Einheitspartei Deutschlands* (SED) was a Peace Conference held in Berlin in March 1947, the main thrust of which was to found the *Demokratischer Frauenbund Deutschlands*. Reportedly 2,000 women attended, including 84 delegates from the British Zone, 17 from the American and three from the French.⁴⁶³ The report from one of the British delegates was blatantly skeptical of the democratic claims of the Soviet-sponsored conference. She described the "organization and showmanship" as "excellent along totalitarian lines."⁴⁶⁴ The Cold War was constantly apparent, the pomp and ceremony underlining the importance of Berlin, which was constantly implied to belong to the Russian Zone according to the reporter. Two of the main speakers were Madame Bokalowa of Soviet Military Government in Berlin and Madame Parfjonowa of the Women's International League from Moscow who "addressed the Congress in Russian using interpreters with moderate effect." As soon as the *Demokratischer Frauenbund* was founded, the delegates were immediately directed to form committees

⁴⁶² Report to Education Branch, CCG, by Helena Denecke and Betty Norris, 1946, FO 1049/568.

⁴⁶³ The British and American delegates were approved and sponsored and the French were not. Report on the Women's Peace Congress, Berlin, to Education Establishments, 13 March 1947. FO 945/283.

⁴⁶⁴ *Ibid.*

in the Western Zones and the observer astutely noted that the resulting liaison between Berlin and the West created a legal channel of communication between the SED and KPD. The report claims that official policy at that time was to avoid forming any additional groups or associations on British initiative since there had been a suggestion from the German side that there were already enough. One of the difficulties facing the British organizers was that the formation of the League allowed the Soviets to take the lead in championing the cause of German women and if the British did not at least found a zonal committee they were in danger of not being able to compete.

Shortly after this, in a long report to Mr. Crawford in GED, Rita Ostermann, the WA officer for Political Division, highlighted what appeared to be the main difficulty for the British in this area. In describing what she had heard and observed on a recent trip through the zone, her clear message was that with concern to the "whole field of women's activities...we are barely touching the fringe of the subject...any real approach to what would normally be women's problems is blocked by economic considerations at every turn." Given the very difficult living conditions she felt there were few inducements available for German women to "exert themselves beyond their daily routine, much less to participate in anything as vague and complicated as politics or as burdensome as public affairs and civic government."⁴⁶⁵ The only answer she felt were the practical results that the communists appeared to be better at producing. In Ostermann's view the SED had successfully carried out a number of initiatives to get the attention of German women. For example, Ostermann reported that emphasis was being given in the press to articles written by women for women and about issues concerning women.

⁴⁶⁵ Report by Rita Ostermann on Women's Affairs to Education, Establishments Branch, 4 June 1947. FO 945/283.

There was additionally a publicity campaign protesting the disbanding of the *Frauenausschuss* in the Western zones.⁴⁶⁶ Great importance was publicly placed on social welfare by the Soviets whether anything was actually greatly improved or not, and Marshal Sokolowsky had, in addition, recently announced a prohibition on heavy manual labour for women.⁴⁶⁷ Earlier in the year, the Deputy Military Governor, Brian Robertson had expressed his view that "interest in women's affairs has rapidly increased of late in all four Zones of Germany, since it is realized what an immense political force they represent."⁴⁶⁸ As far as Ostermann could see, this was not being addressed in any effective way by the British.

Ostermann had many complaints concerning what she saw in the British zone. Some departments and officials, she felt, were relying too heavily on the circumstance of Ordinance 57, arguing that welfare was a German responsibility. Ostermann notes that the British, like the Soviets, controlled how much heavy manual labour women could do in their own zone. Furthermore, there was very little in the press to interest women and many areas where their opinions should have been solicited. Similarly, at a recent Zonal conference on education there were not any women present which meant schooling and vocational training for girls was discussed exclusively by men.⁴⁶⁹ One of the most scathing criticisms Ostermann had was the MG's inability to solve the problem

⁴⁶⁶ These committees had from their beginning been supervised by the *Magistrat*. By this point German officials in the British zone were reportedly feeling very strongly that these committees were too heavily influenced by the SED and wanted to disband them. It was proposed that their work (which appears was agreed across the board to be valuable) be taken over by the appropriate departments of the *Magistrat*. As reported in the Monthly Report, MG, British Troops, Berlin, April 1947. FO 945/283.

⁴⁶⁷ Ibid. Ostermann pointed out in addition that it did not really matter that there was a clause that allowed the overriding of this quite easily.

⁴⁶⁸ Memo by Brian Robertson, May 1947. FO 945/283.

⁴⁶⁹ Report by Rita Ostermann.

of children's shoes. This was really a public relations blunder on the part of the British who had ordered the *Wirtschaftsamt* to agree to an "order for the manufacture of thousands of pairs of shoes for Mil. Gov. [sic] employees, while children cannot go to school to receive meals provided from British sources because they have no shoes...unless their parents carry them on their back, as some are now doing."⁴⁷⁰

Ostermann recommended several positive steps to be taken, which appear to have been ignored. She made some radical suggestions, such as inserting a clause in the new *Länder* constitutions defining the economic status of housewives and their position regarding joint property acquired during marriage.⁴⁷¹ Primarily, however, Ostermann tackled the thorny issue of the purpose of the work of WA. Her main recommendation was that a Zonal Committee be formed, even though, she noted, the trend at that time was to dissolve purely women's organizations for lack of resources. She argued that a Zonal level committee would provide the means of soliciting and publicizing women's views on a range of vital issues, such as equal pay, domestic workers' tariffs, lack of contraceptives, overcrowding, inadequate hospital services and abortion. She was realistic enough to point out that the Zonal Committee was only going to work with the support of the two main parties and argued that simply boycotting anything organized by the KPD was not going to get women's voices heard.⁴⁷² She furthermore made a number of suggestions regarding an increased presence in the form of magazines and lecturers and an increase in publicity on British activities. But in Ostermann's opinion, this was not going to be enough. If German women were to retain any faith in the British, she argued, "official quarters must show more than a vague if

⁴⁷⁰ Ibid.

⁴⁷¹ Ibid.

⁴⁷² Ibid.

benevolent interest in what is sometimes inadequately described as 'women's affairs'.⁴⁷³

Similar recommendations and suggestions were made by other WA officers, but the official attitude did not change. Mrs. A.B. Reeves from GED travelled to Germany in July 1947 and recorded a long list of frustrations, many very similar to Ostermann's.⁴⁷⁴ Mrs. Reeves was noticeably annoyed by the lack of transport and other resources available to WA officers which she found indicative of their general exclusion from the CCG (BE) power structures. In her quite detailed report Mrs. Reeves gives many examples of the frustrating circumstances. For example, she stated that she was "set on" by Mr. Shelton the E.C.O. in Hamburg who apparently suggested that he was receiving far too many requests for transport from WA officers, particularly since he did not think they were appropriate. She also reported "fur flying" at a meeting in Bünde to discuss additional transport issues as well as exit visas for German women. WA in Lüneburg was attended to by Miss Gash who was responsible for schools but looked after WA "when she [had] time."⁴⁷⁵ WA officers in Berlin complained that they were constantly short of paper. The only response Mrs. Reeves felt able to record in her report regarding this issue was that "priority for paper is being taken up at a high level."⁴⁷⁶ Mr. Knowles, in Kiel, stated that he did not receive enough background information concerning lecturers who were coming to the area and wondered why since he suspected that it was available ahead of time. An exhibition was proposed in Berlin but none of the officers had the authority to act on this without the approval of ISD. Exit

⁴⁷³ Ibid.

⁴⁷⁴ Report on Visit to Germany: 7th – 19th July 1947. Submitted by Mrs. A.B. Reeves to the German Education Department, FO 945/283.

⁴⁷⁵ Ibid.

⁴⁷⁶ Ibid.

permits for German women were handled by Miss Dickinson (Public Health) who had to travel to Berlin frequently to get them. She was reported to be leaving directly after a meeting "to spend two nights in the train and a day in Berlin in order to get through the permits for her next party of fiancées." Since these were often urgent requests for the fiancée to reach England this officer invariably makes these trips...whenever a party is due to leave."⁴⁷⁷ In both Kiel and Köln the WA officers sometimes had friends from Relief Organizations attend meetings for them because they have no transport.

The reaction of German women to the efforts of WA appears to have been lukewarm at best. Regarding a branch of the cooperative movement being set up in Lübeck, Mrs. Reeves reported that the representatives from England were described as "sob sisters" and commented that "the visit was said not to have had much result."⁴⁷⁸ This was in no small part due to the fact that they were somewhat out of touch with the daily lived reality of German women. As Herta Gotthelf commented in 1946,

though they too are very nice and absolutely willing to be helpful, they have not the slightest idea of working class organizations [sic]. They are just this type of quite intelligent feminists – not very political and absolutely unable to understand conditions different from those in their own country. They sang to me the praise of rural women's institutions and towns women's guilds, which just might give you an idea.⁴⁷⁹

Nevertheless, WA and GED persisted in their belief that women's voluntary groups were a means to an end as they defined it, and gave German women an opportunity to develop democratically. Mrs. Grennan, the Assistant to the WA officer in Düsseldorf was of the opinion that these were the only groups in her *Land* that were doing any practical work. They reportedly did everything that WA officers wanted to be doing including

⁴⁷⁷ Ibid.

⁴⁷⁸ Ibid.

⁴⁷⁹ As quoted in Tscharncke, p. 177.

assisting women in avoiding bread queues and organizing active committees on education and the press. Mrs. Grennan also felt it important to note that they were not all run by the KPD and that in some areas the CDU was also heavily involved.⁴⁸⁰ Mrs. Reeves agreed that it was entirely clear that until the basic needs problem was solved “no talk of democracy or attempts to ‘awaken’ German women are likely to have much result.”⁴⁸¹

This work, as it was conceived by WA and GED to awaken German women to their full potential, was going to continue to be a challenge for both groups because of the lack of support. This was true of both parts of the WA and Education plan. While inducing women’s involvement in voluntary associations along British lines was a central initiative, vocational training and employment were equally important to the British for the future of German women, both in terms of their place in a democratic society and with an eye to development of the German economy. As part of this, WA officers saw it as their job to assist German women in the development of their own vocational and educational organizations. Once again, however, this assistance involved setting up a British-style system with British assumptions regarding standards and appropriate positions for women. Not unexpectedly, nursing and social work were a major focus. These occupations were supported in a variety of ways. Many German women for example were sent to England on nursing training sessions under a program called “NORDSEE.”⁴⁸² In Germany, assistance was given by visiting experts in such

⁴⁸⁰ Ibid.

⁴⁸¹ Ibid.

⁴⁸² This program ran from 1948 until 1950 when it was discontinued due to the number of problems associated with it. This included long delays between the initial application and the placements in England and the difficulty the German women experienced with language and cultural barriers. FO 1014/367 and 1014/368.

fields as child development and psychology. They encouraged German women to develop their institutions of education and child rearing in ways that they felt would support the development of democracy in Germany. For example, nursery school training was to involve the understanding that children develop as individuals, not as members of a group that must all do the same thing when the teacher instructs them to.⁴⁸³

German women also travelled to England on “visits” to observe British methods of providing social services, again with the objective of instruction in democratic principles. It was believed that the German inability to deal properly with social problems was a significant contributor to their “erratic political behavior.”⁴⁸⁴ Marsden-Smedley suggested that “without wishing to impose our social system on the Germans”, the British wanted to demonstrate the benefits of their own system, including the significant contribution of voluntary organizations.⁴⁸⁵ With this goal British experts in Germany assisted in the revision of the curriculums of “social welfare training schools.”⁴⁸⁶ This training and use of voluntary organizations in the delivery of social services was a particularly important aspect of democratization and de-nazification from the British perspective, since some welfare activities had previously been the duty of the police, particularly female officers.⁴⁸⁷ The new Germany it was believed, needed new models of

⁴⁸³ Report by Miss Elliott, Dame Caroline Haslett, Miss Violet Markham and the Delegation of British Churchwomen (Elliott, Haslett, Markham report) submitted to Mrs. Reeve, Norfolk House, 27 January 1948. FO 371/70860.

⁴⁸⁴ “Notes on Meeting with Representatives of the National Council of Social Service,” 5 April 1948. FO 371/70861.

⁴⁸⁵ Ibid.

⁴⁸⁶ Report from Mrs. B.E. Lewis, Lecturer and Tutor in Social Studies, University of Birmingham, June 1947, FO 371/70860.

⁴⁸⁷ Minutes of the Third Meeting of the Standing Committee on Women’s Affairs, Education Branch, 7 June 1948. FO 1014/468.

social welfare, and this new system should be delivered by women, much of it through volunteer work.

This was an important part of what WA and GED saw as their purpose in Germany. Social work and nursing were an integral part of the development of the future of Germany and its ability to resist communism. From the British perspective, much of the work of social services could and should be done by women's voluntary organizations. WA and GED were also aware, however, that many women in Germany needed to be employed and this was a parallel aspect of the focus on vocational training. It was anticipated that German women would of necessity be contributing to the economy as part of their larger role of rebuilding their country. In part, then, this was also a question of what to do with the "surplus" women; those who would not be supported as mothers in a traditional family setting and would need to support themselves. This in turn, was a part of debate concerning the role of German women in industry as part of the existing concerns over German economic conditions before the currency reform. In 1947, Mrs. Reeves did not think that conditions in Germany permitted a large scale campaign to encourage women to go into industry, particularly since women's wages were sometimes 40% below men's.⁴⁸⁸ From Manpower's perspective it was a non-issue since statistics showed a lack of available women given that those with young children or who were attending school were exempt. In Hamburg for example, they contended that there were 173,800 women employed and 2,500 unemployed of whom 1,400 could not work and 500 were clerical.⁴⁸⁹ Mr. Luce took issue with the general assumption that there were "vast numbers of unemployed women

⁴⁸⁸ Reeves report.

⁴⁸⁹ Letter by Mr. Luce, Manpower Division, HQ Berlin to Mr. Marsden-Smedley, Foreign Office, London, 3 February 1948. FO 371/70860.

in the British zone of Germany... [and] that in some miraculous way we can create work for them.”⁴⁹⁰ Mr. Crawford was under the impression that a large number of women would be needed in German industry in order to achieve the Level of Industry plan.⁴⁹¹ Since this was the case, he suggested that his department should be prepared to consider the broad social and educational questions that would arise as a result.⁴⁹² Alternately, Lord Pakenham expressed the opinion that the fundamental problem connected with women’s role in Germany was the “maladjustment caused by the excess of women over men.”⁴⁹³

The role of women in industry was a topic debated by several departments within the CCG (BE) administration. The British plan, at that point, was to bring German industry back only to its 1936 level.⁴⁹⁴ There were, however, so many unknown factors that it was not clear how this could be done, nor, by 1948, that it was desirable to do so given the escalation of the Cold War. Questions such as what percentage of the zonal population was female, what percentage of industrial workers could be expected to be female and was this the best “use” of women in German society were debated at length. Some argued that it was a German problem and some that cold war issues were too important to simply hand it over to the Germans as a social issue. Again, the factor of

⁴⁹⁰ Ibid.

⁴⁹¹ This refers to the various plans for controlling (limiting or raising) the level of German steel production. For a British perspective on this see for example Peter Stanford, *The Outcasts’ Outcast, A Biography of Lord Longford* (Phoenix Mill: Sutton Publishing, 2003), especially chapter nine.

⁴⁹² Brief by R. S. Crawford, German Education Department to the German General Economic Department, German General Department, German Political Department and Sir Ivone Kirkpatrick, 19 January 1948. FO 371/70860.

⁴⁹³ Letter by Lord Pakenham to Sir Brian Robertson, Military Governor, 2 February 1948. FO 371/70861.

⁴⁹⁴ Letter from Mr. Luce, Manpower Division, Control Commission for Germany, (British Element), Berlin, BAOR 2, to the Military Governor, Sir Brian Robertson, 17 February 1948. FO 371/70860.

the surplus women was raised and it was suggested that they be sent to Britain or other countries to obtain domestic work.⁴⁹⁵ Joy Evans in Education Branch reported that figures were available for the number of women who would be needed for the next few years but Manpower Division was unwilling to take on their training on any large scale "in case there should be unemployment."⁴⁹⁶ Not surprisingly, a good deal of the concern generated by this question centered on the activities of the communists to recruit women. These questions were thought to be "closely linked, in that the success of the Communists is likely to vary inversely with our success in inspiring a satisfactory and lasting form for the German economy and society."⁴⁹⁷

There is some evidence that the opinions of German women were taken into account in the discussion, however marginally. In an article in the *Arbeitsblatt*, members of the *Frauenring* addressed some major questions including political representation and that of directing "surplus women into industry."⁴⁹⁸ According to Mrs. Reeves's summary, these women objected to such an initiative because it would create a deficit of young women entering the manual trades. One of the expressed opinions was that artisans would recover their standard of living faster than industrial workers particularly due to the restrictions on industrial output. In a subsequent section of the article,

⁴⁹⁵ Letters between R.S. Crawford, German Education Department, Mr. Marsden-Smedley, German General Department, Lord Pakenham and Sir Brian Robertson, Military Governor, Manpower Division, Berlin, 2 February 1948 to 19 March 1948. FO 371/70861.

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⁴⁹⁷ Brief by R. S. Crawford.

⁴⁹⁸ Summary of article from "*Arbeitsblatt*", by Mrs. A.B. Reeves, German Education Department, Foreign Office, Room 214A, Norfolk House, submitted to the German Political Department, German General Department and the German Economic Department, 9 February 1948. FO 371/70860.

another participant called for increased participation of women in public life.⁴⁹⁹ Along with her summary, Mrs. Reeves circulated yet another report, but this one communicated the ideas of a group of visiting experts who had sought out the views of German women. According to their assessment, the general feeling was that women were out of place in industry and that it was only a short term solution to employ the surplus women. In the following generation, training would not be wasted on girls because there would be enough boys. Since the surplus women had parents or children to support they would take the work, but the next generation should be trained in occupations in which they had some future.⁵⁰⁰ In the comments that accompany the report, Betty Norris, from Political Division, suggested that it was a shame that employers thought that training women was a waste of time or that in some areas separate vocational officers existed for girls and boys.⁵⁰¹ No doubt many German women agreed with her.

The attention given to WA as a result of concern focused on the threat of communism and economic questions resulted in a major effort to seek decisions regarding policy. A conference was arranged in response to a telegram sent to the GGD by Ernest Bevin, the Foreign Secretary. The success of the *Demokratischer Frauenbund* had come to his attention and he directed the department to solve some of the problems associated with WA and strengthen the position of women and democracy in Germany.⁵⁰² Joy Evans and Rita Ostermann were brought from Germany to attend. Other attendees included Mrs. Reeves and Mr. Crawford from GED and Mr. Marsden-

⁴⁹⁹ Ibid.

⁵⁰⁰ Elliott, Haslett, Markham report.

⁵⁰¹ Ibid.

⁵⁰² Note by Mr. Marsden-Smedley, German General Section, 16 February 1948. FO 371/70861.

Smedley of the GGD. Despite the FO presence, it was clear from the outset that the WA officers were not going to receive anything in the way of policy direction from the meeting. It was opened by Mr. Crawford who began with an inquiry regarding the level of awareness of the German authorities. He asked the representatives from Germany if they felt the Germans understood the scope of the problem concerning the future role of women in the German economy. Miss Ostermann replied that all opportunities were taken to discuss this with the German authorities and that she felt that they were cognizant of the fact that a great deal of change would be required. She added, however, that the communists were the only ones who were practically addressing the questions of women in industry, their education and role in politics. It is remarkable that no discussion is recorded as having followed this comment. Not surprisingly, the next item on the agenda was a general agreement that "a good deal remained to be done before it could be said that C.C.G. and F.O. (G.S.) had a clear and definite policy to work on."⁵⁰³

There appears to have been a great deal of information exchanged at this conference, but because neither Evans nor Ostermann had any ability to make decisions on behalf of the CCG (BE), policy was no clearer at its conclusion. For example, with regard to women in industry, the end result was a decision to send a letter to the Military Governor. The language of this resolution is worth quoting at length.

A draft letter...emphasizing the importance which we attached [sic] to reaching at an early date authoritative conclusions on the question of the future employment of women in industry as a first step to considering the economic and social adjustments that would be needed and the nature of the educational task that would have to be undertaken by the Germans with our help.⁵⁰⁴

⁵⁰³ Notes on Meeting Held at Norfolk House on Thursday, 8 January 1948, in Order to Discuss Women's Affairs in Germany", FO 945/283.

⁵⁰⁴ Ibid.

The conference also identified many daily operating difficulties. For example, Evans and Ostermann made it clear that the responsibilities of the Education Department and Public Health Division often overlapped or left large gaps. Training of social workers, for example, varied region to region depending on the qualifications of the personnel in each department. The result of this discussion was another letter, this time to the CCG (BE) asking them for a statement of policy.⁵⁰⁵ Some discussion occurred regarding relevant media coverage of the state of affairs in Germany such as the changing social structure and its effect on women. Again, no action was taken on this and it was only agreed that this would be pursued when policy was clearer.⁵⁰⁶

The last item of concern was women's organizations and their place in the future of Germany. Ostermann stated that her department was pursuing the policy of a balance between political and non-political organizations and that it was important to support both since some women did not want to get drawn into party politics. She agreed that Frau Bähnisch (the founder of the *Club Deutscher Frauen*, the main group in the *Frauenring*) had done the most to interest "educated women of the middle classes" in the affairs of their country. She further concurred that the "above-party groups" appealed chiefly to middle-class women but objected to the criticism that they did not appeal to young people.⁵⁰⁷ The central discussion concerning these organizations centered on the perception that the communists were attempting to infiltrate them. It was acknowledged that German women had the right to choose what group they joined but the fear existed that "non-politically minded women" would join a

⁵⁰⁵ The minutes do not indicate any specific department or person in the CCG(BE).

⁵⁰⁶ Ibid.

⁵⁰⁷ Ibid.

"Moscow-dominated organization without knowing what they are doing."⁵⁰⁸ Mr. Crawford also noted, however, that these organizations could hardly go so far as the Russians had since the objective was not to have them too closely associated with an occupying power.⁵⁰⁹

The connection between women's organizations, the work of WA and the Cold War continued throughout the existence of the department. Indeed when WA was closed down in 1951 a number of letters were sent to the editor of the *Times* after the announcement was made, addressing the work WA had done in this area and deploring its end. Interestingly, the first letter came from Katharina Petersen, *Vorsitzende des Niedersächsischen Frauenrings in Hannover*. She commended the WA officers for giving "kind and honest support," for sending speakers and doing much to "break down barriers early in 1945."⁵¹⁰ A subsequent letter from Lucile Sayers, a recent visiting expert to Germany, broadened this to include valuable work WA had done to assist German women in resisting communist propaganda. Sayers suggested that the influence of women might prove to be a decisive factor in the "war of nerves" that existed in international politics.⁵¹¹ Helena Deneke, a former visiting expert, made the connection even more explicit in suggesting that WA had been instrumental in the development of "a social and political atmosphere in which support for the North Atlantic

⁵⁰⁸ Ibid.

⁵⁰⁹ Note by R.S. Crawford to Mr. Jamieson, German Education Department, 30 January 1948. FO 945/283.

⁵¹⁰ "Help for German Women", Letters to the Editor, *The Times*, 22 June 1951, pg. 7, Issue 52034, col D.

⁵¹¹ "Help for German Women", Letters to the Editor, *The Times*, 25 June 1951, pg. 5, Issue 52036, col E.

Treaty Organization can take root.”⁵¹² Yet another contributor invoked the Nazi past in claiming that,

the influence of the uneducated German woman is powerful in the home. Many such supported Hitler; some swayed by the dangerous German emotion, some older women, with short-term vision, encouraging their husbands to join the party...one of Hitler's first steps was to drive women out of public and professional life and suppress the organizations which trained them in civil and international responsibility.⁵¹³

By withdrawing the support of WA, she argued, Britain was ignoring the influence of the politically suppressed German woman.⁵¹⁴

This was, no doubt, the British congratulating themselves on a job well done from their own perspective. Herta Gotthelf might disagree with their assessment of the work of WA. Nevertheless, it is clear that it had some impact, even if this was restricted to influence on middle-class women. It was a very small section of the CCG (BE) and given the limitations it worked under it is surprising in some ways that it was able to accomplish as much as it did. The support of the GED was helpful at times but each department had its own priorities and they sometimes competed for resources. Clearly, the main difficulty for WA was the lack of policy support that would have supplied it with the authority to make more changes in the daily lives of German women. Resources on every level were in short supply: heating for meeting rooms, paper for magazines and transportation to meetings were all lacking.

The occupation administration was never clear concerning what role WA would play in the overall goals of the occupation. The political importance of women in the

⁵¹² “Help for German Women”, Letters to the Editor, *The Times*, 26 June 1951, pg. 5, Issue 52037, col. E

⁵¹³ “Help for German Women”, Letters to the Editor, *The Times*, 30 June 1951, pg. 7, Issue 52041, col. E.

⁵¹⁴ *Ibid.*

development of German democracy, in the British view, might have resulted in more action to support these women and the efforts of WA. This became even more complicated by the position of the WA officers themselves who were unable to exercise their own political power and acquire the resources necessary for the job they thought they were there to do. The approach of British women to their German counterparts reflected their belief that German women had failed to guide their own society in a democratic direction and that it was the job of WA officers to teach German women their proper place. They were assumed, even by WA, to be the embodiment of the failure of Germany.

Chapter 8: Conclusion

The British made many assumptions about German women, their characters and motivations. These beliefs concerning German women reflected British notions of appropriate gender roles and their own identity as victors which likewise coloured their approach to occupation and the development of civil society. As the previous chapters have shown, policy created and implemented by WA, Legal, PH, PS and other departments of the CCG(BE) reflected these beliefs. Alongside the implementation of democratic principles and British-style political and social structures, occupation authorities imposed conditions of behaviour through the regulation of relationships, both public and private. These codes of behaviour were also designed within traditional paradigms of gender and victory/defeat. This created many practical problems for both the occupiers and German women. Faced initially with rules concerning fraternization, the practicalities of employing Germans became problematic. Furthermore, since British occupation authorities were unable to control the behaviour of their own troops they attempted to impose rules designed to keep German women from interfering with the victors. In this way, German women continued to be an enemy and additionally came to be regarded as a specific kind of obstacle to a peaceful order.

In this manner, German women often experienced the occupation as a continuation of war rather than as a transition to peace since they continued to

be treated as enemies long after official hostilities ceased. In July 1945, the Military Government for Hannover district reported that the remains of the Nazi party and its supporters appeared to fall into five categories, including “‘big shots’...young male rank and file... the ‘bread and butter’ Nazis...the disillusioned” and women. Furthermore, women were identified as “the major problem...[t]heir hysterical worship of Hitler allows no room for the working of logic.”⁵¹⁵ This assessment of the role that German women continued to play in post-war Germany was one of the main difficulties that they faced in the reconstruction of their lives in the British zone.

In the wider picture of occupation, the British experienced a long list of challenges in planning, structuring and implementing the occupation. Planning was incomplete at the cessation of hostilities and as the army and CCG moved into Germany, administrative structures were improvised in order to meet the overwhelming destruction of Germany, both physically and socially. Moreover, in some instances where a regulatory institution required rebuilding, it was from the ground up as in the case of the German police. The extent to which the British intended to impose democracy and project a British system is clear in their rebuilding of this service as a civil institution with British-style reporting systems and regulating mechanisms. The development of the many structures necessary for the reconstruction of German society, some beyond the scope of this study, was an enormous task. Establishing a denazified police system, defining and redefining crime – everything from theft to categories of sexual crimes such as prostitution and abortion - and restructuring courts and juvenile systems were all

⁵¹⁵ Marshall, p. 49.

core projects. German women were involved in all of these things although not always in a realistic manner. The assumption of their ability to bring a motherly tone to the juvenile system was not credible for example. At the same time, crimes specifically against women such as rape and sexual assault were not given any particular attention. While this particular aspect of the treatment of German women may be understandable within the larger context of German war crimes, it is still worth noting.

Other obstacles regarding the occupation in general included the structural confusion within the occupation bureaucracy which was handicapped by poor communication and confusion of purpose. Initially, this involved the army as it moved into Germany and attempted to establish lines of communication and a reporting structure. However, as noted in chapter two, Hannover experienced six changes in administrative units in six weeks. While this was unavoidable due to the movement of military personnel, it did not lend itself to the establishment of a permanent communication structure. The creation of COGA resulted in a lack of attention to the CCG(BE) development from the FO. The resulting lack of mandate for CCG(BE) created rivalry between the military and civilian sections of the occupation force. This in turn meant a lack of effective implementation of the principles and practicalities of the occupation. The army was not equipped to be part of an occupation that had education at its center. As late as 1948 a senior control officer stated,

I entirely agree...that the army must be briefed and, more than that, convinced if it is to lend a really helpful hand, and I feel a little sceptical as to how deep such briefing will sink with people whose main objectives lie

in other very different directions...[i]t really amounts to a re-education of the Army before you can start re-education of Germans by the Army.⁵¹⁶

The attitude of the army compounded the difficulties of the CCG(BE) to carry out its job of developing a democratic civil society in Germany along the British model. The same senior control officer identified the army "attitude at many conferences where we ask for concession to Germans" as difficult. He felt that the CCG(BE) could "generally sympathise with it, to some extent" but it was very frustrating to talk to field officers who knew so little of the "aims and activities" of the CCG(BE) and to note the apathy of the troops towards these aims.⁵¹⁷

One of the aims of the occupation administration was to maintain separation between British personnel and German women. This goal was unsuccessful, particularly where the army was concerned. After the ban on marriage to Germans was lifted in 1947, the majority of requests for marriage came from the military. It is noticeable that the ban was lifted despite the questioning of the motivations of German women and that security checks were put in place due to suspicions regarding their characters. It is remarkable that given the official opposition to German women, who were still labelled "ex-enemies", British men "on the ground" formed apparently meaningful relationships with them and pushed for changes to the regulations. Some regulations such as the security checks were eventually changed because they were, in the end, felt to be too onerous given the lack of evidence of any threat to security on the part of German women. It is also remarkable that members of the

⁵¹⁶ Letter from Senior Control Officer, Governmental Group, HQ, Hansestadt Hamburg to Lt. Col. Clegg, Liaison Officer, HQ, Hansestadt Hamburg, 3 July 1948. FO 1014/26.

⁵¹⁷ Ibid.

Legal Division made such efforts to stay within German law when designing marriage regulations.

The lifting of the ban on marriage also meant that German women qualified for Operation Union benefits including married housing and higher rations. On the negative side, German born wives sometimes met with the hostility of British born wives, and some of their children did not receive the material benefits of those born of a British father. Marriage to a British man was not the “lark” it was sometimes painted as being by individuals within the bureaucracy. Given the length of time couples waited to be married, the number of forms to be filled in, medical and security checks and questionnaires (*Fragebogen*) it is evident that this was a very serious undertaking requiring the time and patience of both parties. If the objective of German women had simply been to acquire British citizenship and leave Germany they were sorely disappointed, especially after the changes to the FMA when German women no longer acquired British nationality on marriage. Leaving Germany was also not easy, either practically or emotionally. German women were required to have proof of accommodations before they could even arrange their transportation ensuring that they were leaving Germany for a legitimate purpose from the British point of view.

German women faced a great deal of hostility and suspicion in many areas. The most extensive attacks on their persons, characters and national identity came in the form of police raids which were largely carried out by their own police force, backed up by the occupying police force. The assumptions

made with regard to women who appear to have simply been in a particular location indicate most clearly the extent to which German women were demonized as “bad” Germans. The examples given of girls taken for gynaecological exams who were simply waiting for a bus or who were at a dance are noteworthy. The assumption that “good” women do not go to dances or frequent certain cafes (even with their husbands) is a traditional characterization of good and bad women that was an aspect of the gender system the British brought with them.

A much greater gap in understanding existed in the British and German approaches to the political role of women and women’s groups. WA officers expected German women to ally themselves with democratic principles rather than party politics. This did not happen as WA and GED expected. Efforts to train women for specific vocations and roles were partially successful but German women continued their own familiar constructions of proper public involvement. The British plan to re-educate German women was unsuccessful in part because it was based on contradictory assumptions. On the one hand, German women were regarded having been weak and unthinking in following Hitler. On the other, women were held to be potentially able to hold the basis of democratic traditions through voluntary group activities. It was obvious that the administration was concerned that German women would be as easily swayed by the communists as they had been by the Nazis and British policy was in this respect a reflection of the escalating Cold War. One of the goals of WA was to prevent this

happening. They were to accomplish this in the same manner as other departments of the CCG(BE), through direct contact and education.

The success of this model of cultural education appears peculiarly British. Tscharncke notes that British experience in India and elsewhere gave the British a view that no matter how alien their culture was or how distant from the peoples with whom they were involved, a real change in political outlook could be brought about. A shift in attitude through occupation and education was always possible.⁵¹⁸ They therefore set up information centres, libraries, created space for discussion groups, developed exchange programs and generally expected that Germans could become democratic and learn to run their own society according to the methods of a liberal democracy that would bring it into line with the rest of Western Europe. Much of this, however, took a rather patronizing tone, assuming many things about the German character and history that were significant obstacles from the British perspective. The patronizing tone was not peculiar to the British experience in Germany but had a different emphasis given that it was characterized as a military occupation rather than a colonial responsibility or experiment.

The British did bring their colonial experience to Germany in some ways. For example, the arranging or prohibiting of marriage in distant places was one thing the British were familiar with. A method of coding information for marriage certificates could be transferred from experience in the Congo for instance. One central difference in the two situations for the British was the amount of attention paid to relations with the civilian population. The extent to which non-

⁵¹⁸ Tscharncke, p. 25.

fraternization with the enemy was enforced in post-war Germany was unique to the situation. Many of the mechanisms developed for controlling the post-war population were directed at German women exclusively. This was in part an effort to impose order and the British were willing to use the police to do it. It was also an attempt, however, to impose a British notion of the proper role of women in a democratic society. The womanliness that the British intended to impose on German women was the “flip-side” of the manliness that they had constructed for themselves. The conjunction of masculinity and victory that was projected onto German women was specific to that historic circumstance. German women were to fulfill the British notion of womanliness and defeat.

German women attempted to maintain a position of power in the transition to a democratic society primarily in opposition to the occupation. They challenged the new British order on both symbolic and practical levels by contesting categories and living their daily lives in a way that made sense to them, even if not officially sanctioned. This negotiation informed occupation policy, necessitating adaptation in many instances to circumstances on the ground. Occupation marriage policy was modified due to pressure from both German women and their marriage partners. In this way, German women challenged British perceptions and assumptions regarding their gender. This is one of the ways that Germans responded to the occupation they were given. German doctors, lawyers and police all had a role to play in defining the outcome of the occupation. Women, who were not often members of these professional groups, had their own response and a specific impact on the development of the manner

in which the occupation was carried out. They were not passive participants. Rather, they acted in ways that appeared to them necessary for survival, and in doing so, created obstacles for the occupation authorities. Occupation policy was then adapted to suit the situation.

This study has raised questions concerning the nature of occupation, the realities of the British occupation of Germany and the experiences of German women in the transition from war to peace. It has answered these questions in a number of ways. It has examined how the actions of the occupation authority defined occupation and how that definition changed as the occupied population, particularly the women, negotiated their lives under that authority. It has shown that part of the method by which this particular occupation operated was based on the British attempt to impose definitions of masculinity and femininity, victory and defeat. This can be seen on a number of levels, but most noticeably that, as political threats changed on an international level, German women continued to be seen as enemies in significant ways. The Cold War did not obviously affect the security checks done on women who were engaged to marry British soldiers for example. This also indicates that the lives of women do not transition from war to peace in conjunction with wider political events or negotiations.

This leads to wider issues and raises questions regarding future research on the occupation experiences of women. The experience of women during an “occupation” is a problem that has not received enough attention. Although the bombs and physical destruction stopped in this particular case, it did not stop the hostility that German women experienced at the hands of the occupiers. Is this

typical of women's experiences in this type of occupation? How, in comparison with the British zone, have other women in the American, French and Soviet zones negotiated the "rules of engagement" with their occupiers? These are important questions in creating a better understanding of the lived realities of women in a transition from war to peace.

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