Post-World War II Germany as a model for successful nationbuilding
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**Introduction**

When Germany was conquered and occupied by the Allies in 1945, the situation was completely different from the situation in countries which are nowadays in the focus of nationbuilding efforts. Germany had been a threat to the free world for nearly 6 years, 60 million people died, and Europe lay in ruins.\(^1\) Germany had committed atrocities so unbelievable that the Allies did not believe victims who managed to escape and reported about what happened to them in German concentration camps. This makes it easily understandable that Germany was not conquered with the thought in mind to help or rebuild it, but to defeat and punish it for the crimes it has committed. As an author notes: “Talk of reconstruction in Germany in the years immediately following the war threatened the careers of even the most decorated brass.”\(^2\)

The question is, in how far Germany can actually serve as a role model for new nationbuilding efforts.

Although this paper concentrates on the Western Allies and especially the United States, the role of the Soviets in the building of the new German states is not completely neglected and is mentioned especially for the purpose of distinguishing the efforts of the Western occupation powers.

**A. A short history**

**I. History of the Second World War**

In the following part the history of Germany beginning with its foundation is described very briefly. The focus is on events and developments that were crucial for the development of the Third Reich and the Second World War as well as for the nation building efforts in Germany after 1945.

**I.1. Formation of the Reich**

Until the 1850’s the German unification process had been stagnated, but with the foundation of the Italian state 1861, the German unification movement revived.\(^3\) Prussia was the leading force in this development, the most important figure was the Reichskanzler Bismarck. It started with the alliance of the North – German states, which was, despite it’s name, a proper federal state. In order to bring the southern German states into joining this state, Bismarck thought they should be bounded to the rest by “blood and iron”, which meant he considered a war to be the best way to tie the states together. Various treaties with Prussia bound the southern states, in case of a war, they were forced to join the Prussian forces. A conflict about

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\(^1\) Bundeszentrale für politische Bildung (Federal Center for political education), Dossier on the Second World War) http://www.bpb.de/themen/XNLHOF,0,0,Nationalsozialismus_und_Zweiter_Weltkrieg.html

\(^2\) Jennings, Ray Salvator, The Road Ahead, 13 (May 2003) at: http://www.usip.org/pubs/peaceworks/pwks49.html

\(^3\) Deutsches Historisches Museum (German Historical Museum), Virtual Museum online, Die Reichsgründung (Foundation of the German Reich) at: http://www.dhm.de/lemo/html/kaiserreich/innenpolitik/reichsgruendung/index.html
the succession to the Spanish throne with the French seemed to come about the right time, and after various provocations on both sides, France declared war on Prussia on the 19th of July 1970. The effect was the evolution of a huge patriotism, and the Southern States happily fulfilled their duties under their alliance with the other German states. When the German troops surrounded Paris as early as September, Bismarck started negotiation with the Southern states to accomplish the unification as a “revolution from above”. This negotiations resulted in the so called “November Treaties, in which first Baden and Hessen and then Bavaria and Württemberg agreed to join the North German alliance. On the 18th of January 1971, the black – red – gold flag was raised on the castle of Venves, north of Paris, and the German Reich was born. But one most not forget the implications that resulted from the fact that Germany was not created like France because of a revolution based in the population. It meant a strong militarism, since the unity was achieved through war, nationalism and a barely emancipated bourgeoisie. All these factors contributed sixty years later to the establishment of the Nazi regime.

I.2. 1871 to 1914

The most dramatic change in German politics in the time between the formation of the Reich and the First World War was the death of the first German Emperor, Wilhelm I. and the succession by his grandson Wilhelm II. While Wilhelm I. was known to be rational and relying heavily on the advice of Bismarck, Wilhelm II., who was very young, only 29, when he became emperor, was impulsive and stubborn and had different political aims than Bismarck. Plus, since Germany achieved its unification through war and emerged as one of Europe’s Great Powers all of a sudden, it seemed clear that this new situation of power would not be left unchallenged. So Bismarck had created a fragile system of treaties and alliances to avoid an isolation of the new German state and the possibility of a German involvement in war with two different fronts. In addition, he considered it most important to keep France isolated because he feared that France would try to seek revenge. This system collapsed soon after Bismarck was dismissed. Since Germany was a late state, which means that unification occurred much longer after the formation of the other greater European states, it did not have a comparable amount of military supplies and it did not have any colonies. Wilhelm II. wanted to change both. First of all, he planned to build a fleet, which could be comparable to the British. This led to anxiety on the part of the British Empire, which was very keen on maintaining a certain balance of power on the continent and feared that Germany could acquire too much power. Then, the new emperor also wanted Germany get hold of its own colonies. Since there were no more left, he tried to reach this aim by simply occupying land in Africa and Asia. Although he succeeded in the end, his actions strengthened already existing tensions between Germany and the other European Great Powers. Further on, Germany does not prolong the treaty with Russia, while France and Britain enter into the Entente Cordiale; the result is an

4 Id.
5 Id.
6 Bauer, Philip, Bayrische Landeszentrale für politische Bildungsarbeit (Bavarian center for political education), Der Erste Weltkrieg ( The First World War), http://www.stmuk.bayern.de/blz/web/erster_weltkrieg/1.html
7 Grieshaber, Dieter, Deutschland 1890 – 1914 (Germany 1914 – 1918) (22.09.08) at: http://geschichtsverein-koengen.de/WilhelmZwei.htm
8 Bauer, Philip, Bayrische Landeszentrale für politische Bildungsarbeit (Bavarian center for political education), Der Erste Weltkrieg ( The First World War), http://www.stmuk.bayern.de/blz/web/erster_weltkrieg/1.html
increasing isolation of Germany. Germany is left with Austria – Hungary and Italy as allies. The murder of the Austrian heir of the throne in Sarajevo on the 28th of June 1914, was the crisis that finally invoked the 1st World War.

II. The 1st World War 1914 – 1919

The First World War was the first total war in the history of mankind. On the evening before the diplomatic relationships to the German Reich were broken off, the foreign minister of Great Britain remarked: “In the whole of Europe the lights go out, we will not see in our lives that they go on again.” His words should prove to be true. Although the First World War ended 1918, in the mind of people the war should continue far longer. There would be no stable peace in Europe until 1945.

The First World War left the Germans traumatized. First, because the sea blockade of the British fleet, which led to a famine in which 400 000 people died. Second, because of the inflation which hurt especially the national orientated middleclass and third, because it led to a revolution that had features of a civil war. All this would be later used by the regime of the Nazis to manipulate the people.

On the 18th of January 1919 the victorious powers met excluding, the other, defeated states; and on the 7th of May 1919 the delegates of Germany received a first draft of the peace treaty that was drafted at the meeting. Under the pressure of sanctions by the Allies, the constituent assembly of Weimar voted for accepting the treaty.

In the treaty Germany and its allies had to take the responsibility for the outbreak of the war completely; further it provided for a huge loss of territory and the internationalization of important rivers and the loss of all colonies. Germany lost 13 % of its former territory and 10 % of its inhabitants. Germany had to hand over war criminals, war prisoners and certain territories, like the Ruhrgebiet (Ruhr area). This area was important because of its coalmines.

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10. Id.
11. Rohlffes Prof. Dr., Joachim, Vorgeschichte des Ersten Weltkrieges (History of the First World War), Bundeszentrale für politische Bildung (Federal Center for Political Education), http://www.bpb.de/publikationen/01P337,0,0,Nationalismus_Imperialismus_Erster_Weltkrieg.html
12. Wiegrefe, Klaus, Der Marsch in die Barbarei, Spiegel Magazin (30.03.2004) at http://wissen.spiegel.de/wissen/dokument/51/00/dokument.html?titel=Der+Marsch+in+die+Barbarei&id=30300015&top=SPIEGEL&suchbegriff=1.+weltkrieg&quellen=&vl=0&qcrubrik=politik
13. Id.
14. Id.
15. Aly, Goetz, Hitler’s Volksstaat, 30 (1st ed. 2006)
16. Id.
17. Henßler Patrick, Versailler Vertrag 1919/20, Historisches Lexikon Bayerns (Historical encyclopedia of Bavaria), (03.06.2008) at http://www.historisches-lexikon-bayerns.de/artikel/artikel_44635
18. Id.
19. Id.
20. Id.
It had to be demilitarized completely. In general, the German army was not to have more than 100,000 soldiers.21 Of importance for the events in the years to come was also that Germany was charged to pay enormous reparations.22 Nothing made Hitler more popular than the announcement to end the “dishonor of Versailles”.23

III. The republic of Weimar

III.1. Formation

The Republic of Weimar is the name of the democratic – republic state that existed in Germany from 1918 until 1933.24 It is named after the constituent assembly of Weimar, which is mentioned above, that was held from 6th of February until the 30th of September 1919.25 Although the constitution was in force from the 11th of August 1919 until, at least officially, 1945, the era of Weimar is historically between 1918, when the republic was proclaimed, until 1933, when the Nazis gained the power in the parliament.26 Its formation started when the discontentedness of the population with the situation in Germany kept growing from 1914 on.27 Before the war, mostly laborers were unsatisfied with their situation, but now the middle class felt degraded socially during the war. Other measures during the war like the unequal payment of laborers working in the war industry and in other industries led to more and more tensions.28 This situation resulted in the German revolution from 1918/1919 when the defeat of the German army became obvious.29 The success of the revolution was not only based on the unhappiness of the laborers, who started it, but also on the passivity of the rest of the population in whose view the state had lost so much authority that it was not worth being defended anymore.30 The first revolution was in October 1918 and ended with the establishment of a parliamentary monarchy, but Wilhelm II. did not surrender any of his powers to the parliament and fled Berlin, so another revolution was inevitable.31 The revolution began with a mutiny by navy soldiers who should be sacrificed in a last “battle”, in which the German fleet was to be destroyed to avoid that it would fall into the
hands of the victorious powers. This revolution finally led to the formation of the “Rat der Volksbeauftragten”, an improvised government, mainly with politician from the left – wing SPD and USPD. This government also signed the peace treaty that ended the war. The first election for a regular parliament on the 6th of June 1920 was already indicating the mistrust in the democratic forces since radical left and right – wing parties received a lot of votes.

III.2. Its contribution to the raise of power of Hitler

The history of the Republic of Weimar is long and complicated, so the best for this paper should be to look at the features of its development and especially constitution that were a main factor in Hitler’s raise to power.

One major point was that, as mentioned above, not the emperor but the constituent assembly with left-wing politicians signed the treaty. The treaty posed a heavy burden on Germany and its newly formed democracy. It led to the Dolchstoßlegende (stab-in-the-back-legend), which basically said that the German army had been undefeated in the First World War, but that the left-wing democrats defeated it by signing the treaty of Versailles. This was fueled by wrong statements of the military; especially by the very famous General Hindenburg, who did not admit officially that the war had been lost. This statement formed the background from which the non – democratic right – wing parties attacked the democratic parties and defamed the democratic parties as “November criminals”. This campaign was successful since it responded to feelings of hurt nationalism in a huge part of the population.

Another deficit was the way the constitution was drafted. One major problem was § 49, which gave the president the power of an emperor in the state of emergency; misuse was preassigned. It was the result of the mistrust a lot of politicians still had in democracy. This provision would give Hitler the possibility to govern without the consent of the government after 1933.

Another weak point of the constitution was the fact that there was no minimum of votes a party had to get in order to get a seat in the parliament. This led to the result that the parliament was split by a lot of small parties. The parties that actually had the majority were unable to govern properly.

When in 1929 the world economic crisis emerged, it hit Germany very hard because American investors drew off their money from the German market completely, which had

32 Id. 33 Lexikon des Spiegel Magazins (Encyclopedia of the news magazine „Der Spiegel“), Die Weimarer Republik (Republic of Weimar), http://wissen.spiegel.de/wissen/dokument/31/73/dokument.html?titel=Weimarer+Republik&id=54423713&top=Lexikon&suchbegriff=weimarer+republik&quellen=&vl=0&qcrubrik=geschichte
34 Id. 35 Petzold, Joachim: Die Dolchstoßlegende (The stab – in the – back – legend), Bundeszentrale für politische Bildung (Federal Center for Political Education), at http://www.bpb.de/publikationen/V7QVTG,0,Dolchsto%DFlegende.html
36 Id. 37 Id. 38 Verfassung der Weimarer Republik (Constitution of the republic of Weimar), at: http://www.documentarchiv.de/wr/wrv.html#ZWEITER
39 Id. 40 Id.
relied heavily on American credits. The result was mass unemployment and heavy economic difficulties. Those split the government, because the parties could not find a consensus in how to deal with the situation. The result was that the president misused the competencies given to him in the constitution to govern without the consent of the parliament. In the following, the parties started to work more and more against each other, and it came to changes of government and crisis in the cabinet more and more often. With every new election right-wing parties became more and more votes. With every new election necessary the traditional parties discredited themselves and became unattractive for the voter.

III.3. NSDAP

One of the right-wing parties that became more and more popular was the NSDAP (Nationalsozialistische Deutsche Arbeiter Partei), National Socialistic German Laborer Party. It emerged out of the German Laborer Party that was founded in 1920, and when Adolf Hitler became its leader in 1921, it was transformed into a populist, nationalistic and anti-Semitic party. 1923 the party tried to take over power by a putsch. The attempt failed and the NSDAP split, but it was rebuild 1925 with a strict hierarchic structur that was copied for complete Germany after 1933. Soon it became the most energetic and ambitious of all right-wing parties. 1932 it was already the strongest party in parliament because of the increasing number of votes for radical parties. On the 30th of January 1933 Reichspresident von Hindenburg appointed Hitler as chancellor. Together with the afterwards passed “Ermächtigungsgesetz” (enabling act), the German democracy was dead.

III.4. “Ermächtigungsgesetz”

The way in which the German politics were going to develop, became clear soon after Hitlers appointment as chancellor. On the 27th of February 1933 the German Reichstag was set on fire and the Dutch socialist van Lubbe was arrested on the scene. This led to a suppression of the left-wing opposition, but, even more importantly, it led to the so-called

41 Sturm, Reinhard, Zerstörung der Demokratie 1930-1933 (The corrosion of the Democracy 1930 – 1933), Wirtschaftskrise (Economical Crisis), Bundeszentrale für politische Bildung (Federal Center for Political Education), at http://www.bpb.de/publikationen/EZLPWP,0,0,Zerst%F6rung_der_Demokratie_19301933.html#art0
42 Sturm, Reinhard, Zerstörung der Demokratie 1930-1933 (The corrosion of the Democracy 1930 – 1933), Bruch der großen Koalition ( Break of the Great Coalition), Bundeszentrale für politische Bildung (Federal Center for Political Education), at http://www.bpb.de/publikationen/EZLPWP,1,0,Zerst%F6rung_der_Demokratie_19301933.html#art1
43 Id.
45 Id.
46 Id.
47 Id.
48 Deutsches Historisches Museum (German Historical Museum), Virtual Museum online, Der Reichstagsbrand (The Burning of the German Reichstag) at http://www.dhm.de/lemo/html/nazi/innenpolitik/reichstagsbrand/index.html
“Reichsbrandverordnung” (A law passed as a reaction to the burning.) It was passed based on § 49 of the constitution of Weimar. With this law basic rights were constrained heavily. But the law which allowed the NSDAP to govern without any restraints was the so-called “Ermächtigungsgesetz”. It consisted of only 5 articles and was passed on the 23rd of February 1933. It guaranteed the party basically unlimited power. In order to pass it the NSDAP needed the consent of 2/3 of the parliament. Since the communistic and socialistic parties were excluded of the Reichstag because of the “Reichsbrandverordnung”, they only needed the consent of the party “Zentrum”, a catholic conservative party. Hitler managed to trick them into believing that the law was introduced only to make economy politic more efficient and finally the law was passed.

The law allowed Hitler’s government to pass laws without the consent of any of the, formally still existing, legislative or executive organs; these rights also included changes of the constitution as well as treaties with other states. Further on, it made the centralization of judicative, administration, police as well as military after the “Führer” (leader) principle possible. It was also the ground on which the consolidation of all institutions took place. This concentration of power in the hands of one person, in this case Hitler, marked the transition from democracy to the dictatorship that should follow.

IV. Germany from 1933 – 1945, Third Reich and World War II

IV.1. 1933 – 1939

From 1933 on Germany became a dictatorship. The NSDAP was not only a party, but it also incorporated an ideology and soon it had restructured the state in a way that there was no difference anymore between the party and the state itself. Every part of life was organized and occupied by the party and its ideology. The youth was organized in the Hitler Youth and there was an organization for every profession. At the same time the participation was mandatory in the sense that people who did not join had to experience serious disadvantages. The same goes for the membership in the party. If someone did not join it, it could be detrimental for his career. At the same time being a member of the party was connected with advantages.

50 Id.
51 Id.
52 Id.
53 Id.
54 Id.
55 Id.
56 Id.
57 Dossier zum Nationalsozialismus und Zweitem Weltkrieg (Dossier on Social – Nationalism and the Second World War), Bundeszentrale für politische Bildung (Federal Center for Political Education), at http://www.bpb.de/themen/3X63VA,0,0,NSStaat.html
58 Id.
59 Thamer, Hans-Ulrich, Nationalsozialismus I, Informationen zur politischen Bildung (Heft 251), (Nationalsozialism I, Information for Political Education), Edition 251, at http://www.bpb.de/themen/L8FT1W,0,0,Beginn_der_nationalsozialistischen_Herrschaft_(Tei l_1_2).html
At the same time the prosecution of the Jews began. As soon as in the middle of 1934 the so called Machtergreifung was completed, which meant that the NSDAP had eradicated every other political influence and had every single organization under its control. In the same year Hitler strengthened his limitless power through a fake vote in which he was confirmed as “Führer” and chancellor. From now on he was head of state, head of parliament, head of the military forces as well as head of the judiciary.

At the same time heavy propaganda was used to intensify the person cult around him. Propaganda was also used to promote the party itself and against its “enemies”. One major part of the national socialist (NS) ideology was anti – Semitism and the believe that the Aryan race was superior. Jews, but also Polish, Russian and other Slavic people, were considered sub – human. The Jews were also made responsible for everything bad that happened to the Germans such as the Black Friday 1929. In his book “Mein Kampf”, Hitler had promised to extinct Jewry in Germany. Because of continuing defamation, humiliation and measures against Jews such as the Act of Nuremberg, which restrained the rights of Jews massively, by 1938 only half of the Jews who had been in Germany and Austria, which was already annexed at this point, 1933 still lived in this area.

IV.2. 1939 – 1945

Soon after he gained power, Hitler started an aggressive foreign policy. In a statement in 1933 he already announced that the aim of his foreign policy is going to be the conquest of new living space in Eastern Europe and its merciless Germanisation. Further on, he proclaimed the extinction of Marxism and the strengthening of the military spirit.

60 Id.
61 Id.
62 Thamer, Hans-Ulrich, Nationalsozialismus I, Informationen zur politischen Bildung (Heft 251), (Nationalsozialism I, Information for Political Education), Edition 251, at http://www.bpb.de/themen/3D01FZ,0,0,Beseitigung_des_Rechtsstaates.html
63 Thamer, Hans-Ulrich, Nationalsozialismus I, Informationen zur politischen Bildung (Heft 251), (Nationalsozialism I, Information for Political Education), Edition 251, at http://www.bpb.de/themen/IHKOR2,0,0,Ausbau_des_F%FChrerstaates.html
64 Id.
65 Dossier: Nationalsozialismus und Zweiter Weltkrieg (Dossier on Nationalsozialism and the Second World War), Bundeszentrale für politische Bildung (Federal Center for Political Education), at http://www.bpb.de/themen/LYX1EC,5,0,Shoa_und_Antisemitismus.html#art5
66 Dossier: Nationalsozialismus und Zweiter Weltkrieg (Dossier on Nationalsozialism and the Second World War), Bundeszentrale für politische Bildung (Federal Center for Political Education), at http://www.bpb.de/themen/LYX1EC,0,0,Shoa_und_Antisemitismus.html
67 Id.
68 Thamer, Hans-Ulrich, Nationalsozialismus II (Nationalsozialism II) , Informationen zur politischen Bildung (Heft 266) (Information for the Political Education, Edition 266), at http://www.bpb.de/themen/E3DXPO,0,0,Der_Weg_in_den_Krieg.html
69 Thamer, Hans-Ulrich, Nationalsozialismus II (Nationalsozialism II) , Informationen zur politischen Bildung (Heft 266) (Information for the Political Education, Edition 266), at http://www.bpb.de/themen/E3DXPO,1,0,Der_Weg_in_den_Krieg.html#art1
70 Id.
This ensured him the loyalty of the military in Germany since it meant a strengthening of their role in politics and in Germany generally. On the same time Germany should stick officially to the foreign policy of Weimar and participate in the disarmament of the League of Nations to conceal its true intentions. Even when Hitler started a more aggressive foreign policy, the other states just interpreted it as an opposition to the treaty of Versailles and reacted with “appeasement”. In March 1935 Hitler achieved one of his main aims by reinstalling compulsory military service and by building a German air force in contradiction to the stipulations in the treaty of Versailles.

The second breach of the contract occurred when Hitler stationed soldiers in the demilitarized Ruhrgebiet 1935. Although there was formal protest especially from France, the other nations basically tolerated this breach of contract. Since 1937, the focus was more and more on expansion, and in March 1938 Germany annexed Austria. And again, neither Great Britain nor France were ready to intervene militarily on behalf on Austria.

When Hitler demanded autonomy for the German ethnic group in the Czech Sudetenland, an international crisis seemed to be close, even a war if the Czech Republic should not give in. As part of the “appeasement” policy of Great Britain, who hoped that if they made compromises towards Hitler he would refrain from military measurements, a delegate of Britain negotiated a compromise. This basically made the annexation of the Sudetenland by Germany possible. The government in Prague gave in, since they were afraid to be otherwise left helpless if Hitler should start an attack anyway. But this compromise did not have its hoped for effect. In 1939 Hitler annexed the rest of the Czech Republic as well by threatening the Czech president with a military intervention. Although Hitler planned very soon to attack Poland as well, his planes seemed to be stopped by a guarantee bond Britain gave Poland to defend its sovereignty.

71 Id.
72 Id.
73 Thamer, Hans-Ulrich, Nationalsozialismus II (Nationalsozialism II), Informationen zur politischen Bildung (Heft 266) (Information for the Political Education, Edition 266), at http://www.bpb.de/themen/E3DXPO,3,0,Der_Weg_in_den_Krieg.html
74 Thamer, Hans-Ulrich, Nationalsozialismus II (Nationalsozialism II), Informationen zur politischen Bildung (Heft 266) (Information for the Political Education, Edition 266), at http://www.bpb.de/themen/E3DXPO,4,0,Der_Weg_in_den_Krieg.html
75 Thamer, Hans-Ulrich, Nationalsozialismus II (Nationalsozialism II), Informationen zur politischen Bildung (Heft 266) (Information for the Political Education, Edition 266), at http://www.bpb.de/themen/E3DXPO,5,0,Der_Weg_in_den_Krieg.html#art5
76 Id.
77 http://www.bpb.de/themen/E3DXPO,10,0,Der_Weg_in_den_Krieg.html#art10
78 Id.
79 Thamer, Hans-Ulrich, Nationalsozialismus II (Nationalsozialism II), Informationen zur politischen Bildung (Heft 266) (Information for the Political Education, Edition 266), at http://www.bpb.de/themen/E3DXPO,11,0,Der_Weg_in_den_Krieg.html#art11
80 Id.
81 Id.
82 Thamer, Hans-Ulrich, Nationalsozialismus II (Nationalsozialism II), Informationen zur politischen Bildung (Heft 266) (Information for the Political Education, Edition 266), at http://www.bpb.de/themen/E3DXPO,12,0,Der_Weg_in_den_Krieg.html#art12
83 Id., at: http://www.bpb.de/themen/E3DXPO,13,0,Der_Weg_in_den_Krieg.html
But then Britain did not manage to convince Stalin to side the Western nations in such a
declaration. Furthermore, Ribbentrop and Molotow, the foreign ministers of Germany and the
UdSSR, signed a non-aggression pact. The war against Poland became inevitable.\textsuperscript{84}
On the 1\textsuperscript{st} of September the Second World War began with the German attack on Poland.\textsuperscript{85}

It was clear that as soon as Germany would attack Poland, Great Britain would declare war on
Germany, which they did on the 3\textsuperscript{rd} of September; France, Australia New Zealand, India,
Canada and South Africa followed soon\textsuperscript{86}. Although the United States did not join this
declaration immediately, President Roosevelt left no doubt that the States were on the side of
the Western Allies. They were in the state of a positive neutrality, which would allow them to
arm themselves and prepare a crusade for democracy.\textsuperscript{87} The UdSSR acted according to its
treaty with Germany, which remained isolated since Italy, its only ally at that time, announced
that it could not intervene since it would not be ready for a war until 1943.\textsuperscript{88}

Despite their war declaration, France and Britain remained passive in the first months of the
war in order to build up their forces. This emerged to be a strategic advantage for Hitler. It
allowed him to defeat Poland in less than one month. On the 27\textsuperscript{nd} of September Warsaw had
to capitulate.\textsuperscript{89} With the occupation of Poland the ideological aims of Germany became clear
very soon, since Hitler had already announced in August that he wanted to “eliminate Poland”
and that the war was not about achieving a particular aim but to “destroy all living”.\textsuperscript{90}
In 1940 Hitler attacked France and the two neutral countries Norway and Denmark.\textsuperscript{91} In June
France signed an armistice.\textsuperscript{92}
The German army also conquered the Balkan and Greece. Finally, German forces entered the
Soviet Union on the 22\textsuperscript{nd} of June 1941.\textsuperscript{93} The campaign against the UdSSR would soon turn
into a catastrophe that culminated in the battle of Stalingrad 1942.\textsuperscript{94} Although the territory
Germany controlled 1942 was as large as never before, its defeat was predictable.\textsuperscript{95} But with
the declaration of war against the United States, Hitler had shown that he was not willing to
end the war on a political basis.\textsuperscript{96}

\textsuperscript{84} Id. at http://www.bpb.de/themen/E3DXPO,13,0,Der_Weg_in_den_Krieg.html
\textsuperscript{85} Id.
\textsuperscript{86} Dossier zum Nationalsozialismus und Zweitem Weltkrieg (Dossier on Nationalsozialism
and Second World War), Bundeszentrale für Politische Bildung (Federal Center for Political
Education), at: http://www.bpb.de/themen/PTYTHH,0,0,Der_zweite_Weltkrieg.html
\textsuperscript{87} Id.
\textsuperscript{88} Id.
\textsuperscript{89} Dossier zum Nationalsozialismus und Zweitem Weltkrieg (Dossier on Nationalsozialism
and Second World War), Bundeszentrale für Politische Bildung (Federal Center for Political
Education), at http://www.bpb.de/themen/PTYTHH,1,0,Der_zweite_Weltkrieg.html#art1
\textsuperscript{90} Id.
\textsuperscript{91} Dossier zum Nationalsozialismus und Zweitem Weltkrieg (Dossier on Nationalsozialism
and Second World War), Bundeszentrale für Politische Bildung (Federal Center for Political
Education), at http://www.bpb.de/themen/PTYTHH,3,0,Der_zweite_Weltkrieg.html#art3
\textsuperscript{92} Id.
\textsuperscript{93} Dossier zum Nationalsozialismus und Zweitem Weltkrieg (Dossier on Nationalsozialism
and Second World War), Bundeszentrale für Politische Bildung (Federal Center for Political
Education), at http://www.bpb.de/themen/PTYTHH,9,0,Der_zweite_Weltkrieg.html#art9
\textsuperscript{94} http://www.bpb.de/themen/PTYTHH,10,0,Der_zweite_Weltkrieg.html#art10
\textsuperscript{95} Id.
\textsuperscript{96} Dossier zum Nationalsozialismus und Zweitem Weltkrieg (Dossier on Nationalsozialism
and Second World War), Bundeszentrale für Politische Bildung (Federal Center for Political
Education), at http://www.bpb.de/themen/PTYTHH,11,0,Der_zweite_Weltkrieg.html#art11
At the same time the formation of an “Anti-Hitler coalition” took place, which formulated its war goals, a German unconditional surrender, the first time on the conference of Casablanca 1943 in which Churchill and Roosevelt took part.97 When the fights finally reached the German territory itself, the regime tried to mobilize its last reserves in order to defend Germany. This was naturally in vain, but it was a last cruelty towards its own population. People were often not allowed to flee from their attacked cities, furthermore the so called “Volkssturm” was build, in which basically children and old men were forced to fight against the approaching allies.98 On the 9th of May 1945 the terror with which Germany had covered the whole world finally came to an end.99

IV.3. The Holocaust

With the beginning of the war the treatment of Jews became even worse.100 In 1939 Jews were forced to surrender their radios and valuables.101 From September 1941 on every Jew in Germany had to wear the yellow star and soon deportations especially into Ghettos in the occupied Polish territory began.102 At the same time the preparations to kill all Jews in the German sphere of control were taken and soon the first extermination camps were build.103 At the end of the war, 5.6 million Jews were killed because of the fanatic racist ideology Hitlers.104

V. The end of the war

After the unconditional surrender Germany was completely destroyed. It was defeated militarily and morally.105 Infrastructure and economy were completely destroyed.106 There was no state authority left, the cities were ruined and full of refugees.107 The everyday life of the people was determined by hopelessness, resignation and fear for missing family members.108 The four Allies the U.S.A., UdSSR, France and Great Britain did not find convinced Nazis anymore, but broken and blunted people, who would pick up cigarette stubs

97 Id.
98 Kistler, Helmut, Nationalsozialismus (Nationalsocialism), Informationen zur politischen Bildung Information for the Political Education), at: http://www.bpb.de/themen/K7C3XG,0,0,Der_Zusammenbruch_des_Dritten_Reiches.html
99 Id.
100 Deutsches Historisches Museum (German Historical Museum), Virtual Museum online, Der NS – Völkermord (The Genocide of the Nationalsocialists) at http://www.dhm.de/lemo/html/wk2/holocaust/
101 Id.
102 Id.
103 Id.
104 Id.
106 Benz, Wolfgang, Deutschland 1945-1949 (Germany 1945 – 1949), Informationen zur politischen Bildung, Heft 259, (Information for the Political Education, Edition 259) at: http://www.bpb.de/themen/6AFV6I,0,0,Deutschland_nach_1945.html
107 Id.
108 Id.
on the streets to smoke the rest of the tobacco. The Germans were defeated, who felt humiliated and as victims. But it was also the beginning of the probably most successful and most famous attempt of rebuilding and reshaping a nation in history.

B. Rebuilding Germany

I. Different plans for occupied Germany

It became clear very early that the only possible end of the war would be an unconditional surrender by Germany. Part of the reason was that it seemed improbable that the regime in Germany would be willing to give in. But the more atrocities committed by the Germans were revealed, the more the Allies were convinced that Germany must be defeated completely. Additionally, unconditional surrender was the only option for Stalin, whose Russia had to suffer the most of all Allies. The Western Allies agreed on this aim in order to keep him in the ally. But this meant that after the end of the war, an occupation of the German territory was inevitable. At the conference of Potsdam the division of Germany into four occupation zones was decided on the 18th of July 1945. The treaty of Potsdam is the most important treaty dealing with the fate of Post-World-War II Germany. The German territory of 1937 should build the basis of the German territory after 1945. Explicitly mentioned in the treaty of Potsdam is also that the Germans have to atone for their crimes committed during the war. At the same time, the declared aim of the Allies is not to enslave Germany but to democratize it, so it can inhabit its place under the free and democratic nations of the world. The aims formulated of in the treaty read as follows:

1) The complete demilitarization of Germany. The possibility that Germany should ever again start a war or engage in one should be destroyed.
2) The Germans should be made aware of the fact that they had lost the war and that they have to bear the consequences of the atrocities committed through their former regime.
3) The NSDAP is to be destroyed as well as all organizations related to it.
4) War criminals are to be punished, as well as all members of the NSDAP
5) The reformation of the educational and judicial system of Germany in order to democratize it
6) Decentralization of the administration

These aims were mainly compromises as well as other provisions of the treaty, for example the question of reparations since every ally had different interests considering the German question. In addition, the aims formulated in the treaty are vague and have to be filled with life by actual directives. How Germany should be treated after the war was controversial even in the United States.

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109 Id.
110 Id.
112 Id.
114 Id.
115 Id.
1. Morgenthau - Plan

The first plan for Germany after its surrender was the so-called Morgenthau plan. It is named after its inventor the secretary of treasury of the United States Henry Morgenthau. The basic thought underlying this plan was that the Germans should be punished for their crimes.\(^{116}\) The provisions of the plan were that Germany should be transformed into a peasant society without any heavy industry.\(^{117}\) Regions with a high amount of raw materials should be supervised internationally. Finally Germany was to be divided into smaller countries\(^{118}\), South and North Germany.\(^{119}\) The aim of the Morgenthau plan was to weaken Germany so much that it was unable to wage a war ever again. The U.S. and Britain had already approved the plan, but it was dismissed shortly after the occupation of Germany began. One reason was the disapproval by the American public.\(^{120}\) Still, parts of it influenced JCS 1067, the U.S. directive that regulated the policy in their occupation zone. Especially General Lucius Clay, military governor in Germany, disapproved the plan and argued for its complete dismissal. In 1946 the plan was finally completely dismissed.\(^{121}\)

2. JCS 1067

This directive, set forth as a guideline to then military governor Eisenhower, was still influenced by the original Morgenthau Plan. Considering the economic development of Germany, it provided in PART II “Economic General Objectives and Methods of Control” point 16:

“...You will assure that the German economy is administered and controlled in such a way as to accomplish the basic objectives set forth in paragraphs 4 and 5 of this Directive. Economic controls will be imposed only to the extent necessary to accomplish these objectives, provided that you will impose controls to the full extent necessary to achieve the industrial disarmament of Germany. Except as may be necessary to carry out these objectives, you will take no steps (a) looking toward the economic rehabilitation of Germany, or (b) designed to maintain or strengthen the German economy.“

Paragraph 4 dealt with the basic objectives of Military Government in Germany, paragraph 5 with the economic control in general.

Paragraph 5 itself provides: No action will be taken in execution of the reparations program or otherwise which would tend to support basic living conditions in Germany or in your zone on a higher level than that existing in any one of the neighboring United Nations.

These provisions show clearly that the first approach of the United States in regard to Germany was not necessarily positive. Germany should be punished in first place. The close relationship of the JCS 1067 to the Morgenthau plan gets even more obvious, when one considers that General Clay was only able to increase the daily amount of calories per person from 1,000 to 1,500 calories per day per person.\(^{122}\) This was still below the amount of

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\(^{116}\) Tent, James F., Mission on the Rhine, 17 (1984)
\(^{117}\) Die Welt (German News – magazine), 14. April 2008 at: http://www.welt.de/welt_print/article1898743/Morgenthau_Plan.html
\(^{119}\) The Morgenthau Plan at: http://www.fdrlibrary.marist.edu/psf/box31/t297a01.html
\(^{120}\) Tent, James F., Mission on the Rhine, 16 (1984)
\(^{121}\) Die Welt (German News – magazine), 14. April 2008 at: http://www.welt.de/welt_print/article1898743/Morgenthau_Plan.html
\(^{122}\) Jennings, Ray Salvatore, The Road Ahead, 14
2,000 calories a day that was suggested as the minimum intake by the National Planning Association 1947.\textsuperscript{123} It was not until summer 1947 that the directive was replaced by JCS 1779.

II. Reasons why the plans were changed

First of all, the Morgenthau plan was criticized from the very beginning. The U.S. State department objected to it, as well as Churchill, the British prime minister.\textsuperscript{124} He said that if the Morgenthau plan was to be accomplished as planned, it would mean chaining Britain to a dead body.\textsuperscript{125} In this statement it gets very clear that especially Britain had a very realistic approach towards the German question. Although the British had suffered from the Germans during the war, they saw the need to restore Germany in order to restore Europe as a whole. Even when Churchill gave in and accepted the plan, he was opposed by his secretary of foreign affairs Eden.\textsuperscript{126} The changes in the policy regarding Germany were due to several reasons. One of them is that Germany’s maximum economic contribution was needed in order to restore the European economy.\textsuperscript{127} Further on it would have stayed a burden for the other European countries.\textsuperscript{128} The second reason is the uprising of the cold war. While the main aim of the Allies immediately after the Second World War was to prevent any possibility that Germany would regain enough economic power to pose again a threat to the peace, this view changed. The Russians became more and more menacing and intransigent, which made the Western Allies moving closer together and working together with the Germans instead of repressing them.\textsuperscript{129} Finally in 1949 it became obvious that two separate Germanys were formed, each closely linked with one of the rival power systems.\textsuperscript{130} Due to Germany’s position in the middle of Europe and as the largest European country, if Russia is not counted, it was crucially important for the postwar territorial balance.\textsuperscript{131} As Lenin phrased it: “Whoever has Germany on his side owns Europe.”\textsuperscript{132} So it became a major aim for the Soviets as well as for the Western allies “to assure the loyalty of their respective protégés and to stimulate their maximum contribution to the common welfare”.\textsuperscript{133} The importance of preventing Germany from regaining enough economic power to be an aggressor gave way to the more urgent aim to make Germany prosper to reassure its solidarity towards the communistic bloc respectively the North Atlantic Community.\textsuperscript{134}

\textsuperscript{123} Price/ Schorske, The Problem of Germany, (1947), 4
\textsuperscript{124} Hiscocks/ McInnis, The Shaping of Postwar Germany (1947), 28
\textsuperscript{125} Id.
\textsuperscript{126} Id.
\textsuperscript{127} Id.
\textsuperscript{128} Price/ Schorske, The problem of Germany (1947), xiv
\textsuperscript{129} Id.
\textsuperscript{130} Hiscocks/ McInnis, The Shaping of Postwar Germany,(1960), 33
\textsuperscript{131} Id., p.34
\textsuperscript{132} Id., p.34
\textsuperscript{133} Hubatsch, The German Question, (1967), 34
\textsuperscript{134} Id.
III. Measures of the Allies to rebuild Germany

III.1. De - Nazification

One of the measures the Allies applied in order to bring Germany back to a democratic state is the so-called “De-Nazification”. This included several measurements. First of all, the Allies introduced a questionnaire with 151 questions, which every German had to complete and submit to the military government. Depending on their answers, people could be arrested or punished otherwise; for example, they would not be allowed to work in certain professions, in the administration or the government. To take full account of this measure, it must be divided into different stages.

When the Allies started out with their effort to denazificate the Germans, it was not possible to do it consistently. It was more urgent to rebuild Germany than to get rid of former Nazis, so a “policy of postponement” emerged. Persons which worked in positions necessary for the building of functioning administration were allowed to keep them unquestioned. To be able to report achievements to the government in Washington, mostly minor executives were laid off. But this policy soon led to dissatisfaction. First of all, the German population regarded this procedure as highly unfair and further on the victims of the Nazi Regime wanted to see their former tormentors punished.

This led to the second stage of the “De-Nazification”. To make up for their failure, the military government went overboard with their effort to clean Germany from former Nazis. In Nuremberg a directive was decreed consistent with which everyone who had been a member of the Nazi Party had to be laid off immediately. 1951 executives had to leave, which meant half of the staff of the administration of the city, which left it basically functionless.

Everyone connected to the former regime was put into one of five groups. I. Main culprits, II. Politically implicated, III. Not fully politically implicated, IV. Followers and V. Releasees. The punishment was harsh. Who fell into the first category for example was charged to 10 years of labor force and had to surrender his complete capital. Furthermore the Denazification efforts had an impact on the free economy as well. Who was considering being a Nazi had to quit his position and was only allowed to work as an ordinary laborer. But again the Allies did not achieve their goal. When they didn’t put enough effort in their first attempt, they went overboard this time. The Germans were outraged because they felt the allied judgments were arbitrary. As a reaction they began to produce so called “Persilscheine”. These were documents with which people tried to prove that they had not been supporting the former regime. Such a document could be for example a statement of a victim of the regime that the particular person helped him. Loops like this made the process of Denazification more inefficient. Further on, experts like Walter Dorn, an adviser for the U.S. government claimed, that the denazification was not effective because it was carried out differently in every occupation zone. The fact that this matter was handled differently in every zone led to lack of understanding for the measures under the population since persons with an identical

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135 Kucklick, Christoph, Entnazifizierung, Ein Volk vor Gericht (Denazification, A nation on trial), at: http://www.geo.de/GEO/kultur geschichte/269.html?p=1&pageview=&pageview=
136 Id.
137 Id.
138 Id.
139 Benz, Wolfgang, Deutschland 1945-1949(Germany 1945-194), Informationen zur politischen Bildung, Heft 259 (Information for the Political Education), Entnazifizierung in der U.S.-Zone (Denazification in the U.S. occupation zone) at: http://www.bpb.de/themen/A898EE,3,0, Demokratisierung_durch_Entnazifizierung_und_Erziehung.html
background could be detained in one zone while he would be unaffected in another zone. Another drawback for the German development resulting in the process of denazification was that during this process every German was considered guilty as long as he could not prove his innocence. As long as the person did not do so, he could only work in as an ordinary laborer, which had, again, a negative impact on the German economy. The fact that also perfectly innocent people shared this fate led to more dissatisfaction with the occupation powers.

In addition, in order to be punished it was enough to be identified as an active sympathizer, it was not necessary to have actively participated in any crime.

Finally, on the 5th of March 1946 the Germans received the mandate to deal with denazification themselves. In order to do so special small courts were installed to handle the topic. But because of the flood of questionnaires that were sent in, the court became overloaded soon. In addition, there was a huge evidentiary problem. Because of the amount of questionnaires the court had to deal with, it soon started to produce only “innocents”. This was also due to a policy of postponement. The biggest Nazis should be spared until the end.

All this made it even more difficult to actually punish those who were truly guilty of crimes and distinguish those who joined the party because of social pressure. Further on, some rules of the Allies appeared unfair to the population in particular. People who joined the NSDAP before 1933 were punished harder than people who joined afterwards. This appeared irrational to the population since persons who joined the party very early could not have anticipated the atrocities that would happen, while persons who joined later could be considered aware of the crimes the party commit.

III. 2. Reeducation

Another measure the Allies took in order to democratize the Germans was the concept of Reeducation. It included the reopening of theaters with plays that were forbidden during the Nazi time as well as the translation of foreign books. Further on, exchange programs and the opening of so-called “America houses”. These provided the population with libraries and movie screenings. Maybe even more important, reeducation also included the transformation of newspapers and other mass medias. During the Nazi era, news and the opinion of the leadership were intertwined, so it was a main goal of the Allies to reestablish the diversity of opinions. Shortly after 1945 a licensing system was established which allowed German publishers to print a magazine or a newspaper, if the Allies approved it.

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140 Payne, James, Did the United States create democracy in Germany?(2006), 215 at: www.independent.org/pdf/tir/tir_11_02_03_payne.pdf -
141 Id.
142 Kucklick, Christoph, Entnazifizierung, Ein Volk vor Gericht (Denazification, A nation on trial), at: http://www.geo.de/GEO/kultur/geschichte/269.html?p=1&pageview=&pageview=
143 Id.
144 Id.
famous example is the “Sueddeutsche Zeitung”, which still exists.\textsuperscript{147} Critically seen must be the fact, that most of the journalists working after 1945 were the same that worked for the news media during the Nazi time.\textsuperscript{148} One problem that came up very soon was the choice of the term “Re-education” itself, since its translation has a very negative connotation in the German language.\textsuperscript{149} In addition, a lot of Germans felt that it was much more urgent to rebuild the economy and take measures in order to prevent the population from starvation than investing money into cultural assets with which the Germans should be reeducated. But one of the most important obstacles was that the Germans refused to be taught by their former enemies how to change their culture.\textsuperscript{150} The military defeat still hurt and they felt humiliated. More over, a problem that affected all efforts of the Allies was the fact that the former allies, especially the western allies and the Soviet Union drifted away from each other more and more.\textsuperscript{151} This made any measures only effective for the particular occupation zone they were taken in.

Part of the reeducation process was also the reformation of the schools. According to the directive JCS 1067 every educational facility had to be closed.\textsuperscript{152} After the war, only teachers without any Nazi past should be able to teach. This was a nearly impossible task. As early as 1933, around 95% of all teachers were organized in the NSLB, the Nazi organization for teachers.\textsuperscript{153} This meant that no other profession was as close to the regime as the teachers.\textsuperscript{154} In addition, as mentioned above, the criteria who counted as a Nazi and who did not, continued to change. This made it nearly impossible to find enough teachers in order to keep up a functioning school system. The consequence was that unqualified persons, students and pensioners were recruited. This led to a dramatic decrease of the quality of the teaching and classes with 100 students per teacher were no rarity.\textsuperscript{155}

Beginning in 1947, the second stage of reeducation began with the Directive 54. In this directive, the Allies set forth how the educational system in Germany should be developed.\textsuperscript{156} But it only gave basic structures and the democratic objective that should rule the German

\begin{footnotes}
\item[147] Benz, Wolfgang, Potsdam 1945. Besatzungsherrschaft und Neuaufbau im Vier-Zonen-Deutschland(Potsdam 1945. Occupation and Reconstruction), at: http://www.bpb.de/publikationen/BNE51Z,0,0,Umerziehung.html
\item[149] Benz, Wolfgang, Deutschland 1945-1949(Germany 1945 – 1949), Informationen zur politischen Bildung, Heft 259, (Information for the Political Education, Edition 259), Re - education, at: http://www.bpb.de/themen/A898EE,4,0,Demokratisierung_durch_Entnazifizierung_und_Erziehung.html#art4
\item[150] Id.
\item[151] Benz, Wolfgang: Potsdam 1945. Besatzungsherrschaft und Neuaufbau im Vier-Zonen-Deutschland (Potsdam 1945. Occupation and Reconstruction), Umerziehung (Reeducation), at: http://www.bpb.de/publikationen/BNE51Z,0,0,Umerziehung.html
\item[152] Braun, Birgit, Umerziehung in der amerikanischen Besatzungzone, (1st edition 2004), 150
\item[153] Berg, Christa, Handbuch der deutschen Bildungsgeschichte (1991), 253
\item[154] Id.
\item[156] Id.
\end{footnotes}
The implementation of precise provisions was left to the occupation zones. Obviously this led to different solutions in every zone, since every single ally had a different picture in mind on how the German school system would be best reformed. In addition, every one wanted to build the system after its own. Surprisingly, in the end, the schools ended up to be modeled after the system that was installed during the Republic of Weimar. There were several reasons for this development. The differences between the Allies, not only between the Soviet Union and the Western Allies, but most importantly, were one reason. The emerge of the Cold War led to the conclusion that the first aim should be an economical policy which was anti-communism orientated, so other goals did not get that much attention. Another important reason was that the Germans soon regained a new self-confidence, which emerged from the circumstance that the Germans managed to organize themselves successfully. As mentioned above, they did not only reject the term “reeducation”, but as soon as 1946 their new self-consciousness led to a refusal to become completely Americanized. In spite of all of this, the reeducation process was probably necessary for a development of democratic structures, since Germany could not possibly tie in with their pre-1933 achievements.

But the question arises, whether the reeducation policy of the Allies played such an important role in the end. As discussed, it was full of inconsistencies and breaks due to the political reality. So, there was no continuity in the efforts. Further more, it seems unrealistic that people who were frenetic nationalists just months ago would be ready to adapt a new, “strange” culture. It must be seen as well that especially the American culture must have been offensive for the Germans since it contradicts a lot of values that were cherished during the Nazi regime. Just to set an example, a lot of the soldiers were Afro-American or Jewish. Even if not every German agreed with the race policy of its former regime, it is doubtable that they were exposed to it for 12 years without traces. The same goes for the French and British. Between France and Germany reigned a century old animosity, which started with the German French war in 1870. So it is unrealistic to assume that Germans would welcome French ideas of education. In addition, it seems odd to assume that the Allies managed to get rid of all teacher that were infected with the Nazi ideology since such a high percentage of them was organized in the party’s professional organization. And even if, how could one be sincere that all students or pensioners which were hired to perform as teacher were uninfluenced by the former regime, especially since the denazification proved to be such a tricky task.

So one could consider it not being far fetched to doubt that the re-education process was a total success.

III.4. Political measures

After the Second World War there was basically no governmental structure left in Germany, because the order in the last days of the Third Reich was to destroy the government completely, by withdrawing public officials, moving or destroying records and other measures. The government of Doenitz, who signed the unconditional surrender, existed

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157 Id.
158 Id.
159 Id.
160 Id.
161 Id.
162 Zink, Harold, The United States in Germany 1944 – 1955, (1957), 169
only on paper. So the occupying powers faced the task to rebuild the government completely.\footnote{Id.}
First, a military government detachment was established to get a skeletal German government. But the support by Germans was still needed, to provide manpower or information; the military government was supposed to assist the Germans.\footnote{Id., 170}
So the emphasis lied from an early beginning on the concept of handing over the responsibilities.

III.4.1. Self – administration as a main approach

Even in the early stage, when the military government was still in charge, the American refrained from direct activity as much as possible as long as their orders were followed. The Americans had often little idea about Germany itself, German institution or psychology.\footnote{Id., p.171}
So the orders were to find an anti – Nazi, who could be relied on, to head the new government, village, city or county, and to find more reliable Germans, who had not been Nazis, for major positions.\footnote{Id.}
This concept seems to be bold looked at from our perspective, to hand over responsibility to Germans again so early. But this was the right approach.
As discussed above, most of the people were sickened of the regime and its terror after the war. So they were eager to get rid of the Nazis in their community, who had governed them before. So in most of the cases the Americans did not have a hard time to really find people who were not straight Nazis.
Further on, even if there was no German parliament for the whole country anymore, the normal people could feel self – governed. This might have led to a greater acceptance of the occupiers since the people could still feel self – determined.
So it could be considered a solution for new nation – building efforts to start delegating political responsibility at a small level with supervision by the occupying power. It does not bear such an enormous risk of the formation of insurgency movements as it would if it would start at a higher level such as a county. Beginning at the level of villages could be considered, with selecting a person that has been proven trustworthy and then letting him decide who should join.
The problem with this concept might be that the situation in Germany was unique in terms of despise of the old regime and its representatives. So they were ready to exchange them for people who were not sympathizing with the old system. The problem in other countries could be that the people will not accept someone that sympathizes with the occupying powers, especially if they do not do so themselves.
Further on, it depends heavily on the structure of the society whether it is going to choose their new government on a rational basis. In Iraq for example nepotism is a huge problem\footnote{Nüsse, Andrea, Mit der Macht kehrt auch die Vetternwirtschaft zurück (While the power comes back, the nepotism does so as well), in: Handelsblatt, (19.03.2004) at: http://www.handelsblatt.com/politik/international/mit-der-macht-kehrt-auch-die-vetternwirtschaft-zurueck;722258;0}, so it is doubtful whether this concept would work at all.
In addition the society must be ripe in a sense that it is distanced enough from the old regime to treat people who are in the government chosen by the occupying powers not as traitors.
Generally, this approach can be positive, but to have it working like in Germany, a lot of additional factors have to be present.

III.4.2. Decentralization

The decentralization of Germany was one major concern of the Western Allies. It seemed logical that the separation of Germany into smaller units would make it more improbable that it would ever again be an aggressor, since the centralization of the former state was one reason why Germany could pose such a menace.\textsuperscript{168} This plan was discussed as early as 1943.\textsuperscript{169} The Länder (Comparable to a State in the U.S.), the units in which Germany was to be separated, should be given the maximum power, since a centralized Germany appeared to all Western Allies as a threat.\textsuperscript{170}

So all powers should be vested in the Länder, except for those expressly delegated to the Central Government\textsuperscript{171}, and this is exactly how the German constitution was designed. Decentralization is generally a good approach when forming new countries. Smaller units are also easier for the occupying power to control. Furthermore if one government should go astray it does not take the whole country with it. When a central government is established once it gets somehow into the hands of a representative of the old regime, it will effect the whole country and it will be much more difficult for the occupying power to gain control again. Further on, it is easier for anti-democratic forces to take over power when they have only one government to take over. In the case of decentralized state, even if the federal government should be influenced by such anti-democratic powers, strong democratic state governments can prevent them from gaining enough power to overthrow the democratic order again.

One characterization of the Nazi government was its strong centralization of all power in the government in Berlin, so all power was vested in the government there. This centralization was even strengthened by the various organizations that included basically every aspect of life.

So decentralization seems like the best way to go when trying to rebuild a political structure.

III.4.3. Avoidance of the mistakes of Weimar

When the German constitution was drafted at Herrenchiemsee (An island in a Bavarian lake, the Chiemsee), the participants were aware of the mistakes that were made in the constitution of Weimar and they avoided them. So the new constitution provides not only for strong “Länder” (states), but also the provisions considering the federal government were changed.\textsuperscript{172}

There is no equivalent to Art. 49 of the constitution of Weimar, something like the emergency act would not be possible anymore.\textsuperscript{173}

Further on, there is no person who has such unlimited powers as the former Reichspresident. An Article that allows parties to gain a seat in the parliament only if they receive at least 5% of the votes during the election eliminates the danger that the parliament is left unable to act because of a splintering.\textsuperscript{174}

\textsuperscript{168} Hiscocks/ McInnis, Shaping Post War Germany, (1960), 45
\textsuperscript{169} Id.
\textsuperscript{170} Id., 46
\textsuperscript{171} Middleton, Drew, The struggle for Germany, (1st ed. 1949), 175
\textsuperscript{172} Grundgesetz für die Bundesrepublik Deutschland (German Constitution)
\textsuperscript{173} Id.
\textsuperscript{174} Id.
C. Reasons why the Nation building Effort in Germany was successful

I. Germany’s position in the middle of Europe

Germany is in the middle of Europe. This means foremost that it was supposedly much more easier to get access to Germany through its neighbors which were allies like France. Furthermore, the occupation of Germany was at a time when wars were won by huge troops. The Soviets for example had an average of 500,000 soldiers stationed in Eastern Germany.\(^{175}\) In Iraq, as a comparison, 144,000 soldiers are stationed right now.\(^ {176}\) The size of the Iraq is 437,072 sq km\(^ {177}\), while the size of the GDR was only 41,828 sq km. This would mean that the Soviet forces had approximately three times as many soldiers on an area only one tenth. This could easily lead to the idea that the amount of troops is a main factor in transforming a country. Having a huge force stationed is first of all quite an impressive demonstration of power. This could lead to the idea that any resistance against the occupiers is useless. Further on, it is easier to carry out measures since one has enough own soldiers to do so and is not forced to rely on maybe unreliable natives. It is also easier to detect potential insurgents. On the other hand, a huge amount of troops can also have a counter effect. The population might feel even more oppressed since it is able to perceive to occupation visually in a much higher extent. It might as well come to the conclusion that the army feeds on their supplies and they have to maintain the military forces.

Additionally, it seems as if it is impossible to sustain such a huge force nowadays. First of all, there would be a problem with transportation. The Iraq is much farer away than the European continent. And, the U.S.A. does not have allies surrounding the Iraq like France or the Netherlands in the German case, who have the same vital interest in upholding the peace in the country. The Second World War also had the support of the population of the Western Allies since Nazi Germany posed a real threat to their freedom and had actually started the most disastrous war in human history. So the population was much more willing to pay for the support of a huge army than it is for example considering the Iraq.

Furthermore, even if it is easier to uphold peace with a huge army, this has no impact on the accomplishment of the essential tasks of nation building. So it cannot be regarded as the key to successful nation building.

II. Marshall plan

One factor which led to a success could have been the installment of the Marshall plan. The Marshall plan, officially called European Recovery program, started in June 1947.\(^ {178}\) After an analysis of the European condition, the U.S. secretary of foreign affairs, Marshall came to the conclusion that the army feeds on their supplies and they have to maintain the military forces.

\(^{175}\) Satjukow, Silke, Die Besatzer,(1st ed 2008), summary
\(^{176}\) Bergmann, Christina, Stichwort: US – Truppen Im Irak (U.S. Troops in Iraq), at: http://www.dw-world.de/dw/article/0,2144,3527661,00.html
\(^{178}\) Bundeszentrale für Politische Bildung (Federal Center for Political Education); Dossier zum Marshall – Plan (Doessier on the Marchall – Plan), at: http://www.bpb.de/themen/L20BKO,0,0,Der_Marshallplan_Selling_Democracy.html
without any aid from abroad. This development would have a negative impact on the U.S. as well since it would lack markets on which to sell their overproduction. There are voices that doubt that the Marshall plan had the impact on the German economy that is claimed. Germany for example received much less than France or Britain. While France received $2.2 billions and Britain $2.7, which would be $54 per capita, West Germany only received $1.2 billion which would only be $24 per capita. In addition one must see the losses Germany suffered during the occupation. Although the Americans did not claim any reparations from Germany, they confiscated large amounts of intellectual property. Immediately after the end of the war the U.S. started a program to collect as much technological and scientific know-how as possible. The “intellectual reparations” taken by the U.S. as well as the U.K. amounted to closely $10 billion. This continued until 1947. During this time there was no research possible in Germany since every new development would have gone automatically to their competitors oversea. Meanwhile thousands of German scientists were taken to the U.S. or the U.K., even by force sometimes. On the other hand the currency reform on the 20th of June 1948 showed immediate effect. The black market, which had been the predominant way of trade to this point, vanished almost immediately. It is arguable that this lead to a new confidence of the Germans in their own economy. Generally speaking it can be concluded the psychological effect of such measures is more important than the economical.

III. The emergence of the cold war

One reason for the increasing interest of all Allies in Germany was due to the Cold War. Even during wartime, discrepancy between the Western Allies and the Soviet Union showed and soon after the capitulation of Germany they increased. A reasons why the Western Allies dismissed the Morgenthau plan and its successor JSC 1067 was the conflict between the Soviets on the one hand and the United States and the other western occupation powers on the other hand. The geopolitical importance of Germany made it a main aim for both of the antipodal powers to integrate Germany into their system as allies. This could have been of great importance since Germany was not just a country in which nation building was practiced as one of several minor foreign undertakings, but it became a main political aim. So does not seem unreasonable to assume that much more effort was put into the reconstruction of Germany than it is put in countries that are rebuild nowadays.

IV. Perception of the Allies

Another factor that could have come into play, is the perception of the allied forces by German population. When one thinks of the postwar time in Germany and of the American

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179 Kimmel Dr., Elke, Grundzüge des Marshallplans (Main features of the Marshall Plan), at: http://www.bpb.de/themen/V7WPFM,0,0,Grundz%C3%BCge_des_Marshallplans.html
180 Payne, Did the United States create democracy in Germany?, 214
183 Id.
soldiers, the first thing that pops up is the picture of children getting sweets and being petted on the head. It is not farfetched to assume that the image of the occupier in the people’s minds is a huge factor for a successful nation building. If the occupation power is perceived as having sympathies for one’s country or even as a friend, it is much more probable that the native population follows their orders. And, of course, the probability of insurgencies decreases as well.

Under the directive JCS 1067 fraternization was completely forbidden. This included shaking hands or visiting them at their homes. A quote from the Army newspaper reads like that: “Don’t fraternize. If in a German town you bow to a pretty girl or pat a blond child . . . you bow to Hitler and his reign of blood.” This instructions sound pretty hard. On the other hand there are numerous accounts of the positive first meetings with American soldiers. Like the story of families in Aachen, the biggest city the U.S. army reached first, who talk about soldiers sharing their chocolate with children and giving cigarettes to the adults. But these first meetings between Americans and Germans led to official orders, to obey strictly to the non fraternization rule. So, even in the account mentioned, after some time, the American soldiers stopped talking to the German civilians, as they were told by officials and by the army radio and newspapers. So when Americans occupied houses for example, they started to throw out the furniture and destroy it. But, naturally, after some time a conflict between the orders and actual life occurred. U.S. soldiers and the civil population started to live in an uneasy coexistence.

Even the official rules started to acknowledge this and while in the handbooks for soldiers fraternization was still forbidden, also a guide for conversational German could be found. But the sometimes harsh behavior changed and with it the perception of the Western Allies. One reason that could have led to this change is the totally different experiences of the Eastern part of Germany. Even if one considers critic about the style of occupation of the Allies, one must not forget how different the occupation policy of the Soviets was. When the Soviets came to Germany, they were full of revenge, since the German army, considering Russians as subhuman beings according to the Nazi ideology, raged through the Soviet Union. When the Soviets occupied Germany, an orgy of violence broke loose. Mass rape and random killings were usual. Even in 1947, women did not dare to go outside after dark in certain areas of the Soviet Occupation zone. Rumors about this must have reached the Western parts of Germany as well, especially since a lot of refugees from parts like Eastern Prussia continued to Western Germany in order to escape the Red

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184 Payne, Did the United States create democracy in Germany, 212
185 Id.
186 Id.
188 Ziemke, Earl F., The U.S. Army In The Occupation Of Germany1944-1946, Chapter 8, Fraternization, at: http://www.history.army.mil/books/wwii/Occ-GY/ch08.htm#b1
190 Id.
191 Id.
192 Id.
193 Schmitz, Stefan, Von Siegern und Besiegten (Of Victors and Defeated), at: http://www.stern.de/politik/historie/:Teil-3%3A-Unter-Besatzung-Von-Siegern-Besiegten/537439.html?id=537265
194 Id.
Army.
Equally important is that the behavior of the U.S. soldiers changed. First of all, a broad public in the States started to try to support Germans. Germany started to receive help through food packages and the legendary care packages from private households.\textsuperscript{195} Although they did not make any big difference economically, they had a huge impact psychologically.\textsuperscript{196} The best argument for this thesis is that they are still known and remembered in Germany. Finally changing the attitude towards the American occupiers was probably the Berlin Airlift. Since Berlin was lying inside the Soviet occupation zone, the Soviets finally attempted to bring Berlin completely under their control by cutting of any traffic to the city in 1948.\textsuperscript{197} The Western Allies responded to this policy not by surrendering Berlin but by creating the Berlin Airlift. This meant that food and other needed supplies were flown to Berlin, an airbridge was created.\textsuperscript{198} This incident is, even more than the care packages, still vivid in the minds of the people in Germany.

That the Germans in the Western parts finally perceived their occupiers as friends and not as opponents anymore becomes even more evident when looking at surveys from the 50’s. So in 1953, 80 \% of all Germans thought that Germany should seek the closest cooperation with the U.S.A.\textsuperscript{199} Asked whether they like the Americans in 1957, a majority responded that they liked them (37\%), while only 24 \% said “not particularly”.\textsuperscript{200} This can be considered a strong number, since the alternative was to say that they really do not like the American. Another strong figure is that in 1958 65\% of all Germans would give the Americans positive attributes like “modern and progressive”.\textsuperscript{201} In comparison, 80\% of the Iraqis are opposed to the American occupation.\textsuperscript{202} It is obvious that the perception of the occupiers is crucial for the success of nation building efforts. If the people trust the occupying power, they are willing to follow their orders because they believe it is good for them. Further on, having a good relationship with the population makes it easier to achieve goals like an early delegation of responsibility since the occupiers can put more trust into the people.

On the other hand, the Russians can be considered to have succeeded in their nation building effort in Eastern Germany as well, although they employed the opposite method.

This could actually lead to the conclusion that there are basically two opposite methods of successful nation building when it comes to the perception of the occupying force. The occupier must be either considered as a friend, so that working together seems natural, and the people volunteer to cooperate or total oppression like the Soviets did it. If the population is in fear of the occupier he wont dare to defy. But this theory is probably only going to work if an occupier has the same amount of troops stationed as the Russians did, so the fear of consequences is real. So the more workable solution for recent nation building efforts would be to try to get the people on one’s side. It really could be an idea to try persuade the people in another country that you really want them good by measures such as the care packages, which

\textsuperscript{195} Thal, Klaudia, U.S. – Hilfe, Aus Feinden werden Freunde (Aid from the U.S., enemies turn into friends) at: http://www.stern.de/politik/historie/:US-Hilfe-Aus-Feinden-Freunde/537794.html?eid=537265
\textsuperscript{196} Id.
\textsuperscript{197} D.M. Giangreco and Robert E. Griffin, Airbridge to Berlin, at: http://www.trumanlibrary.org/whistlestop/study_collections/berlin_airlift/large/
\textsuperscript{198} Id.

\textsuperscript{200} Id., 543
\textsuperscript{201} Id., 546
would send at least a small signal that the occupying force really tries to improve the people’s situation.

V. The complete devastation of Germany and the unconditional surrender

The famous British historian Ian Kershew holds the view that the unconditional and complete surrender of Germany was necessary for a successful nation building.203 His theory is that if Germany had had a possibility to end the war before 1944, this would have led to a new stab-in-the-back-legend. This legend came up after the World War I, when the political right came up with the legend that Germany would have won the war if left-wing politicians would not have betrayed the German soldiers with a peace treaty. This theory makes sense if one considers that the moment the occupation started, Germany and its army was completely destroyed, so there was no possibility whatsoever that Germany could still win the war. In such a situation it does not make any sense for the population to oppose the regime because it becomes senseless since there are no supplies for any insurgency left. Further on, it has a psychological effect as well. The former regime is completely destroyed, so it is obvious for the population that it has failed. So if for example one of the attacks on Hitler had succeeded, the formation of post war Germany could have been much more difficult for a lot of people might still have believed that they were betrayed and that every concession they made was not necessary.

Further on, the living standard had inclined before the occupation period due to the war, so even though the living standard actually got worse after the war, there was no abrupt worsening.

But even if a rule could be formed that a total devastation is necessary for a successful reformation of the country it is doubtful whether this could be applied to any country now. First of all, there is evidence that the majority of the German population blamed the Nazi regime for the loss of the war and the poor state Germany was in 1945.204 So the Allies had actually the chance to win the trust of the people. If the example was to be repeated in other countries this would mean that the country who plans to rebuild a nation would have to completely destroy it. But without a forgoing aggression from the other state there is no justification for that. So no one else would be to blame except for the nation building state. This can only considered being counterproductively. This means that this point can only be transferred to cases in which the state that should be the object of nation building is the aggressor in first place, so the population has the perception that their own regime actually lured them on to destruction. This was definitely the case in Germany. It is questionable though whether this is the case in Iraq. While the Iraqis were living in a dictatorship, their living standard was quite high in comparison to their neighbors, they experienced a good educational system and their medical system was excellent in their region. With the invasion of the U.S. army their living standards decreased rapidly, the medical care broke down. Also, the generation of 15 – 20 has a higher illiteracy rate than any other generation. And there is no one else to blame for the Iraqis than the Americans, since they did not have the same experience as the Germans.

As Kershaw also states205, the violence against the own people increased during the last years of the regime. The public opinion about the Nazi regime started to change about 1942, when the Wehrmacht started to suffer great losses at the Russian frontier and it became even worse.

204 Id.
205 Id.
in the last years of the war.

VI. The increasing cruelty against the own people

This leads to the next important factor. During the last years of war, the Germans had to face a regime that became crueler towards its own people with every day. When the Russians reached the Eastern parts of Prussia for example, people were forced to stay and fight, although there was no hope to succeed. Death penalties for critic became more and more frequently after Stalingrad.\textsuperscript{206} Also, the age for military duty was lowered and children of 16 years could be drafted.\textsuperscript{207} An indicator that the violence increased heavily is also that is was not unusually that the death penalty was executed against deserters as late as April 1945.\textsuperscript{208} The reason why the Germans related all their negative experiences directly to the regime is due to its nature. During the successful years of the regime, everything that was achieved was credited to the regime. As Kershaw phrased it “as if Adolf Hitler had done it himself”.\textsuperscript{209} So it is somehow logical that the Germans applied the same rule of thought when it came to their sufferings. But this experience is not transferable since it would mean to wait in a crisis long enough until the people have suffered enough. Further on it is closely related to the personality cult around Hitler. This had led to an alienation from the regime even before the Allies encountered Germany.

VII. No more Allies left

Another important factor could have been that Germany had no more Allies left at the end of the Second World War. Before the unconditional surrender, Germany’s former Allies Italy and Romania had already switched sides and Japan was involved in its own disastrous war. So any insurgency movement would have been without hope of any support from abroad whatsoever. Since Germany was completely destroyed, supplies from abroad would have been the only possibility to create a successful insurgency movement. As in Iraq for example, the insurgency movements are supported by wealthy Saudis and by Islamic groups which acquire their funds presumptively from other countries than Iraq.\textsuperscript{210} Generally, support from other sources seems to have a great impact on whether insurgency movements exist or are successful. Since failed countries do not have a lot of money left, any resistance must be sponsored from other countries. Another example would be the Polish resistance during the Second World War which was supported by the exile – government in London.\textsuperscript{211}

\textsuperscript{207} Id.
\textsuperscript{208} Steinhoff/Pechel/Showalter, Voices from the Third Reich, An oral history( 1st ed. 1989), 433
\textsuperscript{209} Kershaw, Ian, Interview, at: http://www.stern.de/politik/historie/:Ian-Kershaw-Die-Niederlage/537228.html?eid=537265
\textsuperscript{210} Iraqi Insurgency Groups, at: http://www.globalsecurity.org/military/ops/iraq_insurgency.htm
\textsuperscript{211} Paczkowski, Andrzej; Sowiński, Paweł; Stola, Dariusz, Die Polen in Kämpfen des Zweiten Weltkriegs ( Polish Involvement in the Second World War) at: http://www.ww2.pl/Die,Untergrundarmee,im,besetzten,Polen,38.html
VIII. Final confrontations with the crimes of the regime

Another main point why the nation building process in Germany was successful could have been due to the fact that the Germans started to be totally aware of the atrocities they committed during the Hitler regime only when the war ended.

One main point why the systematical killing was so efficient during the Second World War was the division of the murders into chains of activities, so that only a few people actually felt a responsibility for what they did since they could excuse themselves as only following orders.\textsuperscript{212}

In addition a large number of the civil population was not aware of all the atrocities going on or had at least the possibility to avoid knowing about. There was also a lot of propaganda going on, which sounds ridiculous now, but if a person does not want to see what is really going on, it offers possibility to be able to look away. Propaganda like that could be for example that the Jews were not in concentration camps but in protective custody, so the people who extremely disliked Jews could not harm them.\textsuperscript{213} In a report, a young girl mentions that a SS – officer who used to work with her told her that “The people in the concentration camps are receiving the best treatment and eat well.”\textsuperscript{214} It is not hard to imagine that the people really believed this lies and wanted to believe them, since the atrocities committed by the Germans during their “Third Reich” are without a comparison in the world. Since part of the denazification included confronting the Germans with their crimes, Germans were for example forced to visit concentration camps. An account of this practice tells about women going to the concentration camp with a smile on their faces, being “later captured stifling sobs or nausea by burying their faces in handkerchiefs.”\textsuperscript{215} This shows how successful a lot of Germans were in repressing suspicion or knowledge of what was going on.

It seems that the confrontation with what the regime was really all about and what crimes it has committed can be a successful mean to detach a population from the former regime. This can of course only be an option in a country which has committed serious humanitarian crimes. Further on, it can be asked whether the crimes must be as grave as the Germans in order to achieve a complete detachment. People are not generally willing to admit that they were completely wrong, so in order to get people to the point where they have no other possibility left than admitting their failures drastic measures are necessary. It is unsure whether “smaller” crimes can be enough to have the same effect. Crimes committed by the regime can be still excused to some extent by having been necessary if the population does not want to admit that it was wrong. So maybe a comparable effect cannot be achieved.

In summary, it seems to be a good idea to drastically confront people with what their regime really did, but it is doubtable whether it is going to have the same effect as in Germany.

IX. The small democratic heritage

When the Germans stood before the task to rebuild their country in a democratic way, they had some democratic heritage they could reactivate. Before 1933 Germany had a democratic system, the Weimar Republic. Although the republic failed in the end, it proves that there have been democratic currents in the German society as well. This could have made the way back to democracy easier.

If compared to the Iraq, which has never been a democracy, this could have been a great

\textsuperscript{212} Welzer, Harald, Täter Wie aus ganz normalen Menschen Massenmörder werden, (2nd ed. 2007), 112
\textsuperscript{213} Steinhoff/ Pechel/ Showalter, Voices from the third Reich, 317
\textsuperscript{214} Id.
\textsuperscript{215} Douglas, The memory of judgement, (200), 37

27
advantage. One example is the law system. The German Civil Code which had been introduced in 1900 and the German Criminal Code, which had been introduced in 1871 and which had both been democratized during the Weimar republic did remain untouched during the Nazi period, but both were misinterpreted in a way that made the crimes of the regime justifiable under these laws. This could have had an important psychological impact. The Germans did not have to abandon or neglect their complete history, but could refer to achievements that did not lie that far away in the past. The Nazi regime lasted for 12 years, so most of the people still had the time period of the republic in mind. Although it was not very popular during its existence, the fact that they could still hold on to something they created by themselves made it easier to make the transition from a dictatorship to democracy. This could lead to a main point that it is always easier for people to accept a change of their system if they can believe that the system is conform with their own will. Since the Germans had created a democracy on their own, even if it was not robust enough to withstand the Nazis, it was still a concept that was not alien. So it is important that people do not feel like they have to neglect their complete history. An idea that can be drawn from this experience for future nation building efforts is that it might be a good idea to look for past achievements that may be integrated into the new systems so the people see something of their own and familiar in it.

X. Resistance movements during the regime

One point that could have made it easier for the Germans to leave the regime behind them could have been the various resistance movements during the Third Reich period. There have been several attempts for resistance such as the White Rose, a group of students of the University of Munich who distributed flyers in which they called for people to oppose the system. The maybe most known act of resistance was the attempted assassination on Hitler on the 20th of July 1944 in which army officers tried to kill him with a bomb hidden in a suitcase. These attempts of resistance could have been important psychologically since the people could refer to them as a sign that the Germans were not completely intrigued by Hitler and his regime. This is important for it provided the population with an additional possibility to abandon their believe in the regime without being forced to abandon their believe in their own country. As mentioned earlier it can be considered crucial that the population actually has the possibility to distance themselves from the regime without being forced to abandon everything known and German.

XI. The atrocities

Though it might seem ironically, the extent of the atrocities committed by the German regime could have made it possible for the Germans to turn their back on the regime, because once they had to realize what really happened, it was nearly impossible to still believe in the ideology and the old system. In modern examples of nation building cases the atrocities never reach such an extent, so it is still possible for the population to argue that all the crimes were committed for a purpose or because of provocation. With 50 million dead216 and 6 million dead murdered in the Holocaust, it was impossible to find excuses. So it can be concluded that because the Germans were, other than other people

216 Grossekemper, Fabian, Der Zweite Weltkrieg (The Second World War), at: http://www.shoa.de/zweiter-weltkrieg.html
from states committing crimes, unable to deny that there was no justification whatsoever.

XII. Germany’s situation in comparison to the Allies

One point which can be considered as making the nation building efforts in Germany more successful than in other countries could be that Germany was no small, rather poor country that was conquered by richer countries. While most of states that are nowadays subject to nation building efforts are still developing or very small, they might have the impression to be oppressed by more powerful countries that just want to force their interests on them. Before the war Germany was as powerful as any of the other states, so there was no such theory of inferiority.

XIII. The Nuremberg Trials

The Nuremberg Trials can probably be considered as one of the most important means in getting rid of the Nazi past and making it possible for Germany to move on to a democratic system.

12.1 The history of the Nuremberg Trials

During the last days of war the belief that the major German war criminal should be put in front of court for their crimes grew stronger, especially in the United States. 217 A key figure was judge Robert H. Jackson, who was able to convince President Truman that a real trial and not only show trial as Stalin wished for should be provided. 218 Four months after the end of the war, the United States, Great Britain, France and the Soviet Union agreed on the status of an international military tribunal. One could assume that Nuremberg was used as the place for trial due to symbolic reasons, because it was a very important city for the former regime. But in fact Nuremberg was the only city in the U.S. occupation zone with a fitting court. 219 The judges sitting on trial were Sir Geoffrey Lawrence, representing the United Kingdom, Chairman of the Tribunal, his alternate Sir William Norman Birkett, Mr. Francis Biddle, representing the United States, and his alternate, Judge John J. Parker, M. le Professeur Donnedieu de Vabres, representing France, and his alternate, M. le Conseiller Falco, and Major – General I. T. Nikitchenko, representing the Soviet Union, and his alternate, Lt.-Colonel A.F. Volchov. 220 The tribunal tried 26 defendants 221, among whom probably Goering, von Rippentrop, Hess and Frank are the most known. The trial was unique in history and a “monumental undertaking judged by all legal standards”. 222 Some impressive facts are that it was conducted simultaneously in 4 different languages, German, French, English and Russian, held 403 open sessions, thirty – three witnesses

217 Safferling Dr., Christoph J.M., Nürnberger Prozesse (The Nuremberg Trials) at: http://www.kriegsverbrecherprozesse.nuernberg.de/tribunal/index.html
218 Id.
219 Id.
220 Wetzel, Robert K., The Nuremberg Trials in International Law, (1962), 1
221 Id., 2
222 Id.
appeared for the prosecution and no less than 4,000 documents of evidence were presented.\textsuperscript{223} The law at the trial was The Charter of the International Military Tribunal at Nuremberg, which laid down the procedural and substantive rules to be applied by the court.\textsuperscript{224} The Charter was part of the executive agreement of the four major Allied Powers in London on the 8\textsuperscript{th} of August about the establishment of an \textit{ad hoc} International Military Tribunal to try war criminals whose offences have no particular location.\textsuperscript{225} The trial itself was a media spectacle in which the world learned for the first time about the complete dimension of the Holocaust.\textsuperscript{226} Although the process was already under the influence of the emerging Cold War it ended on the 30\textsuperscript{th} of September and 1\textsuperscript{st} of October with judgments.\textsuperscript{227} That the trial complied with its claim to be in accordance with the rule of law is shown by the fact that it did not end with only death sentences, but that actually even some of the defendants were found not guilty.\textsuperscript{228}

\textbf{12.2 The impact of the trial}

Criticized for not respecting the criminal law principle of retro activity, the German government does not acknowledge the judgments until these days because of their violation against this principle\textsuperscript{229}. But the Nuremberg Trials were a milestone in setting up the principle that law rather than revenge can be the answer at the end of a conflict and also the beginning of reconciliation.\textsuperscript{230} The question is whether the Nuremberg Trials can be considered an important factor in the nation building of Germany and what differences there are to International Criminal Trials nowadays.

One argument is that is was an advantage that with Hitler, Himmler and Goebbels the most powerful and influential Nazis were already dead.\textsuperscript{231} So no one of them had the possibility to spread their hate speeches through the publicity of the trial.\textsuperscript{232} Especially Hitler, around whom a huge personality cult had been developed, might have torpedoed the effect of the trial, if he had had the possibility to use it as a stage to promote his sick ideology in public. Even more important could have been the fact that the Nuremberg trial had no equivalent in history\textsuperscript{233}, so it might have made a much bigger impression on the population.

\begin{itemize}
\item \textsuperscript{223} Id.
\item \textsuperscript{224} Id.
\item \textsuperscript{225} Id.
\item \textsuperscript{226}Safferling Dr., Christoph J.M., Nürnberger Prozesse (The Nuremberg Trials) at: http://www.kriegsverbrecherprozesse.nuernberg.de/tribunal/index.html
\item \textsuperscript{227} Id.
\item \textsuperscript{228} Id.
\item \textsuperscript{229}Darnstädt, Thomas, Die Neuordnung der Welt (The rearrangement of the world) at: http://wissen.spiegel.de/wissen/dokument/05/98/dokument.html?titel=Die+Neuordnung+der+Welt&id=49298950&top=SPIEGEL&suchbegriff=&quellen=&vl=0&qcrubrik=
\item \textsuperscript{230}Safferling Dr., Christoph J.M., Nürnberger Prozesse (The Nuremberg Trials) at: http://www.kriegsverbrecherprozesse.nuernberg.de/tribunal/tribunal3.html
\item \textsuperscript{231} Piper, Ernst, Die Nürnberger Prozesse.Der Tod durch Strick dauerte 15 Minuten, (The Nuremberg Trials), at: http://www.spiegel.de/panorama/zeitgeschichte/0,1518,459977,00.html
\item \textsuperscript{232} Id.
\item \textsuperscript{233}Darnstädt, Thomas, Das Weltgericht (The World Court) at: http://wissen.spiegel.de/wissen/dokument/36/54/dokument.html?titel=Das+Weltgericht&id=49214563&top=SPIEGEL&suchbegriff=&quellen=&vl=0&qcrubrik=
\end{itemize}
Further on, it was the first time, the population actually heard the complete truth. On trial Hitler’s true orders were read to the public and the lies to the people were revealed.\(^{234}\) At the beginning of the war for example, the Nazi regime staged that Polish soldiers had attacked a German checkpoint at the border and that the attack on Poland afterwards was only defense. Now the population heard for the first time the true order and that Hitler had planned the attack on Poland.

Further on, the trial used the medium of film for their evidence.\(^{235}\) This could have made a great impact on the population. Since the Nuremberg trials were such a media event, it reached a lot of the people, so the atrocities, ordered by their former governors surely repelled them even more from the former regime.

D. Insurgency Movements

In this part of the paper insurgency movements during the occupation of Germany are discussed. If there were any and what kind of impact they had. If they had no impact why this was so.

I. Operation Wehrwolf

“Operation Wehrwolf” (or Werwolf) was supposed to be a resistance group formed after the image of Russian guerilla troops. This resistance should take place in form of attacks on allied soldiers or on Germans that collaborate with the Allies.\(^{236}\) It was founded in November 1944 by Himmler.\(^{237}\)

It is argued that the Werwolf movement can be compared to insurgency movements in the Iraq nowadays.\(^{238}\) This is arguable. German historians claim that the Werwolf never posed any real threat and that the only assassination associated with this group, the murder of the first democratic mayor of Aachen in 1944, was not even a deed of this group, but of the SS.\(^{239}\)

It is even stated in an army report that no American soldier died in Germany due to insurgency.\(^{240}\)

The second theory seems more probable. If there had been a significant amount of insurgency against the Occupation forces, it would be much more known, while Werwolf is completely unknown in Germany. Further on, in the last days of war even Wehrmacht soldiers capitulated the moment they saw the American army.

\(^{234}\) Id.

\(^{235}\) Douglas, Lawrence, The Meomory of Judgement, 21


\(^{237}\) Reinle Dominik, Werwolf Kommando ermordet Aachener Oberbürgermeister (Werwolf Commando murders Mayor of Aachen), at: http://kriegsende.ard.de/pages_std_lib/0,3275,OID1188658,00.html

\(^{238}\) At: http://www.talkingproud.us/International090103.html


Insurgency movements rely heavily on support in the population since they need to hide from the enemy army and cannot acquire food rations on the official way. It is doubtful that this support was existent. As mentioned above, the Germans were devastated after the unconditional surrender, a lot of them without food or shelter. Additionally, during the last months of war the Nazi regime had drawn the opinion of most of the Germans against them. So it is improbable that a lot of people would have provided them with any help.

Werwolf was founded in 1944, when Germany was close to collapsing and there was not even enough supplies for the regular forces, so it is doubtful that Himmler could have managed to come up with enough supplies to build a guerilla force that was strong enough to have any impact.

It is doubtful anyway that such a group could have been a success considering that Germany after the end of the war was so short of men in the right age for being a soldier that they sent children and pensioners to war.\footnote{Kleinhans Bernd, Totaler Krieg, http://www.shoa.de/zweiter-weltkrieg/wirtschaft-und-gesellschaft-im-krieg/130.html}

Additionally, they lacked all the prerequisites, which made the guerilla tactics in the German occupied territories so successful. As the Times stated in an Article of the 12\textsuperscript{th} of February 1945: “Guerrilla activity carried out over the whole of Germany, under Allied occupation, will be more difficult. The European undergrounds fighting the German conquerors had three advantages: 1) support from outside; 2) hope of eventual rescue from outside; and 3) support of the local population. German partisans fighting the Allies would lack the first two altogether; the last would be doubtful.”\footnote{The Man Who Can't Surrender , Times Article from Monday, Feb. 12, 1945, at: http://www.time.com/time/magazine/article/0,9171,852130-4,00.html} This proved true considering how it turned out in the end. One main point is that the Germans were cruel occupiers, so the population was glad to help any opposition which might free them from the Germans, while, as mentioned, the Western Allies became popular in Germany after some while. The other points strengthen another argument made in the paper, that any insurgency was doomed due to no German allies left, which could have provided any support.

II. National redoubt

Another plan for resistance was the national redoubt. In an article on the 12\textsuperscript{th} of February 1945 the Times wrote that [the] top Nazis who cannot hide […] will retreat, behind a loyal rearguard cover of Volksgrenadiere and Volksstürmer, to the Alpine massif which reaches from southern Bavaria across western Austria to northern Italy. There immense stores of food and munitions are being laid down in prepared fortifications. If the retreat is a success, such an army might hold out for years.”\footnote{Id.} This scenario was never put into reality.

It is questionable though if it would have worked. Assuming that the presumption of the Time magazine is correct and that they could have endured for years technically, the question occurs what effect it would have had on the population and whether it would have led to a higher resistance in the population.

On the one hand the personal cult around Hitler was enormous. This can explain why the German army followed orders for so long even in completely hopeless situation, especially in the end of the war. The same goes for the civil population, which still complied with the orders of their government even in the end of the war.

On the other hand, the willingness of the German people to surrender in the end and to escape the regime that started to terrorize them more every day might have prevailed. It is doubtful
whether some sort of “Ossama bin Laden phenomenon” would have occurred since the Germans would still have been left isolated from any kind of support, but occupied by a strong force. Since all insurgents would have been in Germany more or less it would have been much more easier for the Allies to battle them. The Islam is a religion which is spread around the world, in opposition to being German which applies only to a few people outside the country itself. It is doubtable whether those few would have identified themselves enough with the Nazi regime in order to support an insurgency movement from abroad. In summary, the national redoubt would have had no success most probable.

III. Summary

While ideas for insurgency movements existed, none of those were actually completely carried out, so they never posed a real threat on nation building efforts.

E. Factors that could have led to a change to the worse in Germany or make it incomparable to recent nation building efforts

There are even some factors that could be considered detrimental to a successful nation – building effort, which would support the theory that Germany cannot be considered as an example for nation building one can follow one by one when facing a new nation building challenge.

I. The food problem

As mentioned, under the directive JCS 1067 Germany suffered from an incredible food shortage. The daily intake was around 1,000 calories after the war, and was raised to 1,550 calories in 1947.244 But even this amount of food still did not meet the recommended 2,000 calories for people not needing extra calories for work.245 Furthermore often people were not even provided with this amount of food due to transportation difficulties.246 At the same time, Americans were not allowed to provide the population with any kind of help, because of the non – fraternization policy.247 Furthermore, households were not allowed to give an oversupply of food to Germans, but were ordered to throw it away instead.248 This means that for the first 2 years of occupation the population was starving in the Western occupation zone, and it is not far fetched to assume that it was even worse in the Eastern zone. The food supply was even lower than compared to the Iraq. Since 2003 the average intake is around 2,000 calories, which is still under the amount required, but significantly above the German after 1945.249

II. Reparations

244 Price/ Schorske, The Problem of Germany, 8
245 Id., 4
246 Id., 9
247 Payne, Did the United States create democracy in Germany, 213
248 Id.
The fact that reparations were a great issue seems to make a comparison of Germany with states that are now subject to nation building efforts impossible. In 1945 a war ended that involved nearly every state in the world. Each of those countries, especially the countries that were attacked by Germany during their campaign through Europe, suffered incredible amounts of losses. Russia alone lost 20 million people. It was logical that the Soviet Union claimed the most reparations of all. After 1945 they took $14 billion dollar of reparations from their part of the occupation zone, an amount that would equal a high two-digit sum in Euro today.\(^{250}\) This was the highest amount of reparations in the 20th century. Even though the United States and Great Britain stepped off claiming reparations quite soon, they did not so completely. As mentioned above, they took reparations in form of intellectual property, but also through labor. But reparations were not the only obstacle on the German post-war economy. In 1946 it was agreed that the German industrial capacity was to be retained.\(^{251}\) This meant that the heavy industry was reduced to 50 to 55 per cent of the level of 1938.\(^{252}\) The actual production of steel, a key indicator, was limited to 5.8 million tons which meant under one-quarter of the prewar level, while war connected industries were completely suppressed.\(^{253}\) Although dismantling was heavily reduced after some time, the Western Allies also started to dismantle and remove factories and equipment as reparations.\(^{254}\) Because of the occurring dismantling and reparations, by 1948 the West German production had only reached 50 per cent of the production output of 1936 despite the currency reform.\(^{255}\) The dismantling upset the German population and led even to protests.\(^{256}\) Although the Western Allies stepped off from their reparations soon, it is reasonable to assume that they had a negative impact on the German economy as well as on the moral of the population. This point wins even on persuasiveness if one considers the Eastern German zone. Although the Soviets installed an opposing power system in their occupation zone, it is unquestionable that they had also success in their nation building effort since Eastern Germany emerged as a quite successful socialist country. It was the most developed country of the socialist Council for Mutual Economic Assistance and this despite enormous reparations.\(^{257}\)

F. Conclusion

It is surely true that the fact that the people in Germany are lucky to live in a prospering democracy is also due to the efforts the Western Allies took in order to reshape and rebuild the country and to give it a second chance in history.

\(^{250}\) Wolf-Doettinchem, Lorenz, Mythos Stunde Null (Myth of „hour zero“) (16.03.2005) at: http://www.stern.de/politik/historie/:Mythos-Stunde-Null-Nicht/537795.html?eid=537265
\(^{251}\) Hiscocks/ McInnis, Shaping of Postwar Germany, 29
\(^{252}\) Id.
\(^{253}\) Id.
\(^{254}\) Hiscocks/ McInnis, The Shaping of Postwar Germany, 29
\(^{255}\) Hubatsch, The German Question, 131
\(^{256}\) Wolf-Doettinchem, Lorenz, Mythos Stunde Null (Myth of „hour zero“) (16.03.2005) at: http://www.stern.de/politik/historie/:Mythos-Stunde-Null-Nicht/537795.html?eid=537265
\(^{257}\) http://de.wikipedia.org/wiki/Deutsche_Demokratische_Republik#cite_note-stjbddr89-8
But considering all factors, it seems as if in Germany a lot of other conditions played an important factor that are non repeatable like the unconditional surrender and the very nature of the regime that was before.

So it is probably not the right receipt for new nation building efforts to just copy the German way.

Still there are some concepts, which should be considered when faced with a new nation building challenge:

1) It seems as if the psychological effect is often the most important one, like the Marshall plan. Whatever measure is taken in order to rebuild and stabilize the country, the occupying powers should always consider the effect it will have in people’s minds.

2) Further on, it is important that the affected nation has the impression that they do not give up their complete heritage and culture by adapting to the new way proposed by the occupying power. It should always be a main aim to try to preserve some of the traditions or achievements of the country and integrate them into the reconstruction of the nation.

3) Maybe even more important seems to be the perception of the occupying power by the people. Although it seems like the same results can be achieved just by force as the Soviets did, this is no alternative. So the occupying power should spend a lot of thought on how they can change their image in the minds of people. In Germany a more positive image was achieved by simple measures such as care packages.

Although sticking to these points will not be a guarantee to a success in nation building, they can make the task easier.

And maybe the greatest significance of the German example is that even a nation that was led so much astray by unscrupulous fanatics like Germany can recover and be a part of the democratic and free nations of the world.