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THE GENEVA CONVENTION
ON UPPER SILESIA
AND
GERMANY'S DIPLOMACY
FOR THE RIGHTS OF GERMAN MINORITIES
IN EASTERN EUROPE
1918 - 1922

by

PETER H. REMPEL

A Thesis
Submitted to the Faculty of Graduate Studies
in Partial Fulfillment of the Requirements
for the Degree of

MASTER OF ARTS

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ABSTRACT

The Geneva Convention on Upper Silesia concluded between Germany and Poland in May 1922 stands out as a uniquely comprehensive and reciprocal agreement on the protection of national minority rights in the period after World War I. This thesis reconstructs and analyzes Germany's diplomacy and domestic debate on the rights of German minorities in Eastern Europe in relation to the Allied Powers as well as to individual states in Eastern Europe, especially Poland, in the years 1918 until 1922. Thereby the circumstances and trends which prevailed at the time of Germany's negotiation of the Geneva Convention are brought into focus.

The constructive approach of Germany's diplomats which culminated in the conclusion of the Geneva Convention was made possible by the timely confluence of three trends in Germany's foreign policy: the acceptance of reciprocity in minority rights, the cooperation with the League of Nations and the commitment to concluding bilateral treaties to handle international conflicts. At the same time, foreign policy goals which had previously thwarted bilateral agreements by the Weimar Republic on minority protection,

namely stabilizing the political situation, resisting territorial cessions, establishing normal bilateral relations and (re-)gaining access to markets in Eastern Europe, were barely affected by the attainment of reciprocal minority rights in Upper Silesia and therefore did not detract from this pursuit. Furthermore, the framework for the negotiations on the partition of Upper Silesia, as set down by the Allied Powers, permitted Germany's diplomats to use tactics consistent with previous efforts at securing protection for the German minority in Poland: pressing for a bilateral treaty, linking commercial concessions to minority protection, and conducting direct negotiations with Poland.

Chapter 1

INTRODUCTION

May 30, 1922, was a day of sorrow in Germany's Reichstag. The flags on the parliament building were flying at half-mast. Inside, the banner of Silesia, hanging down from the balcony, was decorated with black ribbons. When the session began at 11:00 in the morning the entire cabinet sat in solemn solidarity at one table. The occasion was the reading of the treaty between Germany and Poland on the partition of Upper Silesia. This treaty had been concluded in Geneva two weeks earlier and was to be ratified by the deputies in the German parliament.¹

The Geneva Convention on Upper Silesia set down the terms under which Germany would transfer the eastern part of this province to Poland while retaining the western portion of this region of natural resources, concentrated industry, and mixed population. This was the last cession of Germany's territory resulting from the Treaty of Versailles, the peace settlement dictated to it after its defeat in the First World War. As stipulated in the treaty, a plebiscite of the population of Upper Silesia had been held in March

¹Vorwärts, May 30, 1922, p. 1.

1921. This vote had not indicated an obvious border between Polish and German areas and the task of deciding on its partition was assigned to a committee of the League of Nations. In October 1921 the Council of Ambassadors of the Allied Powers which had defeated Germany imposed the division of Upper Silesia along the border drawn by the League committee, a border which severed its long-standing economic, cultural and political unity. Germany and Poland were instructed to negotiate a treaty for the division of Upper Silesia which would sustain its economic development and social peace despite the shock of partition. The directive of the Council of Ambassadors also specifically required the inclusion of the protection of national minorities in the treaty.

Under the supervision of a Swiss diplomat appointed by the League of Nations, German and Polish officials had indeed negotiated an extensive treaty covering economic, political and cultural issues. A substantial component of the convention was a comprehensive set of provisions for the protection of the rights of national minorities in the region to be divided - the German population in the Polish domain and the Polish population in the German domain. This treaty had been signed in Geneva on May 15 and was now being ratified by the German parliament.

The report of the Reichstag proceedings of that day in Vorwärts, the paper of the Social Democratic Party, bore the

title "Upper Silesia's Tragedy."² Dr. Otto Hoetzsch, reporting to his fellow deputies on behalf of the Foreign Affairs Committee, described the two-fold tragic nature of this treaty. First, it gave final form to the loss of an important piece of the fatherland and, second, German effort, resources, and intelligence had been expended to negotiate the terms whereby a region being torn from Germany would flourish to the advantage of the Polish state and perhaps eventually to the disadvantage of Germany.³

Despite the trauma of acceding to this rupture of German land, people, and history, Hoetzsch expressed pride in the achievements of Germany's negotiators. The inclusion of the provisions for the protection of minorities, he said, was evidence of the success of Germany's representatives on two fronts.

On the international plane, German diplomats had, with great effort, successfully brought into a legal form definitive provisions for the protection of minority rights in areas such as church, school, language, and associations. These surpassed the general and vague commitments to the protection of national minorities which the Entente had imposed on Poland and other new European states through

²Vorwärts, May 30, 1922, p. 1. The thesis writer has translated all texts from German primary sources, except those quoted from English publications.

³Verhandlungen des Reichstags. Stenographische Berichte und Anlagen [1920-1924], Volumes 344-362 (Berlin: 1921-1924), p. 7688.

treaties drafted during the peace conference in Paris in 1919. Hoetzsch proclaimed that "an entire codex of minority protection law has been established" for which there was widespread hope that it would become the model for minority protection law in general.⁴

Second, in the face of domestic apprehensions about "inconveniences" resulting from the reciprocal application of these provisions for non-German minorities in Germany, the delegation had taken the position that the primary goal had to be the protection of German minorities in other countries. With the Geneva Convention the obligations for protecting minority rights which had hitherto applied to Poland, but not to Germany, would now apply to that portion of Upper Silesia which would remain part of Germany. Hoetzsch attributed the success in securing comprehensive rights for the German minority in Upper Silesia to the priority given to the principle of reciprocity. Unstated by Hoetzsch, but surely implied by him, was that this position had been upheld over powerful objections from within Germany.

As suggested by Hoetzsch's declaration in the Reichstag, the negotiation of the Geneva Convention on Upper Silesia was the pinnacle of Germany's diplomacy, on the international as well as on the domestic scene, for the rights of German minorities in eastern Europe since the end

⁴Verhandlungen, p. 7689.

of the First World War in 1918.

The purpose of this thesis is to reconstruct and analyze Germany's diplomacy for the rights of German minorities in Eastern Europe and thereby provide the background to Germany's negotiation of the Geneva Convention.

The minorities issue in Upper Silesia as faced by Germany was the subject of numerous studies in the inter-war period.⁵ The definitive publication was by Georges Kaeckenbeeck, a Belgian diplomat who was involved in the negotiations.⁶ Only a few accounts of the Convention have been written after World War II. In his 1959 dissertation, Vincent Kroll describes the outcome and implementation of the convention, including its section on minority rights.⁷ Walther Recke's compact monograph published in 1969 presents the general background to the Convention.⁸ None of these studies place the negotiation of the Convention into the context of Weimar Germany's diplomacy on the protection of German minorities in Eastern Europe, the intention of this

⁵See bibliography in Vincent Kroll, "Die Genfer Konvention Betreffend Oberschlesien vom 15. Mai 1922" (D. diss., Universität Köln, 1959), pp. 184-206.

⁶Georges Kaeckenbeeck, The International Experiment of Upper Silesia: A Study in the working of the Upper Silesian Settlement 1922-1937 (London: Oxford University Press, 1942).

⁷Kroll, "Genfer Konvention," pp. 70-78.

⁸Walther Recke, Die historisch-politischen Grundlagen der Genfer Konvention vom 15. Mai 1922 (Marburg /Lahn: Johann Gottfried Herder Institut / Ernst Bahr, 1969).

thesis.

Germany's defeat in the war had drastically transformed the situation of the German ethnic inhabitants of eastern Europe as well as Germany's relationship to them. Germans formed the largest and most dispersed set of national minorities in Europe after the war. In Russia, German subjects of the Tsars had become citizens of a revolutionary communist state. Estonia and Latvia, each with significant German populations, had become independent states along with Lithuania, the third Baltic province of the Russian empire. Under the terms of the Treaty of Versailles, Poland was re-established and received substantial territories and population from Germany. With the fracturing of Austria-Hungary, the new state of Czechoslovakia incorporated millions of Germans in Bohemia and other regions. The people of German origin in Transylvania were attached, albeit with their consent, to Romania. Even the greatly diminished domain of Hungary contained a German minority.

As all of these states to the east were either new, such as Estonia, Latvia, Poland, and Czechoslovakia, or under a fundamentally different regime, such as Russia and Hungary, Germany had to build up its ties to them from virtually nothing. Though there was continuity of government in Romania, this relationship had been profoundly disrupted by the enmity with Germany in the war. Thus any intervention for the German minority in these states had to

be considered and undertaken even as new bilateral relationships were being formed.

Germany itself had undergone a political transformation at the end of the war. In October 1918, the last month of the war, a government accountable to the parliament and consisting of Centre and Socialist politicians had been formed. Almost simultaneously with the armistice in early November, the emperor vacated the throne and Germany was declared to be a republic. Beginning in February 1919 its constitution was prepared by a newly elected parliament gathered in Weimar, the cultural center which would give the new republic its name.

Though the turnover in the personnel of the Foreign Ministry was minimal in comparison to the drastic shifts affecting Germany as a whole, its diplomats, officials and head were now responsible to a new constellation of political authority. Germany's leadership was challenged to adopt the principles of peaceful resolution of conflicts, open diplomacy, and national self-determination espoused by the international community. The policies and actions on the volatile issue of the treatment of national minorities had to be formulated in Germany under these new conditions.

Upon its defeat by the Allied Powers, Germany lost the capacity to shape the situation of Germans abroad. Though its diplomatic advocacy on behalf of German minorities had been minimal before and during the war and the military

plans to relocate German populations for strategic reasons were never implemented, the loss of the ability to intervene represented a qualitative shift in the underpinnings of Germany's policy on German minorities.

The constraints on Germany's diplomatic activity became evident at the Paris Peace Conference where the treaties intended to restore international peace and order were prepared. Germany's presence at the conference was limited to receiving the completed draft of the terms of its peace with the Allied and Associated Powers. Articles 89 and 93 of the Treaty of Versailles promised treaties with Czechoslovakia and Poland, respectively, on the protection of national minorities. These "minority treaties" were drafted without Germany's participation and made no provision for the expression of Germany's interest in the protection of German minorities. Instead their stipulations were declared to be matters of international concern and placed under the guarantee of the League of Nations. Thus, by the decision of its victorious adversaries, Germany was excluded from the two international fora in which the protection of national minorities was addressed, namely the Peace Conference in Paris and the League of Nations in Geneva. Only in 1926 was Germany accepted into the League of Nations and thereby it finally attained the status to intercede for German minorities in the international organization which had been mandated to guarantee the

observance of the "minority treaties."

Weimar Germany's diplomacy on minority protection has been studied by Carole Fink,⁹ Helmut Pieper,¹⁰ and Bastiaan Schot.¹¹ These monographs have focused on Germany's actions in the context of the League of Nations, that is, on its efforts to gain admission to the League and then its advocacy for German minorities as a member of the League until 1933. The centre of attention has been Germany's Foreign Minister during these years, Gustav Stresemann, who exerted himself to enhance his country's minorities policy.

Germany's diplomacy for the rights of German minorities in eastern Europe prior to its entry into the League has received scant attention. Only Pieper has recounted some immediate post-war developments. He provides an illuminating review of the Foreign Ministry's formulation of a position on minority rights but leaves aside the actual diplomatic actions.

Pieper asserts that Weimar Germany's initial stance

⁹Carole Fink, "The Weimar Republic as the Defender of Minorities, 1919-1933: A Study of Germany's Minorities Diplomacy and the League of Nations" (Ph.D. diss. Yale University, 1968).

¹⁰Helmut Pieper, Die Minderheitenfrage und das Deutsche Reich 1919-1934, Darstellungen zur Auswärtigen Politik (Hamburg: Institut für Internationale Angelegenheiten der Universität Hamburg / Frankfurt: Alfred Metzner Verlag, 1974).

¹¹Bastiaan Schot, Nation oder Staat: Deutschland und der Minderheitenschutz. Zur Völkerbundspolitik der Stresemann-Ära (Marburg/Lahn: Herder Institut, 1988).

toward Germans abroad was foremost one of charity. The declarations for the protection of German minorities were not deemed to be political pronouncements because they treated the minorities as objects of Germany's care rather than as independent political entities. There were some signs of a new perception of minorities as autonomous groups, for instance, the offer by Germany's delegation to the peace conference of cultural autonomy for minorities in Germany coupled with the request for equivalent rights for German minorities. However, this position vanished soon after the peace settlement and Germany's domestic as well as foreign policies on nationality reverted to traditional lines.¹²

Pieper attributes Germany's refusal to utilize the international provisions for minority rights to their linkage to the Versailles treaty. A policy based on the minority protection treaties could have been regarded as a manifestation of Germany's acceptance of the territorial regulation imposed at Versailles.¹³ A pro-active and constructive approach only emerged after 1924 once German minorities persuaded the government that securing legal rights for their existence was dependent on Germany granting such rights to minorities within its borders.¹⁴

¹²Pieper, pp. 55-57.

¹³Pieper, p. 69.

¹⁴Pieper, pp. 85-89.

The focus of this thesis is on the diplomatic actions as distinct from the military, financial or material measures which were considered or provided in aid of the Auslandsdeutsche in eastern Europe.¹⁵ These diplomatic efforts were preceded by relative passivity on this issue by Imperial Germany after its unification in 1871 and until its demise in November 1918. In reaching a peace settlement according to the terms set by the Allied Powers, the protection of the German minorities was a painful though secondary issue in Germany's peace negotiations. The debates of Germany's political leaders on its responsibility for Germans abroad, especially the new German minorities in eastern Europe, formed the immediate backdrop for the actions of Germany's diplomats. Germany's interventions for Germans in other eastern European states, especially in Czechoslovakia, provide revealing contrasts to its diplomacy in relation to Poland. Pertinent developments in each of these settings will be recounted and analyzed in order to gain insight into an aspect of Weimar Germany's foreign policy which was symptomatic of its post-war trauma.

The analysis of this aspect of Germany's diplomacy during the first years of the Weimar Republic will also permit some inferences about the continuity of goals and

¹⁵In this thesis the term Auslandsdeutsche is translated as "Germans abroad" and refers to Germans who were settled outside Germany and who became citizens of their country of residence.

methods in Germany's foreign policy since 1871. Since the debate on continuity was engendered by Fritz Fischer's Griff nach der Weltmacht in 1961, several studies have scrutinized the foreign policy of Weimar Germany during the immediate post-war period, i.e. 1918-1920, for signs of continuity or discontinuity with the imperial era.

Klaus Schwabe reviews the interaction between Germany and the United States of America from President Wilson's declaration in January 1918 of the Fourteen Points which were to be the basis for the peace settlement.¹⁶ He documents that, even before the end of the war, several Socialist politicians along with certain businessmen and academics accepted the American president's principles out of ideological solidarity and not only for tactical considerations.¹⁷ As these persons gained more influence in the determination of Berlin's foreign policy, their approach coincided with that of diplomats rooted in the imperial tradition but also increasingly convinced that acceptance of the Fourteen Points was in their country's best interest.¹⁸ Thus Schwabe acknowledges the presence of tactical

¹⁶Klaus Schwabe, Deutsche Revolution und Wilson Frieden. Die amerikanische und deutsche Friedenstrategie zwischen Ideologie und Machtpolitik 1918/19 (Düsseldorf, 1971). The page references here are to the English translation, Woodrow Wilson, Revolutionary Germany and Peacemaking: Missionary Diplomacy and the Realities of Power (Chapel Hill: University of North Carolina Press, 1985).

¹⁷Schwabe, p. 34.

¹⁸Schwabe, pp. 38, 47.

considerations but concludes that the defeated nation "never deviated from its programmatic orientation to a Wilsonian peace."¹⁹ In other words, Germany did pursue new goals with new means at the beginning of the Weimar republic.

The manifestations of a re-direction are traced more specifically by Leo Hapts in his account of Germany's peace strategy.²⁰ Hapts challenges the assumption of continuity of imperialistic goals in Germany's history. Such a perspective obscures the signs of a new German foreign policy adopted upon the collapse of the empire.²¹ Hapts emphasizes the advocacy by Germany's commercial leaders for their state's cooperation in the re-structuring of the international order so that peace and stability would replace conflicts and barriers between nations. As the credibility and authority of the political and military leaders waned, the voices of commerce joined with those of socialist, pacifist, and liberal groups to effect a shift toward reconciliatory foreign relations. This re-orientation, however, could not withstand the animosity of Germany's victors and the anger unleashed in the German population by the peace terms of Versailles.²²

¹⁹Schwabe, p. 404.

²⁰Leo Hapts, Deutsche Friedenspolitik 1918-19: Eine Alternative zur Machtpolitik des ersten Weltkrieges (Düsseldorf: Droste Verlag, 1976).

²¹Hapts, p. 11.

²²Hapts, p. 416.

Peter Krüger's survey of Weimar Germany's foreign policy proposes that there were definite indications of an early shift toward new goals and methods within Germany's leadership.²³ He cites the peace resolution passed in the Reichstag in July 1917 as the first sign of a readiness for the peaceful mediation of international conflicts and for open diplomatic and commercial relations.²⁴ This new approach was admittedly resisted by entrenched advocates of Germany's might and right to regain dominance and prestige in the international system. Nevertheless, it was present in government circles and could have prevailed, if it had not been confounded by the severity of the peace treaty and by a flawed implementation.²⁵

Peter Grupp focuses on the goals and methods of the Foreign Ministry in the period from the armistice in November 1918 until the implementation of the Versailles Treaty in January 1920.²⁶ After describing the external and internal factors which favoured continuity with the imperial era, Grupp reviews the Foreign Ministry's adoption of the

²³Peter Krüger, Die Aussenpolitik der Republik von Weimar (Darmstadt: Wissenschaftliche Buchhandlung, 1985).

²⁴Krüger, Aussenpolitik, pp. 18-23.

²⁵Krüger, Aussenpolitik, p. 76.

²⁶Peter Grupp, Deutsche Aussenpolitik im Schatten von Versailles 1918-1920: Zur Politik des Auswärtigen Amts vom Ende des Ersten Weltkriegs und der November Revolution bis zum Inkrafttreten des Versailler Vertrags (Paderborn: Verlag Ferdinand Schöningh, 1988).

Fourteen Points as well as its activity in a number of secondary arenas. Grupp concludes that there was wide-scale and obvious continuity in the secondary issues. Power politics was pursued just as it had been before Germany's defeat and revolution. The previous goals and methods were only abandoned after the international situation made them untenable. For Grupp, the continuity in the smaller matters suggests that there was also continuity in the overarching concern, namely the stance on the peace settlement. The acceptance of the American terms was merely a tactic which concealed the ongoing fixation on Germany's power.²⁷

Another more recent review of post-war foreign policy up to the Rapallo Treaty with Russia in 1922, takes a diametrically opposed position.²⁸ Heinrich Klümpen states at the outset of his monograph that the acceptance of the Fourteen Points was a deviation from the policy of a victorious peace ("Siegfrieden") which the Supreme Military Command had propagated and therefore marked a clear discontinuity. At the same time it was a means of softening the consequences of the war and of applying the principles of the peace resolution of 1917.²⁹ Klümpen defines

²⁷Grupp, pp. 288-289.

²⁸Heinrich Klümpen, Deutsche Aussenpolitik zwischen Versailles und Rapallo: Revisionismus oder Neuorientierung, Studien zur Weimarer Geschichte, Band 1 (Münster / Hamburg: LIT, 1992).

²⁹Klümpen, pp. 30-31.

"revisionism" as the recovery of German sovereignty and equal standing among the major European powers on the basis of pre-war conditions. This goal was already marked by self-restraint because it excluded the quest for world power and annexationist plans of conquest. After recounting the rebuffs to Germany's new peace policy and to its initiatives in other areas, Klümpen concludes that revisionism and new orientation were not opposites in the immediate post-war era. According to Klümpen, the actual new element in the Reich's foreign policy, in addition to the abnegation of imperial aims, consisted of the unconstrained commitment to free trade and the readiness to resolve conflicts between states through legally binding treaties.³⁰

The protection of the rights of German minorities was one issue wherein post-war German diplomacy struggled between an orientation to new principles for international relations and a continuation of hegemonical ambitions with power tactics. In the quest for lasting peace among nations, new commitments and structures were made to guarantee the rights of national minorities. These called for a re-orientation in the style and goals of German diplomacy. At the same time, the removal of a substantial portion of Germany's population struck a deep blow to Germany and roused its instincts for power politics.

³⁰Klümpen, pp. 132-133.

Chapter 2

THE NEW GERMAN REICH AND GERMANS ABROAD 1871-1914:

NON-INTERVENTION FOR THE SAKE OF TRANQUILITY

At the time of the founding of the German empire there were German populations in Austria-Hungary, subject to the Habsburg monarchy, and in Russia, subject to the Romanov dynasty. Germans formed the bulk of the Alpine portion of the Habsburg empire while in Bohemia, Moravia, Galicia and Bukovina they were mixed with various Slavic peoples such as Czechs, Slovaks, Ruthenes, Poles and Romanians. In Hungary there were large German settlements in Transylvania and the Banat region, and several other smaller communities. The Dual Monarchy could be expected to act in the interest of preserving the national and cultural identity of the German population, including those living in enclaves isolated from the main group in Austria. Thus the call for Germany to intervene on behalf of Germans in Austria-Hungary was obviated by the fact that they formed the majority in some regions and had a firm share in the governance of the Habsburg Monarchy.

In the vast Russian empire, communities of German origin were present in the Baltic provinces, in the Polish

annexation, in cities such as Moscow and St. Petersburg, and in agricultural settlements in Ukraine, Bessarabia, Volhynia and along the Volga River. The russification program of the Romanov czars suppressed the rights of these communities to continue practices and institutions for maintaining their German culture. Hence it could be expected that there would be a greater concern in Germany for the Germans in the Russian empire than for those in Austria-Hungary.

RESOLUTE NON-INTERVENTION UNDER BISMARCK

The unification of the German states, which culminated in the proclamation of the German Empire on January 18, 1871, in the palace of Versailles, not only provided the framework for the cohesion of the fifty million Germans living in these states but also transformed the relationship between German subjects of other states and Germany. The establishment of Germany under the banner of the unification of the German nation, introduced a potential advocate for German minorities in the European arena.

In the year before Germany's unification, Otto von Bismarck, the Minister President of Prussia, gave an indication of the stance which the unified Germany would take on the protection of German minorities abroad. In a letter dated April 5, 1870, to the German ambassador in St. Petersburg about the Germans in the Baltic provinces of the Russian empire, the future first Chancellor of Germany

advised:

It is of course natural that we follow with interest the efforts of the German population to protect their nationality, especially their language. However we must never forget that we have no better way of demonstrating our sympathy than by not showing it to them.¹

To explain his paradoxical statement, Bismarck added, "It would be a disservice toward them to raise hopes for support through indications of interest which could only consist of words and which would always have to remain illusory."²

Bismarck was probably correct in perceiving that words of support would have little tangible effect toward improving the situation of Germans in Russia. Indeed such expressions might have prompted an intensification of the Czarist russification efforts.

However, the expectation of a negligible benefit or even a contrary effect was not the sole reason for Bismarck's restraint in showing support for the Germans in Russia. Bismarck's primary aim was to avoid reactions by other states which might thwart his campaign for unifying the German states. There were suspicions in Russia and other European states that Germany's unification goals included the Baltic provinces. In 1871, the year of Germany's confederation, the foreign minister of France, Jules Favre,

¹Quoted in Hans Rothfels, Bismarck, der Osten und das Reich. 2d edition. (Stuttgart: W. Kohlhammer Verlag, 1962), p. 38.

²Rothfels, pp. 38-39.

instructed his ambassador to convey to the Russian government his prediction that the "principle of German unity invoked by Prussia to justify her territorial aggrandizement must inevitably lead to the attempt to acquire all peoples of German origin on the Danube and likewise the German provinces of Russia."³ In this climate, manifestations of Germany's support for the Baltic Germans might easily evoke interference in Germany's unification which was Bismarck's more immediate aim.⁴

The minimization of tensions with its neighbouring states was paramount in the foreign policy of Germany's first chancellor. This precluded any overt expression of support or protest on behalf of Germans abroad.⁵ Indeed, Bismarck had supported political initiatives in neighbouring empires which increased the pressures on German minorities while undergirding his primary aim. In 1867, he had fostered the establishment of Hungary as a state alongside Austria under Habsburg rule. This re-structuring of Austria-Hungary contributed to the polarization of the Dual

³Otto Pflanze, Bismarck and the Development of Germany vol. 2, The Period of Consolidation, 1871-1880 (Princeton: Princeton University Press, 1990), p. 249.

⁴Rothfels, p. 43. According to Rothfels, Bismarck regarded the Germans in the Baltics as an element which weakened the Russian empire. He believed that leaving them without external support would strengthen their own inner resources for the long-term conflict between the Slavic and Germanic peoples.

⁵Pflanze, p. 249.

Monarchy and thereby weakened Prussia's rival. It also abandoned the Germans in Hungary to become a minority subject to the magyarization promoted by the Hungarian government.⁶

Bismarck's approach is well summarized as follows:

The Iron Chancellor . . . created a new European order on his own terms and was determined to preserve it by all means short of war. To dabble in the affairs of German minorities, subjects of other sovereigns, to invite trouble, especially in the eastern half of Europe, and so to jeopardize his hard-earned Pax Germanica did not and could not fit into his scheme.⁷

INCREASING NATIONALIST IDENTIFICATION WITH GERMANS ABROAD

Bismarck was dismissed from the chancellorship in 1890 by William II, Germany's emperor since 1888. William II was open to the influence of the nationalist movement⁸ and introduced a new tone in his public comments on Germans abroad. He accepted the self-description of the Baltic Germans as "the German watch on the Slav frontier" and he regarded the policy of russification as "an attack on the furthest outposts of the German people in the ancient

⁶Detlev J. K. Peukert, The Weimar Republic: The Crisis of Classical Modernity, trans. Richard Deveson (New York: Hill and Wang, 1991), p. 97.

⁷Peukert, p. 96.

⁸See Otto Dann, Nation und Nationalismus in Deutschland (München: C. H. Beck, 1993), especially chapter 6, "Das deutsche Kaiserreich" (pp. 157-207), for a helpful survey of this development.

struggle between the Slavic and German people."⁹ In 1905 he hinted at the measures he would be ready to take in order to protect the Baltic Germans if there would be chaos in Russia: "I shall come to their aid, and they must then become part of the German empire."¹⁰

Despite the increasing sentiment on the part of the German citizenry as well as its head of state for active measures in defense of threatened German minorities, the government continued to abstain from intervening in the affairs of foreign states.¹¹ Germany's political leaders and government officials maintained their focus on the consolidation and expansion of the power of the German state rather than the propagation of a German culture which transcended state borders.¹²

The position of Prince Ludwig of Bavaria was typical of the stance of the German governments. Though he

⁹Fritz Fischer, War of Illusions: German Policies from 1911 to 1914 (New York: W. W. Norton, 1975), p. 37.

¹⁰Fischer, Illusions, p. 41.

¹¹Ingeborg Fleischhauer, Das Dritte Reich und die Deutschen in der Sowjetunion, Schriftenreihe der Vierteljahrshefte für Zeitgeschichte 46 (Stuttgart: Deutsche Verlags-Anstalt, 1983), pp. 14-23. Fleischhauer recounts the ambitions of the pan-German movement to expand Germany to include Russian territory so as to secure the land base needed by the German people.

¹²Erwin Barta and Karl Bell, Geschichte der Schutzarbeit am deutschen Volkstum (Dresden: Verein für das Deutschtum im Ausland, 1930), pp. 170-171. This survey, published in 1930 by the major association for Germans abroad, was very critical of the inactivity of the pre-war German government.

acknowledged the worthiness of supporting Germans abroad through private organizations, he rejected diplomatic intervention by the Reich or by its member states. In a statement made in 1899 he declared his expectation that Germans of foreign countries ought "to regard themselves as good citizens of their states and to remain such even as they defended their nationality."¹³ In 1901 Chancellor Bernhard von Bülow announced in parliament that:

We must and we will intervene for the citizens of our state ["Reichsangehörige"] when and where something unjust happens to them. . . . But we cannot intervene for our fellow nationals ["Volksgenossen"] who are separated from us by international law.¹⁴

The common ground for both of these positions was the formal deference to international law and state sovereignty. This legalistic stance implied a shift away from Bismarck's politically pragmatic refusal to intervene for German minorities so as not to arouse the animosity of other states. The resort to a legal rationale was a constraint on the increasing pressure to support Germans abroad.

Though there were some signs that after 1905 the government was beginning to give more attention to German minorities, it continued to neglect the cultural institutions of Germans in foreign countries and those Germans who were not German citizens. German culture was

¹³Barta and Bell, Schutzarbeit, p. 180.

¹⁴Barta and Bell, Schutzarbeit, p. 181.

propagated only where the exertion of Germany's power permitted amicable agreements for this.¹⁵

The new citizenship law passed in 1913 did include a significant provision for Germans abroad. Hitherto German citizens residing in a foreign country lost their citizenship after ten years abroad. The new legislation allowed such Germans to retain their German citizenship indefinitely, provided that they fulfilled their obligations for military service and that they did not take out another citizenship. They could even pass their German citizenship on to their children. In this way German citizenship was detached from residence and the German citizenry was defined more consistently as a community of descent.¹⁶ This change had been promoted by the pan-German movement since the mid-1890s and represented an effort to preserve and strengthen Germanism abroad.¹⁷ The new law together with an expansion in the number and location of consulates in foreign countries provided the German state with the means to protect Germans more effectively.¹⁸

CONCLUSION

¹⁵Barta and Bell, Schutzarbeit, p. 185.

¹⁶Rogers Brubaker, Citizenship and Nationhood in France and Germany (Cambridge: Harvard University Press, 1992), pp. 114-115.

¹⁷Brubaker, p. 118.

¹⁸Brubaker, p. 117.

Though the general interest in the conditions of German communities in other European empires increased from the formation of the German empire in 1871 until the outbreak of the First World War in 1914, Germany's policy toward Germans abroad remained "vague, inconsistent and by no means positive, let alone aggressive."¹⁹ The Germans in eastern Europe received little practical support for their cultural endeavours and even less diplomatic support to protect their national identity.

¹⁹Peukert, pp. 97, 102.

CHAPTER 3

GERMANY AND GERMANS ABROAD DURING THE FIRST WORLD WAR: THE DIVERSIFICATION OF RELATIONSHIPS

The First World War brought about the diversification in Germany's relationships to Germans in eastern Europe. The uniform stance of non-intervention in the affairs of Germans abroad which had prevailed in the first forty years of the Reich ended with the war. The events of the war affected Germans in different parts of eastern Europe in drastic and different ways. In many instances actions by Germany itself altered, indeed worsened, the situation of these expatriates. Already during the war, and certainly thereafter, the diverse effects prompted various diplomatic measures by Germany in relation to these foreign German groups.

The distribution of Germans in eastern Europe at the outset of the First World War in 1914 was much the same as it had been at the time of the unification of Germany in 1871. The Russian and Habsburg empires were territorially unchanged and still contained basically the same German communities. The most significant shifts were the sizable migrations of Germans eastward to Siberia and westward to

North America.

GENERAL IMPACT OF WAR ON GERMAN MINORITIES

The primary impact of the war on the relationship of the Germans in eastern Europe to Germany was to place the Germans in Russia and in Austria-Hungary into two diametrically opposed camps. Germans under the Habsburg monarch formed the core of Germany's closest ally while Germans under the Russian czar were now subjects of Germany's first declared enemy. Hence they were treated quite differently by their respective governments. In Russia subjects of German background were regarded with suspicion and fear because of their perceived linkage to Germany. In Austria-Hungary they were expected to be the most loyal combatants for the Central Powers led by Germany.

The second dynamic of war which furthered the abandonment of uniform non-intervention was the German government's employment of various strategies in different situations and developments in the all-encompassing pursuit of military victory. These strategies required specific actions in relation to the Germans in different settings in eastern Europe. Their outcomes, intended or unintended, led to various consequences for Germans outside Germany.

One aspect of the war which transformed the position of all Germans outside Germany in a general way was the upsurge in national passions which drew Germans together wherever

they lived. The national identity and solidarity of people across Europe intensified in the climate of international conflict. In Germany there was a growing vision of the worldwide German empire and of the role of foreign Germans within it. In the view of the Verein für das Deutschtum im Ausland (VDA), the most prominent of several popular organizations in Germany for the support of Germans abroad, this new perspective reached its peak at the outset of the war:

State power and world recognition had awakened the interest for Germans outside the Reich. . . . The value of asserting German culture in the competition with the attempts of other peoples to spread out became obvious. A vision formed in the eyes of the Germans. A new concept of Auslandsdeutschtum was formed. It was the support and substructure of a worldwide German economy and membership in the worldwide German people which bound the German citizen abroad and in the empire into one entity of power and status.¹

The presence of government representatives at the annual VDA assembly in 1914 was a sign that this cause and this vision had attained respectability in government.

UNIVERSAL ESPOUSAL OF NATIONAL SELF-DETERMINATION

A second feature of the war between the Central Powers and the Entente which would affect all Germans in eastern Europe was the championing of the right of nations to self-determination by all parties, including Germany. The promotion of national self-determination by Germany's

¹Barta and Bell, Schutzarbeit, p. 200.

political spokespersons added to the momentum of the historical developments which transformed the conditions of Germans living in eastern Europe. For some German politicians the cause of national self-determination may have been grounded in an authentic commitment to the freedom of oppressed peoples. For others, in particular for those in power, the advocacy of national self-determination was primarily a ploy to undermine the cohesion and strength of Germany's adversaries during the war and the ensuing peace which Germany expected to dominate.

The implementation of this principle involved the formation of independent states for several national groups which had hitherto been subsumed in larger empires. On the other hand, given the mixture of nationalities in eastern Europe, it was inevitable that even such new states, however compact, would incorporate national minorities. Insofar as Germany's political leaders anticipated the future existence of national minorities, in particular German ones, they articulated expectations for the just treatment of such minorities.

The limitations of Germany's advocacy for the right of national self-determination were manifested in the response of the Central Powers to this principle as formulated by the representatives of Russia at Brest-Litovsk. The Russian delegation to the negotiations for a peace treaty had proposed two points related to national minorities:

1. Those national groups, which had no political independence before the war, will be guaranteed the possibility of deciding by plebiscite on the question of their belonging to this or that state or their own independent state.
2. In the territories settled by various nationalities, the rights of minorities will be protected through special laws which will secure their cultural-national independence and, if it is possible in practice, also their administrative capacity.²

The foreign minister of Austria-Hungary, Count Czernin, responded publicly on behalf of the Central Powers to these points on Christmas Day, 1917. The provision for plebiscites on state allegiances was deemed to be the internal affair of a state and could not be regulated in a treaty with other states. The same reservation applied to the protection of the rights of national minorities through an international treaty. Czernin declared vaguely that the governments of the Central Powers acknowledged this principle everywhere insofar as it seemed practical for implementation. According to Czernin the right to self-determination did not apply to nationalities belonging to states that granted them full constitutional liberties.³

A speech defining the German government's eastern policy by Vice-Chancellor von Payer on May 7, 1918, also revealed its actual goals in regard to national self-

²Deutsch-sowjetische Beziehungen von den Verhandlungen in Brest-Litowsk bis zum Abschluß des Rapallovertrages: Dokumentensammlung, Band I, 1917-1918 (Berlin: Staatsverlag der Deutschen Demokratischen Republik, 1967), p. 168.

³Deutsch-sowjetische Beziehungen, p. 196.

determination:

The aim of our policy toward the border peoples, who, owing to the break-up of Russia have separated from the union with this empire and established themselves on their own feet, is to live with them for the future in peace and friendship. It is both to our advantage and to theirs that we should draw near to each other in matters of policy, economics, and culture, and, so far as is feasible, in military affairs as well. It is in the interest, not only of these border states, but also of ourselves also that we should promote cultural and economic relations with these countries.

Payer then pointed to food supplies, colonization, and military security as the specific benefits of such ties. He noted the role of German minorities in shaping this policy:

At the same there also exists a national sympathy with the Germans in those areas who have for years waged a bitter struggle for the maintenance of their German nationality. This applies particularly to the Baltic peoples. And a particularly humane feeling has played a part in our policy toward those peoples which even after their separation from Russia were drawn into the general distress and disorder.⁴

The Social Democratic Party addressed the same issue in its statement to the international assembly of Social Democrats held in June 1917 in Stockholm. This statement defined the "rights of nations," as "the right of the people to maintain or to re-establish their political independence," and then ascribed this right to three groups: (1) those who have lost independence in war," i.e. Serbia, other Balkan states and Belgium; (2) "those countries which, having lost their former independence, find themselves

⁴Quoted in Ralph Lutz, ed., Fall of the German Empire 1914-1918, Volume 1, (1932; reprint, New York: Octagon Books, 1969), p. 847.

freed, through the war, from the foreign yoke," i.e. Congress Poland and Finland; and (3) "the formerly civilized victims of imperialism," eg. Ireland, Egypt, India, and Korea.

Under the heading "National Autonomy," the following principle on the rights of national minorities was expressed:

If national autonomy means cultural autonomy for sections of a country speaking a foreign tongue and belonging to a larger confederation of states, German Social Democracy will stand for such autonomy in the future as it has done in the past. As regards Germany, there are the claims of our citizens in North Schleswig, Posen, West Prussia, as well as in Alsace-Lorraine, who speak Danish, Polish, and the French mother tongue. We condemn strongly every encroachment upon the use of the mother tongue, as well as other handicaps on the free development of their particular national character and culture, and consider that the existence of democratic conditions in all countries would help bring about a good understanding between one people and another, one culture and another.⁵

Notably, German Social Democrats did not envisage a cession of Germany's Polish areas with their small German populations to a re-established Poland.⁶

Nevertheless, Germany could not restrain the momentum toward national self-determination which it had itself fostered. The new states on its eastern borders became the home of millions of Germans under the terms of the peace settlement.

⁵Lutz, Volume II, pp. 58-59.

⁶Erich Matthias, Die deutsche Sozialdemokratie und der Osten, 1914 - 1945 (Köln/Graz: Böhlau, 1954), pp. 16-18.

Beyond these broad trends which commonly affected Germans abroad, there were developments unique to each area and which provided a different starting point in each setting for Germany's relationship to Germans in eastern Europe in the post-war period.

AUSTRIA-HUNGARY

Though the most drastic impact of the war on the national rights of Germans in Austria-Hungary would not be felt until the disintegration of the Habsburg empire at the end of the war, one effect of the war on Germany's stance in relation to these Germans became apparent much sooner, namely, the decline in the attention given to the Germans living in the Hungarian domain. Hungary was needed as a war ally and any irritation, such as complaints about the suppression of the culture of its German population, was avoided during the war.⁷ Thus the pre-war pattern of leaving these German communities to fend for themselves under the pressure of magyarization without protests or support from Germany continued into the war.

Conversely, the Germans in Bohemia and Moravia turned toward Germany and away from Austria as their protector to an ever-increasing degree as the war continued and especially when faced with the prospect of the formation of

⁷Lorant Tilkovsky, "Die Weimarer Republik und die deutschen Minderheiten im Donaubecken," in Etudes Hist. Hongroises 2 (1980), pp. 202-203.

a Czechoslovak republic which might incorporate them.⁸

RUSSIA

The situation of Germans in the Russian empire underwent even more changes than that of their fellow Germans in Austria-Hungary. First, they were the objects of discriminatory measures by their own government and then, as Germany advanced into Russia and occupied large areas, including German settlements, their political situation was radically transformed.

An immediate reaction of the Russian state to the onset of war with Germany was the legislation by the Russian Duma to confiscate the property owned by Germans in Russia. This measure elicited public outrage in Germany and provoked an early expression by Germany's political leaders of their intention to mete out reprisals. It also provided an additional cause with which to raise public support for Germany's attack upon Russia. Thus in a speech to the parliament on April 5, 1916, Chancellor Bethmann Hollweg threatened retribution for this injustice inflicted on German colonists by the Russian government.⁹

The Chancellor's position was reinforced and expanded by Gustav Stresemann, one of the leaders of the National

⁸F. Gregory Campbell, Confrontation in Central Europe: Weimar Germany and Czechoslovakia (Chicago: University of Chicago Press, 1975), p. 22.

⁹Fleischhauer, Dritte Reich, p. 25.

Liberal party. His speech on the next day also reflected the several ways in which the war was intensifying the relationship between Germany and the Germans in the Russian empire. Stresemann began with the conviction that the only guarantee of a lasting peace was "a strong, unassailable position for Germany." Then he affirmed the Chancellor's announcement "that we would not oppress any nationalities but also we would not suffer that any racial stocks be further oppressed by other nations." He observed that it had been Russia which had started the war against the civilian population by legislation directed against German property. He welcomed the Chancellor's promise to protect the property of German subjects of Russia and expressed the hope that "he will use all the forces of Germany to protect German property everywhere."¹⁰

Given such expressions of support, it was not surprising that less than two years later, after the new Bolshevik regime in Russia sued for peace with Germany and its allies, the German settlers in Siberia requested that Germany obtain for them compensation for damages incurred during the war and the revolution. They also demanded the right to autonomy in churches, in schools, and, wherever Germans were the majority, in government. Finally, they requested the right to choose the state to which they would belong regardless of their location. To prepare for the

¹⁰Lutz, Volume I, pp. 340-343.

implementation of these measures they undertook a comprehensive census of the property of the ca. 100,000 Germans in Siberia. Furthermore they sent a delegation to Berlin in the hope that these protective measures would be taken up by the Foreign Ministry in its negotiations with Russia at Brest-Litovsk. Their hopes were not realized in the treaty signed on March 3, 1918, but their efforts indicated a new-found view of Germany as their protector.¹¹

BALTIC PROVINCES

In his speech of April 6, 1916, Stresemann also described to the present and future status of the Germans in the Baltic provinces of Russia as envisaged by Germany's leadership:

I regard the Baltic provinces as German-Baltic country, as a land of German culture. It may be shown that the Baltic Germans are outnumbered by the Estonians and the Latvians. If you accept pure numbers, then that may be true; but the numerical strength does not by itself determine the character of a country. Rather it is determined by that racial stock which has given the imprint of its culture and intellect to the entire country -- our Baltic Germans. . . . If we give up the Baltic, then the last trace of Baltic freedom and independence would be obliterated under a process of russification which would begin in such a way as to make us greatly responsible to those, who under continued oppression, kept true to Germany.¹²

The two alternatives contemplated for the Baltic

¹¹Ingeborg Fleischhauer, Die Deutschen im Zarenreich: Zwei Jahrhunderte deutsch-russische Kulturgemeinschaft (Stuttgart: Deutsche Verlags-Anstalt, 1986), pp. 570-573.

¹²Lutz, Volume I, p. 343.

provinces were annexation to Germany and the formation of autonomous states allied to Germany. In either scenario they were to be detached from Russia, and the Baltic Germans, who had formed the aristocracy already in the pre-war era, were to be politically, economically and culturally dominant.

By September 1915 the German army controlled Lithuania and in the fall of 1917 the German inhabitants of Latvia and Estonia, shocked by the revolutionary conditions in Russia, urged Germany to continue its advance into their provinces. Germany occupied Latvia in September 1917 and, by March 1918, Estonia as well.¹³

Again it was Stresemann who expressed Germany's sentiment toward the Baltic provinces and its German inhabitants. Speaking in the Reichstag on February 20, 1918, Stresemann asserted that the advance into Livonia was to protect the populations of Livonia and Estonia:

We cannot look on passively while those, who, in spite of all persecution, have preserved German speech and German culture for seven centuries, are murdered and slaughtered simply because they are Germans. Were we to tolerate it, then we should be a nation without prestige and honour. . . . It does not mean the annexation of these territories. But it means a free Baltic in close relationship with Germany and under our military, political, intellectual, and cultural protection.¹⁴

On March 25, 1918, Lithuania was the first Baltic state

¹³John W. Hiden, The Baltic States and Weimar Ostpolitik (Cambridge: Cambridge University Press, 1987), pp. 3-4.

¹⁴Lutz, Volume I, p. 814.

to be recognized by Germany as nominally independent. On the basis of an announcement made by a council of Lithuanian politicians in December 1917, Lithuania was declared to be "united to the German Empire by a permanent, firm alliance."¹⁵ Through the Treaty of Brest-Litovsk Germany coerced Russia to accept the secession of Lithuania. Russia also acceded to the occupation by Germany of Estonia and other Baltic territories.

However, Germany's perception of an independent Lithuania did not satisfy the Lithuanians themselves. They re-asserted their intentions in a new declaration of independence proclaimed on February 16, 1918. This statement omitted any reference to relations to other states and thereby attempted to evade subservience to Germany. During the summer of 1918, the Lithuanian council elevated its authority as a council of state and invited the Duke of Urach to the Lithuanian throne.

By the autumn of 1918 the emergence of a formally independent Lithuanian state was a certainty. The German government modified its stance accordingly and then expressed its concern for Germans in the future Lithuanian state. On October 20, 1918, a message was sent to the Lithuanian council by the German chancellor. Germany indicated its desire to leave the formulation of the constitution, foreign relationships and the border with

¹⁵Lutz, Volume I, p. 845.

Poland to the Lithuanian people but insisted that their government should have "the participation of all classes and nationalities in the population."¹⁶

The armistice concluded with the Entente on November 11 stipulated that German troops remain on Lithuanian territory as a buffer to the Bolshevik forces from Russia. At the same time the first Lithuanian cabinet and government were formed and Germany sent a new representative to convert its military government into a civil one.¹⁷

Contrary to German plans, Lithuania, Latvia and Estonia did not become its vassal states in which Germany could look after the interests of the German population. Instead, Germany's Baltic policy led to an outcome whereby Baltic Germans became minorities besieged in their own homelands.¹⁸

POLAND

Through Germany's eastward advance, it soon gained control of the Polish lands of Russia. Germany's occupation of Congress Poland, followed by moves to establish it as an independent state, albeit under Germany's domination, had

¹⁶Quellen zur Geschichte des Parlamentarismus und der politischen Parteien: 1. Reihe, Von der konstituellen Monarchie zur parlamentarischen Republik, Band 2. Die Regierung des Prinzen Max von Baden, ed. by Erich Matthias and Rudolf Morsey (Düsseldorf: Droste Verlag, 1962), # 59, p. 200, n. 26.

¹⁷Hiden, Baltic States, pp. 12-13.

¹⁸Hiden, Baltic States, pp. 6-10.

significant implications for the German settlements there.

In August 1915 General von Beseler, was appointed as Germany's governor general of occupied Poland except for a frontier zone which remained under military control.¹⁹ Then, on November 5, 1916, the German and Austrian emperors announced their readiness to allow the re-establishment of an independent Polish state from "the Polish districts which by their brave armies were snatched with heavy sacrifices from Russian power." The more precise regulation of the frontiers of the Kingdom of Poland was postponed.²⁰ The next step toward a Polish state taken by Germany was the installation in September 1917 of a Regency Council consisting only of Poles. The German emperor instructed Governor General von Beseler in Warsaw "that we desire to put state power in the main into the hands of a National Government, whilst the rights of people will be entrusted to a new and extended State Council."²¹

The steps toward Polish independence were primarily intended to elicit the loyalty of the Poles to the Central Powers. They also led to the placement of Germans under a foreign state, albeit one which Germany expected to dominate. Thus the onus fell on Germany to make provisions

¹⁹Werner Conze, Polnische Nation und Deutsche Politik im Ersten Weltkrieg (Köln: Böhlau Verlag, 1958), p. 101.

²⁰Lutz, Volume I, p. 760.

²¹Lutz, Volume I, pp. 760-761.

for the protection of a German minority well before the re-establishment of Poland under the peace settlement.

One measure under consideration within Germany's government which would obviate this task was the re-settlement of Germans from Congress Poland to Germany's eastern frontier and the removal of Poles from German territory to the new Poland. This plan foundered on the reluctance of the Germans in Russian Poland to leave their long-standing settlements and to return to Germany for the sake of the German state. These Germans regarded themselves as a bridge between the Germanic and Slavic peoples. By rejecting both re-settlement to Germany and assimilation in Poland they became an obstacle to the strategic goals of the German state.

The military leaders who advocated the promise of independence for Poland and the political leaders who issued the promise had not anticipated this consequence. Thus the civilian German administration in Poland had to balance Polish aspirations for national self-determination with the demands of the residual German population for cultural, political and economic support. With one notable exception, German officials often restricted the German minority in order to placate the Polish population and to retain its loyalty in the war. The formation of German associations was forbidden or only permitted after much delay. The representative of the German Foreign Ministry up until the

fall of 1917, Gerhard von Mutius, was described by a leader of the German minority as "our strongest opponent in the German administration because of his Polish policy."²²

Clearly, the concern for the Germans in Poland was subordinate to the strategy which called for the formation of an independent but allied Poland.

It was Governor General von Beseler himself who tried to support the German minority while still promoting the formation of a new Poland. Beseler adopted the protection of minorities as an essential component in his approach to Polish statehood. It was his intention to make the protection of minorities, especially of the Germans, a "conditio sine qua non" in resolving the school question.²³ In a council of senior German officials considering the re-settlement of Germans from Russian Poland to Germany, Beseler argued for re-settling only the dispersed Germans and leaving the exclusively German villages intact though with provisions for their protection under the Polish rule.²⁴ Along the same line, in a speech given in July 1918, he expressed himself on the citizenship of Germans in Poland. The crux of the matter was "that Germans should also feel themselves to be subjects of this land."²⁵

²²Conze, Polnische Nation, pp. 215-216.

²³Quoted in Conze, Polnische Nation, p. 217.

²⁴Conze, Polnische Nation, p. 327.

²⁵Conze, Polnische Nation, p. 217.

However, Beseler could not overturn his government's policy of subordinating the interests of the German population to those of the Polish nationalists.

Only in an agreement made in March 1918 between several German politicians and representatives of the Polish Regency Council was the protection of a German minority in Poland implied. The Council had prepared a proposal for defining the status of an independent Poland. It discussed this scheme with three prominent figures in the centre and left-wing political parties which formed the majority coalition in the German parliament. As the proposed borders for Poland would enclose significant German populations, the rights of a German minority were at stake in this encounter. The two sets of politicians issued a joint declaration expressing the desire for friendly relations between Poland and Germany and listed several points for a possible political and economic treaty between the Central Powers and the future Poland. One of these projected an eastward extension of Poland "with consideration of the right to self-determination of the nationalities in question." The declaration itself was not endorsed by the Chancellor and hence had no practical effect.²⁶ Substantive negotiations with Poland did not fit into Germany's broader goals and hence an opportunity to entrench the rights of Germans in Poland was not taken. Even so, this encounter was a

²⁶Conze, Polnische Nation, pp. 350-351.

precursor for the post-war era insofar as it involved the political parties which would form the first governments of Weimar Germany.

The protection of the German minority in Poland did appear on a list of issues identified by the German Foreign Ministry in September 1918 for discussions with Austria about a common policy on Poland. The respective Foreign Ministers had met in Vienna on September 5 but they had failed to conclude an agreement. It was agreed to continue talks at a lower level and the German Foreign Ministry listed the protection of the German minority as a demand in further talks.²⁷ The sudden collapse of the Central Powers in the next few weeks prevented the resumption of these negotiations.

There was thus an awareness of the issue of protecting the rights of Germans in a Polish state but it was never addressed in a conclusive way. Germany had occupied Poland and it had endorsed the formation of an independent Poland. It was the dominant power and could have intervened. Despite the need, and the opportunity, Germany did not take the initiative and its leaders spurned the efforts of lower levels to alleviate the concerns of the German population.

UKRAINE

The perspective of the German officials toward the

²⁷Conze, Polnische Nation, p. 377.

future of the German colonists in Ukraine was recorded in a memorandum submitted in December 1917 by a senior Prussian official in preparation for the peace treaty to be imposed on Russia:

The Russian Germans ["Russlandsdeutsche"] constitute an exceptionally valuable settler stock which must, if possible, be won for Germany. After the destruction they have suffered during the war through the measures of the Tsarist government they will desire to emigrate to Germany. In the peace treaty Russia must permit the emigration of the Russian Germans to Germany or to the future autonomous states and agree to compensate them completely.²⁸

The major element of Germany's policy toward the Germans in the Russian empire was a scheme to re-settle the thousands of German settlers from the Black Sea area into territory to be annexed along Germany's eastern frontier. One rationale offered for this drastic measure was the rescue of the German settlers from repression and confiscation in Russia. However, Germany's primary reason was not the protection of minority rights, but rather the bolstering of Germany's eastern frontier with a sympathetic population.²⁹

The Germans in occupied Ukraine were actually more concerned with a different form of protection by Germany. They wanted to remain in the land where they had lived for a century and longer. In two congresses in spring of 1918

²⁸Deutsch-sowjetische Beziehungen, Volume I, p. 141.

²⁹Fritz Fischer, Germany's Aims in the First World War (New York: W. W. Norton, 1967), pp. 115-117, 172, 182, 274, 278, 548-549.

these German colonists asked the German emperor and government to: "include the German colonists and all other German inhabitants of these regions in the empire and to place them under the protection of the German laws." Furthermore they requested that some form of state subordinate to Germany be formed out of the Taurida Gouvernement, in which their population was concentrated, together with the Crimea, and that they be permitted to remain there as vanguards for Germany. Only if this was not possible, should Germany undertake their immigration to the Reich.³⁰

The appeals of the Germans in Ukraine had some effect. A secret agreement between Austria-Hungary and the Ukrainian People's Republic and attached to the main treaty of peace did deal with the national minorities. After asserting the mutual desire for "a close and friendly relationship," the agreement stated that the Dual Monarchy acknowledged "that the laws of the Ukrainian People's Republic shall guarantee the rights of the Polish and German minorities in Ukraine, as well as the rights of the Jewish people." Conversely, the Ukrainian plenipotentiaries acknowledged the efforts of the Emperor of Austria-Hungary "to pursue with all means within existing arrangements [the] national and cultural

³⁰Fleischhauer, Deutschen im Zarenreich, pp. 583-585. General Ludendorff of the Military High Command was also interested in granting citizenship to the German colonists because replacement troops could then be drawn from their numbers. Fischer, Aims, pp. 548-549.

development of the Ukrainian people living in Austria leading to additional guarantees."³¹ Though Germany was not a party to this agreement its diplomats were aware of it and were given the original copy for safe-keeping.³² This was the basis for the claim of the State Secretary for Foreign Affairs, Richard von Kühlmann, in parliament on February 20 that "the rights of German peasants were frequently a subject of discussion and were fixed by agreement in the legal treaty."³³

With the occupation of these additional areas in early 1918, Germany began to facilitate re-settlement to regions within or closer to Germany.³⁴ However, the rapid decline in Germany's military fortune prevented a large-scale re-settlement. To retain at least the legal possibility of such a transfer, an article stipulating a ten-year period during which Germans could freely emigrate was included in the supplements to the treaty with the Ukrainian National Republic as well as in the treaty with Bolshevik Russia.³⁵

An ultimatum to Russia issued on February 26, 1918,

³¹Stephan M. Horak, The First Treaty of World War I: Ukraine's Treaty with the Central Powers of February 9, 1918 (Boulder: East European Monographs / New York: Columbia University Press, 1988), pp. 173-174.

³²Horak, p. 46.

³³Lutz, Volume 1, p. 820.

³⁴Fleischhauer, Drittes Reich, pp. 24-34.

³⁵Fleischhauer, Deutschen im Zarenreich, p. 376.

included a measure which may have been intended for the sake of protecting Germans. The eighth point demanded that "Russia shall admit and support, according to her ability, German Commissions for the protection of German prisoners of war, civilians and those returning home."³⁶

Nevertheless, these measures were not universally perceived as adequate. In a debate on Germany's policies on the east, a parliamentary deputy for the Progressive Party remarked: "It is regrettable that the Jews and other national minorities are not sufficiently protected by the new peace treaties."³⁷

Germany's wartime strategy and achievement, at least temporarily, of occupying major portions of the Russian Empire, especially of Ukraine, had another consequence for the treatment of Germans there which only became evident after Germany's defeat and withdrawal. During the occupation German settlers came to regard the German army as their protector. Their identity, both in their own perspective and that of their Russian and Ukrainian neighbours, became more German. Indeed, the German army organized self-defence corps of Germans in Ukraine, initially for protection against anarchist bandits but after the retreat of Germany's army some of these troops fought the incoming Red Army. This involvement of the German

³⁶Lutz, Volume 1, p. 773.

³⁷Lutz, Volume 1, p. 837.

colonists, especially of the traditionally pacifist Mennonites, subsequently heightened the suspicion of them and provided legitimation for discrimination against them by the new Soviet authorities.³⁸

ROMANIA

Germany also had the opportunity to entrench the rights of the German communities in Romania when it imposed the Treaty of Bucharest in 1917. The only provisions in the treaty relevant to their status were that various religions, including Roman Catholic and Protestant, be accorded the same liberty and protection as the Romanian Orthodox religion and that differences in belief must not exercise any influence over political or civil rights in Romania.³⁹ As most Germans in Romania were Roman Catholic or Protestant, they could benefit from these clauses.

CONCLUSION

In June 1918, a senior military officer prepared a statement on "Our Goals in the East." He included the comment: "German prestige requires that we hold our strong, protecting hand not only over the citizens of Germany, but

³⁸Fleischhauer, Dritte Reich, pp. 30-34.

³⁹Papers relating to the Foreign Relations of the United States, Supplement I, The World War, Volume 1 (Washington, Government Printing Office: 1933), p. 777.

over all Germans."⁴⁰ The measures to protect Germans outside the Reich indicate that this goal was always subordinate to strategic policies intended to strengthen the war effort of the German state or its military position after its victory in war. However, Germany's various political and military tactics altered fundamentally the situation of Germans in eastern Europe. Even though the post-war developments did not follow the trajectories started during the war, the First World War generally, and Germany's actions in particular, led to the diversification of the situations of Germans in eastern Europe and of Germany's post-war diplomacy in relation to them.

The Central Powers weakened the Russian empire and promoted the breaking away of several of its nationalities: Lithuania, Estonia, Latvia, Poland and Ukraine. With the exception of Ukraine, their right to exist was confirmed by the victorious Entente at the peace conference in Paris. All of the new states which emerged from collapse of the Russian empire contained German minorities. Furthermore, Austria-Hungary disintegrated under the strain of the war into several successor states, each also holding German inhabitants.

In the course of the war, unprecedented in its geographical range, in the extent of its social impact, and in the scale of its destruction, these two empires

⁴⁰Deutsch-sowjetische Beziehungen, Volume I, p. 649.

disbanded. The royal regimes in both vanished. Austria-Hungary was fragmented into several new states and a communist party took control of Russia. Germany itself would cede substantial territories and citizens to Poland. An outcome of the war was the re-allocation of German populations from these three empires to ten republics - Poland, Russia, Lithuania, Latvia, Estonia, Hungary, Romania, Czechoslovakia, Yugoslavia and Austria.

Yet surpassing these outcomes in its traumatic effect on Germany would be the cession of its own territory to Poland and the creation of a German minority out of people who had been its own citizens. In the view of Germany's adversaries this was also a consequence, a most just one, of the war it had instigated.

Chapter 4

DEALING WITH THE ENTENTE:

RESTRAINED ADVOCACY FOR THE PROTECTION OF GERMAN MINORITIES

Germany's negotiations with the Entente for an armistice and then a peace settlement formed the background for its bilateral dealings with individual east European states, including Poland, on the protection of the national rights of German minorities. The primary arena for this interaction was the peace conference in Paris which opened on January 19, 1919, but there were exchanges relevant to this issue from the moment Germany sued for peace on the basis of the Fourteen Points. Germany also had an opportunity to address the broader international community on minority protection at the Genoa Conference in May 1922. As well, its advocacy on this issue included discussions with the Vatican on measures affecting the German Catholics in Poland.

The Fourteen Points enunciated by the president of the United States, Woodrow Wilson, as the terms for a peace settlement, included the establishment of an independent Poland with access to the sea. The cession of German territory and citizens would be at stake if this promise was

to be realized and so any negotiations on these points had implications for the protection of German minorities.

HOPES FOR A PEACE WITHOUT TERRITORIAL LOSS

On September 29, 1918, Germany's supreme military commanders, General Erich Ludendorff and Field Marshal Paul von Hindenburg admitted the inevitability of military defeat and called on the government to sue for a peace settlement with the Entente powers. This fundamental re-direction of Germany's international relations drastically altered the basis for Germany's policy toward Germans abroad. As long as its policy-makers had anticipated military victory, they had assumed the prerogative to shape the future of Germans in eastern Europe, whether by annexing territory, by re-settling these groups, or by dominating the states in which they resided. The imminence of military defeat obliterated the power on which this prerogative had rested. Now the Allied and Associated Powers, led by Great Britain, France, and the United States of America, could determine the future number and condition of Auslandsdeutsche.

The task of suing for peace required the formation of a new government. Prince Max von Baden, known as a liberal despite his aristocratic status, hastily assembled a new cabinet with ministers from the Center and Social Democratic parties. The new government presented its program to the parliament on October 2. In its foreign policy component,

the program asserted adherence to the "peace resolution" passed in the Reichstag in July 1917, and expressed the desire for an authentic conciliatory peace as well as the willingness to join a league of nations. It also stressed that the previous policy toward neighbouring states to the east had to be corrected with a decisive implementation of their right to self-determination. Specifically, Germany would institute civil administrations in the Baltic countries and Poland, so that institutions representing the people could be formed.¹ With these commitments, the government hoped to set a course in Germany's international relations which would appease its adversaries.

Even so the new cabinet sought to evade some of the crucial stipulations of the Fourteen Points. It regarded the points which called for the formation of a Polish state with access to the open sea and which transferred Alsace-Lorraine to France as the most difficult of Wilson's Fourteen Points to accept. This was admitted quite emphatically by von Payer, the Prince's senior assistant, in the first briefing of the Bundesrat, the council of representatives of Germany's states, on the new government's strategy for seeking peace. On October 3 Payer told the council that "we could accept the president's speech as a general basis if it did not include the reference to Alsace-Lorraine and Poland." He predicted, however, that if

¹Frankfurter Zeitung, October 6, 1918, p. 1.

Germany rejected negotiations on the Polish question then its peace request would be rejected.

For this reason the initial responses to the United States on the conditions for an armistice were formulated so as to avoid the explicit acceptance of the points implying the loss of German territory and citizens to Poland and France. Meeting on October 3 to formulate its request for a cessation of hostilities, the cabinet realized that if it omitted these two points from its note then its request would be rejected. It considered qualifying its response by including the phrase "insofar as the territorial integrity of the Reich would not be violated" but eventually rejected this formulation. It was decided to indicate acceptance of the Wilson program, but only as a "starting point."² Thus the German note of October 3 to the United States read:

The German government accepts, as a basis for peace negotiations, the program laid down by the President of the United States in his message to Congress of January 8, 1918, and his subsequent pronouncements, . . .³

The ambiguity of the German statement was noticed by the American officials and they responded with the direct question:

Does the Imperial Chancellor mean that the Imperial German Government accepts the terms laid down by the President . . . and that its object in entering into discussions would be only to agree upon the practical

²Regierung des Prinzen Max von Baden, # 17, p. 57.

³Alma Luckau, The German Delegation at the Paris Peace Conference (New York: Columbia University Press, 1941), p. 140.

details of their application?"⁴

The cabinet met on October 11 to re-consider its response. Again it was pre-occupied with the prospect of losing the Polish provinces and the Alsace-Lorraine region. The question was asked whether the Supreme Military Command was aware of the far-reaching consequences of the acceptance of the Fourteen Points, in particular with regard to these two regions. Implicit in the raising of this question was the notion that the military might re-consider its request for an armistice if it knew of these dreadful consequences. Foreign Minister Wilhelm Solf bluntly asserted that these were the worst features of the Fourteen Points.⁵ Nevertheless, the government decided to assent to the exact wording of the American query and replied accordingly on the following day.⁶ Its resolve to avoid making any concession on territorial transfers at the outset of the negotiations had failed and the prospect for transferring German citizens became more likely.

The cabinet's discussion on October 24 about its stance in parliament was influenced by the awareness that Germany's adversaries were monitoring its government's statements made to domestic audiences. First it considered a draft statement which admitted that by accepting Wilson's Fourteen

⁴Luckau, p. 141.

⁵Regierung des Prinzen Max von Baden, # 45, p. 141.

⁶Luckau, p. 141.

Points as the basis for peace discussions, the German government had acknowledged that the re-structuring of Polish and Alsace-Lorraine affairs would be part of the peace negotiations but added that as long as this had not yet happened these territories were part of Germany and they should not be pressing to secede. Then Foreign Minister Solf reminded his colleagues that the government's stance in the German parliament against the secession of Poland would be scrutinized by Germany's enemies in the light of its formal acceptance of the Fourteen Points. He advised that the cabinet's public statements had to make reference to self-determination in order to meet the expectations of Germany's adversaries lest the peace efforts be aborted. In the face of two countervailing forces, the cabinet approved a vague statement only indicating that there had been questions raised about Polish and other territorial issues and that Germany would honourably fulfil the Wilsonian program.⁷

Thus in the Reichstag later that day, Foreign Minister Solf declared the government's commitment to fulfil the principles of President Wilson. With reference to Alsace-Lorraine and Poland, it was stated that this promise meant that the government had agreed to settling these questions in the peace negotiations. Apparently the government was

⁷Regierung des Prinzen Max von Baden, # 84, pp. 313-318.

still clinging to its hope that the loss of these two regions would be averted through the negotiations. "Believe me," Solf told the members of the Reichstag:

in the negotiation of these difficult questions the German government would resist most decisively any violation of Poles and any violation of Germans - any solution which would make the co-existence of both nations impossible and which must lead to new hatred, new quarrelling and new conflicts.

Solf proposed that if a peace of understanding was to be attained, then Germans should not be torn away from their fatherland and attached to aliens. Solf's speech to the parliament included the several elements of the campaign to prevent the cession of territory, Germany's greatest concern since it began its quest for an armistice. There was the effort to keep the outcome of negotiations open, the offer of some autonomy to its Polish citizens and the objection to the cession of territory and population. As yet the government was not ready to admit openly the probability of territorial cessions and transfers of German citizens.⁸

The armistice negotiations with the Entente victors did not explicitly address the issue of the protection of Germans in other states but the terms accepted did expedite the emergence of several states which would eventually contain German populations. For its part, Germany's government looked ahead to the broad-scale peace negotiations with the Entente at the peace conference with

⁸Vorwärts, October 25, 1918, Beilage, p. 1.

the hope that territorial cessions and the loss of German citizens to other states could be limited.

However, the measures taken against Germans by the Polish and French governments in the territories they expected to receive did prompt the German Foreign Minister to an earlier protest. On November 23 Solf sent a note to the Allied governments aimed at protecting the German populations as long as the peace terms were unresolved:

If the peace is to be concluded as a just peace, then the decisions of the peace conference on the legal questions under dispute can not be preempted. In the face of the principles established by the [American] President, the German government must give notice that the measures taken by the French government in Alsace-Lorraine, as well as the procedures of the Poles in the eastern border regions of Germany and individual measures of the non-German components of former Austria-Hungary against Germans are nothing but attempts to pre-empt with force the decisions of the peace conference. The German government registers its severe protest against all these attempts as well as against the delay in the conclusion of peace.⁹

GUIDELINES FOR THE PEACE NEGOTIATIONS

On November 23, 1918, the German Foreign Ministry received a note from Austria's Foreign Office urging cooperation in preparing a common position on the protection of national minorities in anticipation of the upcoming

⁹Quellen zur Geschichte des Parlamentarismus und der politischen Parteien: 1. Reihe, Von der konstituellen Monarchie zur parlamentarischen Republik. Band 6, Die Regierung der Volksbeauftragten, 1918/19, Part 1, ed. by Susanne Miller, (Düsseldorf: Droste Verlag, 1969), # 23, p. 163.

negotiations on peace and the League of Nations.¹⁰ The German Foreign Ministry was quite slow in responding to this proposal. A response was finally formulated on January 9, 1919, by Walter Simons, an official from the section responsible for legal matters. It reflected the relative importance assigned to the issue of the protection of German minorities by the Foreign Ministry at this early stage:

The question, Whether and which rights for national minorities are to be striven for by Germany at the peace negotiations? has only become acute for Germany with the emergence of the possibility of the cession of larger areas from the territory of the Reich. . . .

In case a cession of Alsace-Lorraine and certain regions of the eastern provinces as well as of Schleswig-Holstein does occur, then the German interest in the setting down of the protection of Germanism ["Deutschtum"] in the regions ceded by the treaty will of course be very high. On the other hand, it should not be forgotten that, even after this cession, the future territory of the Reich, notably the east, will possibly still include foreign national minorities and that an excessive privileging of such minorities can lead to serious dangers. An assessment of these contrary interests will only be possible after the clarification of the territorial questions. In any case, now it can already be said that the special provisions in favour of the national minorities cannot be a matter of guaranteeing state-like or communal autonomy to a lesser or greater degree, but only a matter of the protection of language and culture.¹¹

This memorandum clearly admitted that until Germany itself faced the probable loss of territory and citizens, it did not deem the protection of minorities to be a concern to

¹⁰Akten zur Deutschen Auswärtigen Politik 1918-1945. Serie A: 1918-1925 (Göttingen: Vandenhoeck & Ruprecht, 1982-1988) [Hereafter noted as ADAP, A.], I. # 103, p. 166, n. 2.

¹¹ADAP, A, I, # 103, p. 166.

be taken up with its adversaries. It also revealed the lateness of the admission that such a loss would actually occur - this memorandum was composed on the eve of the delayed peace conference, three months after Germany's defeat was sealed. Furthermore, the high interest in minority rights was immediately offset by the realization that any rights secured for Germans abroad would have to be granted to the non-Germanic minorities within Germany. Hence the rights open for discussion were limited to the exercise of language and culture.¹²

The responsibility for the preparations for the peace negotiations were initially assigned jointly to Foreign Minister Wilhelm Solf and to Matthias Erzberger, a leading figure in the Center Party and the cabinet member delegated to the armistice negotiations. This appointment was announced by Friedrich Ebert at the cabinet meeting on November 16¹³ but was followed by a lapse of two months in the cabinet's consideration of the peace negotiations. The matter re-appeared on the agenda of the cabinet on January 15, 1919, only a few days before the opening of the Peace Conference in Paris, and even while the armistice negotiations continued.

Count Ulrich von Brockdorff-Rantzau, the career

¹²The guidelines mentioned in the memorandum were presented to the cabinet on January 27, 1919. Regierung der Volksbeauftragten, Part II, # 120a, pp. 319-322.

¹³Regierung der Volksbeauftragten, Part I, # 13, p. 62.

diplomat who had replaced Solf as Foreign Minister one month earlier, reported that he had drafted some guidelines for the peace delegation. In his scheme the negotiations would be controlled from Berlin and he would only attend their opening and closing. He listed the points to be negotiated with Entente. One of these was the protection of minority rights.¹⁴ The following day Brockdorff-Rantzau read his guidelines to representatives of the Ministry of the Interior and of the German states.

At this point the cabinet's primary goal, as expressed by its head, Friedrich Ebert, was to prepare a platform for the peace negotiations which could strengthen its position domestically as well as externally. Ebert asserted that the general slogan of appealing to Wilsonian principles was inadequate as a rallying point around which the German people could resist unacceptable peace terms. He proposed that something positive had to be said on the Polish question as well as on the freedom of commerce, the creation of the League of Nations and the return of Germany's colonies.¹⁵

Consequently, the key word in the government's public campaign became "self-determination," a concept which had been used extensively in the war of words and been given

¹⁴Regierung der Volksbeauftragten, Part II, # 106, p. 268.

¹⁵Regierung der Volksbeauftragten, Part II, # 106, p. 268.

prominence by the American President in his peace program. Already in December, the cabinet had considered a recommendation that Walter Schücking, a prominent expert on international law and a member of parliament, be sent abroad "to propagate the right of peoples to self-determination, for instance with reference to Poland, to our advantage." Eventually it was resolved that Schücking not travel but that he continue his propaganda in writing.¹⁶

Within one day of the cabinet's decision to focus on self-determination Brockdorff-Rantzau gave a speech on the League of Nations and "the People's Right to Self-determination." On January 17, the Wolffische Telegraphisches Bureau published a government statement on the "Duties and Aims of the German Peace Delegation." The government declared that it was "aware of the responsibility placed upon it with the acceptance of the Wilsonian program." Moreover it announced that it would do everything necessary to implement this peace and would then strictly hold itself to any resulting obligations. On the other hand, it "must reject any demands of our recent enemies which exceed this program." With reference to the eastern territories the statement promised that German negotiators "would recognize the great principle of the right to self-determination for other peoples" and that it would demand this right on behalf of the German people, especially those

¹⁶Regierung der Volksbeauftragten, Part I, # 47, p. 307.

in Alsace-Lorraine and in Polish areas.¹⁷

In a description of the "next tasks" of German foreign policy, circulated internally on January 21, Brockdorff-Rantzau set a more timid tone. Perhaps this tone was prompted by the fact that the Peace Conference had actually opened in Paris two days before without Germany's attendance. The Foreign Minister offered a bleak and hopeless prognosis for his country's foreign policy:

The basis on which German foreign policy must be built for the next period of time is that of economic collapse and political impotence. These permit only the appeal to international justice and to the moral claims for a numerically large people. [However,] International law is disputed and Germany's moral claims are negated. Thus a successful foreign policy cannot be conducted on these bases.

The Foreign Minister was pessimistic about Germany rebuilding its economy or re-gaining its political power on its own. The only course was to convince:

the enemy that Germany's economic collapse and political impotence are contrary to their own interest and that we truly have common interests. . . . The means for this is pointing out the danger of Bolshevism.¹⁸

Brockdorff-Rantzau then reviewed the way in which the excessive demands for reparations and de-militarization would ruin Germany and would permit Bolshevism to gain a foothold in Europe. In conclusion, the Foreign Minister presented three reasons why an agreement should be reached

¹⁷Regierung der Volksbeauftragten, Part II, # 110, pp. 281-282.

¹⁸ADAP, A, I, # 116, p. 204.

with Germany's adversaries: to resist the threat of Bolshevism on Germany's eastern border, to assure a just peace for Germany, and to rebuild Russia.¹⁹ In this scheme the protection of German minorities could only be a subordinate concern and there was no mention of it in the memorandum.

On January 21, the Foreign Minister's prognosis was debated by the cabinet in its review of the prospects for a peace settlement. Several of Brockdorff-Rantzau's cabinet colleagues offered simplistic and optimistic solutions for Germany's foreign relations. This optimism moved Brockdorff-Rantzau to send a written expansion of his comments to Ebert immediately after the cabinet meeting. He warned against such misguided tactics which, in his opinion, would endanger the survival of the Reich. With reference to the prospect of losing eastern territory to Poland, he responded specifically to the assertions of Wilhelm Groener, the representative of the Military Command. Groener had predicted that an alignment with the United States would avert the worst intentions of Germany's continental enemies and that it would be "child's play" to retain Germany's eastern borders at the peace conference. In Brockdorff-Rantzau's view, such an unrealistic assessment would surely make the work of the peace delegation more difficult. He concluded: "For us the time of child's play is over for a

¹⁹ADAP, A, I, # 116, pp. 205-207.

long time."²⁰

The matter of national minorities was not in the forefront of Brockdorff-Rantzau's realistic approach to Germany's international aims. Nor was it a concern in the optimistic view of his colleagues who expected that Germany would retain its Polish regions.

Nevertheless, the issue of minorities rights was raised for the cabinet by a series of appeals for adding representatives of potential minorities to the peace delegation. In its meeting of January 22 the cabinet considered a request that a cluster of Jewish personalities be attached to its peace delegation. The intention of this proposal was to offset the positive image attained by the Entente among the Jews in eastern Europe by its treatment of "the Jewish question."²¹ The "Jewish question" to be addressed at the peace conference was the protection of Jews as national minorities in the emerging states of eastern Europe.²² The cabinet minutes do not record a decision on the request but other similar requests were turned down and when the German delegation was eventually formed it did not

²⁰Regierung der Volksbeauftragten, Part II, # 115, p. 299.

²¹Regierung der Volksbeauftragten, Part II, # 117, pp. 305-306.

²²Erwin Viefhaus, Die Minderheitenfrage und die Entstehung der Minderheitenschutzverträge auf der Pariser Friedenskonferenz (Würzburg: Hölzner Verlag, 1960), pp. 74-99, 138-151.

include official representatives of the Jewish citizens.

Soon thereafter the Foreign Ministry advised the City Council of Danzig that a separate representation for Danzig to the peace conference would not be possible. The Germanic city of Danzig was slated to become part of Poland and its political leaders were eager to send their own delegates to Paris to resist this decision. Instead, a group for expert advice on eastern questions was formed with representatives from each of the eastern regions: Posen, East Prussia, West Prussia and Silesia.²³ Already in October and December of 1918, the Danzig council had submitted written pleas to the cabinet to protect the German identity of the city in the peace negotiations. The cabinet committed itself to this aim on December 9.²⁴

Several months later, the representatives of the German population of Posen, one of the areas whose transfer to Poland was imminent, also asked that one of their number be appointed to the delegation to Paris. On April 4 this request was declined by the cabinet on the grounds that this would lead to numerous similar requests from other special groups.²⁵ Another month later, the cabinet became more open

²³ADAP, A, I, # 132, pp. 227-228.

²⁴Regierung der Volksbeauftragten, Part I, # 47, p. 309, n. 25.

²⁵Akten der Reichskanzlei. Weimarer Republik (Boppard: H. Boldt, 1971-1980) [Hereafter noted as ARK.], Das Kabinett Scheidemann, # 34, p. 133.

to the participation of representatives of future minorities. In the meeting of April 30, Erzberger drew attention to the concerns of refugees from Polish territories. It was agreed to inform the refugees that the guarantee of the rights of national minorities and the protection of their property would be pressed in the peace negotiations. Furthermore the refugee group was to be urged to send several representatives to Berlin and the prospect of sending these along to the negotiations in Paris was to be communicated to them.²⁶ In the same manner, on May 6 the cabinet assented to a request from the Prussian government to involve five experts from its ranks in the negotiations on territorial changes, though it was stipulated that these experts were to be regarded as representatives of the Reich and not of the Prussian government.²⁷

The provisional government in Posen asked the German government to safeguard the minority rights of Germans, in particular for parity in economic matters and autonomy in cultural ones:

In case no provisions were made in the treaty, Germany should insist upon subsequent special minority agreements and the establishment of an international court of arbitration for minority questions in general.²⁸

On January 27 Erzberger presented a comprehensive

²⁶ARK, Scheidemann, # 57, p. 252.

²⁷ARK, Scheidemann, # 61, p. 266.

²⁸Luckau, p. 36.

report to the cabinet on the preparations for the peace negotiations. Apparently the locus of primary responsibility for these was still being contested between the Foreign Minister who embodied the professional diplomatic corps and the cabinet member, Erzberger, who represented the new political leadership. Many submissions had been received from various sectors of German society and these had influenced the drafting of guidelines. The overwhelming complexity and burden of issues related to the east was reflected in the notice that, whereas the materials on western questions had been assembled and would be available by February 1, the gathering of materials on eastern questions was just beginning and would only be ready by the end of February. A major point of contention at this meeting was the degree of involvement by the new government in the peace negotiations in the face of the control sought by the Foreign Ministry.²⁹

The guidelines for the peace delegation were also presented on this occasion but their content was not discussed. These opened with the accurate prediction that Germany's protagonists would present a completed peace treaty and that "the activity of the German peace delegation would be limited to efforts to soften the individual points and to register protests." The right to self-determination

²⁹Regierung der Volksbeauftragten, Part II, # 120, pp. 312-316.

of peoples was cited as a principle for dealing with the "eastern questions." Among the proposals was the creation of a neutral Poland composed of "undoubtedly Polish territories" with access to the sea, as stipulated by President Wilson, but effected by the establishment of an open port in Danzig and the canalization of the Vistula River, rather than by a land corridor taken from Germany. Then followed the "reciprocal protection of national minorities."³⁰ Notably, in this first formulation of detailed guidelines for the peace negotiations, Germany implied its acceptance of reciprocity in the area of minority rights. The formation of a League of Nations, which would also have implications for the protection of minority rights, was listed further on.³¹

The preparations continued with a meeting on March 12 to review the goals for the delegation.³² At this stage it was assumed that Germany would soon be invited to negotiate a preliminary peace and the meeting focused on the issues expected to be raised in the first round. Minority protection was not one of these. On March 21 the cabinet again reviewed the proposed guidelines. Now the draft included an extended comment on the protection of

³⁰Regierung der Volksbeauftragten, Part II, # 120, pp. 319-322.

³¹Regierung der Volksbeauftragten, Part II, # 120, p. 322.

³²ADAP, A, I, # 164. pp. 276-277.

minorities:

In general it is not advisable to intercede too strongly for the German minorities abroad. The foreign Germans will have more success if they organize and speak for themselves. The official representatives will support them with advice and action.

By contrast there are assurances which should be demanded by the German side for those German minorities who will end up under foreign sovereignty through the cession of eastern regions or north Schleswig. For these minorities the nurture of their German culture should be made possible, especially through the provision of the rights to support and attend German schools and churches as well as allowing the publication of German newspapers. If possible, efforts should be made also to obtain provisions for cultural autonomy on the basis of a nationality register.³³

This section elicited a brief discussion in the cabinet. The minister responsible for the treasury, Georg Gothein, proposed that demands for the protection of national minorities must be made quite fundamentally and generally, and not specifically for Germany. Erzberger suggested that protection of national minorities should only be made available for inhabitants not temporary residents.³⁴ Beyond these suggestions, the issue received only peripheral mention.

When the peace delegation was appointed at the cabinet meeting of March 22, one of the advocates for minority rights in the National Assembly, Walter Schücking, was included among the five main delegates. Schücking had appealed for the inclusion of guarantees for minority rights

³³ADAP, A, I, # 179, p. 326.

³⁴ARK, Scheidemann, # 19, p. 77.

in the new constitution, partially for the sake of German minorities abroad.³⁵ On the other hand, Walter Simons, who had suggested that Germany should be restrained in demanding protection for German minorities because of the implications for its concessions to minorities within its borders, was appointed as Commissioner General for the delegation.³⁶ Thus the delegation included persons who were familiar with the issue but who approached the issue from different perspectives. Within the organization of the delegation the protection of national minorities was listed in the Legal Division under International Law.³⁷

The cabinet met with the peace delegation on April 17 to review the guidelines yet once again. The protection of minorities was briefly re-considered. The opening paragraph which advised minimal pressure for the minority rights of Germans who were already living under foreign governments was deleted. Instead it was decided to insert a sentence which stated that assurances for national minorities in general were to be demanded and only then to add in detail the demands for the German minorities in the territories to be ceded.³⁸ Thus, the stance of mild advocacy for minority rights continued.

³⁵See below, pp. 107-109.

³⁶See above, pp. 60-61.

³⁷Luckau, p. 193.

³⁸ARK, Scheidemann, # 44, p. 181.

At the same meeting the cabinet considered two other matters of indirect relevance to the protection of German minorities. In response to information that a proposal for a League of Nations was being prepared in Paris, it requested that the Foreign Ministry prepare a draft proposal from Germany's perspective for a League of Nations. Second, the Prussian government pressed for the addition of representatives of the "threatened provinces" to the peace delegation. This time the cabinet approved the request in principle, though it rejected some of the proposed representatives because of their political stances.³⁹

The final draft of the guidelines as prepared by the Foreign Ministry was presented to the cabinet on April 21.⁴⁰ The final wording on the protection of national minorities read as follows:

Germany advocates in general the protection of national minorities. This protection will be most effectively regulated in the framework of the League of Nations.

Specific provisions for those German minorities who will fall under foreign sovereignty through cession are to be demanded in the peace treaty. For these minorities the practice of their German culture is to be made possible, especially through the provision of the right to maintain and attend German schools and churches as well as to allow the publication of German newspapers. If possible, efforts should be made toward the provision of cultural autonomy, based on nationality registers.⁴¹

³⁹ARK, Scheidemann, # 44, p. 182.

⁴⁰ARK, Scheidemann, # 48, p. 191.

⁴¹ARK, Scheidemann, # 49, p. 196.

Additionally, a special treaty prescribing the means by which minority rights could be validated by the League of Nations was anticipated.⁴²

This guideline was quite limited in its demands. It referred only to specific institutions, namely, school, church and press. Yet it also called for "cultural autonomy," something which Simons had rejected in the initial position on minority protection. There was no demand for political autonomy for a region of German population. This then was the extent and thrust of the official position with which the German delegation to the peace conference was mandated.

RESPONSE TO THE PEACE TREATY

The treaty presented in Paris by Germany's adversaries on May 7, 1919, removed most of Posen (Poznan), West Prussia, and Upper Silesia and small parts of three other eastern provinces from Germany and awarded them to Poland. Plebiscites were proposed for several smaller regions to determine their future state affiliation. The immediate transfer of Upper Silesia was subsequently withdrawn. This was one change made in response to Germany's protest and a plebiscite was also stipulated for this province. Over one million Germans resided on the territory to be transferred

⁴²ARK, Scheidemann, # 49, p. 196, n. 6.

to Poland.⁴³

To address the problem of the German minority which would accrue to Poland, Article 93 committed the new state of Poland to a treaty on the protection of national minorities:

Poland accepts and agrees to embody in a treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by the Associated and Allied Powers to protect the inhabitants of that State who differ from the majority in race, language or religion.⁴⁴

Article 86 committed Czechoslovakia to a similar treaty. Conversely, in Article 104, the Allied powers undertook to secure a treaty between the free city of Danzig and the Polish government to prevent discrimination against citizens of Poland and other persons of Polish origin.

The treaty was presented to Germany on May 7, 1919, in the palace at Versailles, with the demand that the vanquished country respond to it in its totality and not attempt to revise any of its individual elements. The next day the German cabinet met to consider its response. The loss of territory was the major source of the cabinet's anguish and became the focus of its reaction. It was decided to prepare two proclamations to be issued that same

⁴³See Richard Blanke The Orphans of Versailles: The German Minority in Western Poland, 1918 - 1939 (Ithaca: University of Kentucky Press, 1993), pp. 9-31.

⁴⁴The Treaty of Versailles and After, Annotations of the Text of the Treaty (Washington, D.C.: U.S. Government Printing Office, 1947), Article 93.

day: (1) a general statement on the treaty and (2) a special one addressed to the population of the eastern provinces. It was also agreed that the office which had been set up in Berlin to support the delegation in Paris prepare a counterproposal on the territorial cessions.⁴⁵ The protection of the rights of the Germans who would form a minority in the new states was lost from the cabinet's view.

The protection of national minorities did appear in the first note submitted by the delegation at the peace conference on May 9. On its own initiative the delegation in Paris submitted a counterproposal on the formation of the League of Nations. This note, the first of a series on specific aspects of the treaty, included the protection of minorities as one of the special tasks of the League.⁴⁶ Under the heading "Protection of National Minorities" the following position was enunciated:

The national minorities in the several member states shall be guaranteed their national individuality, particularly with regard to language, school, church, art, science, and public press. The carrying through of this principle shall be decided upon by a separate agreement, which has in the first line to determine the manner in which the right of minorities can be asserted before the official bodies of the League of Nations.⁴⁷

The responses of the Allies dated May 10 and May 22 did not refer to this expectation of the League of Nations though

⁴⁵ARK, Scheidemann, # 66, p. 304.

⁴⁶Luckau, p. 226.

⁴⁷Luckau, p. 232.

the League's mandate as described in the treaty did refer to minority protection.

The concerns for the German population threatened by cession to Poland were also expressed in a note delivered on May 13 on the economic impact of the peace terms. It was predicted that hundreds of thousands of Germans expelled from the states which had waged war against Germany, as well as from the German territories to be separated from it, would stream into the reduced territory remaining to Germany, thus compounding a desperate economic and political situation.⁴⁸ In another note with the same date on territorial issues it was stated that the German government:

deems it to be inadmissible that by the treaty of peace German populations and territories should be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game for the purpose of giving guarantees for financial or economic claims of the adversaries of Germany.⁴⁹

Nor did another note on the eastern territories, drafted but not submitted, make a constructive statement on the protection of the rights of German minorities. Rather, it asserted Germany's claims to retain the eastern provinces and concluded by highlighting the fears for the fate of Germans under future Polish rule. This note was presented to the German cabinet on May 20.⁵⁰

⁴⁸Materialien betreffend die Friedensverhandlungen, Volume 6 (Charlottenburg: Auswärtiges Amt, 1919), # 2, p. 8.

⁴⁹Luckau, p. 245.

⁵⁰ARK, Scheidemann, # 77, pp. 338-345.

The cabinet on May 21 instructed the delegation in Paris to refrain from issuing notes on specific topics and instead to submit its broad counterproposal on the peace treaty.⁵¹ The counterproposal was presented to the Allied powers on May 29. It contained several passages focusing on the protection of future German minorities. At the end of the section on territorial questions, the guideline originally formulated for the peace delegation on this issue appeared. It was only slightly re-worded to suit the context, but with the following additional sentence: "Germany, for her part, is resolved to treat minorities of alien origin in her territories according to the same principles."⁵² Also an appeal to the principle of self-determination was made for areas in which "a population of German origin desires adherence to the territory of the German empire."⁵³

Finally, there was a solemn and provocative declaration of Germany's obligation to protect German minorities. Under the heading "Guarantees to be given to Germans in the eastern districts which are to be ceded," it was stated:

If, in the peace treaty, German territory is ceded to Poland, the protection of its former citizens in these districts is incumbent upon Germany. This duty weighs upon us all the more heavily since the Poles have so far not shown themselves as trustworthy protectors of

⁵¹ARK, Scheidemann, # 81, p. 359.

⁵²Luckau, p. 324.

⁵³Luckau, p. 325.

the rights of national or religious minorities. We are entitled to make this complaint because the members of the present German government have always struggled against the Polish policy of the old regime.

After noting the discrimination by Poles against Ruthenians, Jews and Germans, the paragraph referred to the future:

In any case, the future development of Poland and the special conditions which will result cannot be determined today, and it appears natural that Germany should take an especially earnest interest in those of its subjects who are about to trust themselves to a particularly uncertain future.⁵⁴

The conditional clauses in this passage indicate the clinging to the possibility that territory would not be lost and that the discontinuity with the former German government would be acknowledged. On the other hand, it also emphasized the portents that the Polish government would mistreat national minorities under its rule and went beyond the previous reluctance to state Germany's special interest in the treatment of German minorities abroad.

The Allies responded to the German counterproposal on June 16. Here they gave the assurance that they were "prepared to accord guarantees, under the protection of the League of Nations, for the educational, religious and cultural rights of German minorities."⁵⁵ With reference to Poland they cited the clause in the treaty "by which there will be secured to them the enjoyment of religious liberty and also the right to use their own language and of having

⁵⁴Luckau, p. 338.

⁵⁵Luckau, p. 424.

their children educated in their own language."⁵⁶ Thus, in a formal sense, Germany's demands on behalf of the citizens of German nationality who would be transferred to other states were satisfied. However, a role for Germany was implicitly denied.

The treaty on the protection of the rights of national minorities in Poland was concluded on June 28, 1919, and committed Poland to assure the following rights:

1. full protection of life and liberty to all of its inhabitants without distinction of birth, nationality, language, race or religion (Article 2)
2. free exercise of any creed, religion or belief (Article 2)
3. right of inhabitants to opt for their own nationality or to acquire Polish nationality and to transfer their place of residence accordingly (Articles 3, 4, 5, and 6)
4. equality before the law and the enjoyment of the same civil and political rights (Article 7)
5. access to employment and public functions and honours; freedom to exercise professions and industries (Article 7)
6. freedom to use any language in private discourse, in commerce, in religion, in publications and in public meetings (Article 7)
7. equal rights to manage and control at their expense charitable, religious and social institutions, schools and other educational establishments (Article 8)
8. instruction in primary schools in the national language in those towns and districts with a considerable proportion of non-Polish nationals (Article 9).

Poland undertook to recognize these stipulations as

⁵⁶Luckau, pp. 430-431.

fundamental laws, not to be contradicted by any law, regulation or action (Article 1). It also agreed that they constituted "obligations of international concern and that they shall be placed under the guarantee of the League of Nations." (Article 12) The last article prescribed the process for handling infractions against the treaty. Any member of the Council of the League of Nations had the right to bring to the attention of the Council any infraction or danger of infraction and the Council could then take action or give direction.⁵⁷ However, no special role in relation to the German minority was ascribed to Germany despite its obvious and understandable interest in their treatment. Furthermore, Germany was excluded from the League of Nations, the organization charged with monitoring the treatment of national minority groups.

The Entente did agree to a few modifications to the original peace treaty which re-shaped the fate of Germans in eastern Europe. The most significant concession was the provision for a plebiscite in Upper Silesia to determine whether this region would stay with Germany or be transferred to Poland. Otherwise the Allies made it clear that Germany was expected to accept the treaty without further modifications.

The German government struggled with accepting this treaty with its dreadful terms, especially the loss of

⁵⁷Viefhaus, pp. 231-234.

territory and the imposition of reparations. Its attention was concentrated on minimizing the loss of territory, population, and resources rather than ameliorating their consequences or seeking provisions for the welfare of the citizens which would be lost to Germany. Indicative of this focus was the fact that in its recommendation to the government not to sign the treaty, the peace delegation did not mention the protection of German minorities.⁵⁸

Nevertheless, the statement formulated in mid-June by the German government, which conditionally accepted the peace treaty, stressed its loss of citizens:

No people and none of the Allied and Associated powers will expect the German people to agree with inner conviction to a peace instrument by which living members are removed from the body of the German people without asking the affected population, by which German sovereignty shall be continually violated and by which unbearable economic and financial burdens will be laid upon the German people. The German government has received from the territories to be ceded in the east passionate declarations by the population that it will resist with all means the cession of this area which has been predominantly German for many centuries. The German government therefore feels obliged to deny all responsibility for any difficulties which could arise from the resistance of the population against their separation from Germany.⁵⁹

In the same message Germany indicated its readiness to sign the treaty if the clause attributing guilt to Germany for starting the war would be revised. This conditional acceptance was rejected by the Allies and after an intense

⁵⁸Luckau, p. 483 and ADAP, A, II, # 73, pp. 120-126.

⁵⁹Friedensverhandlungen, Volume 5, pp. 25-26.

internal debate, the cabinet decided to sign the treaty unconditionally.

Close upon the acceptance of the peace treaty, the German government sent a message to the Allied powers which drew attention to the need for the protection of German minorities and tried to pass on the responsibility for this protection to the Allies. On July 6, the chair of the German delegation to the Peace conference presented a note on the Germans in Latvia to the French Prime Minister and chair of the Peace Conference, Georges Clemenceau. The note articulated the consequences of the conference's decision that German troops withdraw from Latvian territory, that the Latvian government be re-installed and that an Allied commission be appointed. The implication of the note was that those who were responsible for leaving Germans in such precarious situation should also be responsible for protecting them.

After the expiration of the schedule [for the evacuation of German troops] the obligation for the maintenance of peace and order and the protection of the population falls on the Latvian government and the Allied commission, respectively. In particular measures will be taken in these regions for the protection of the threatened German ["Reichsdeutsche"] population.⁶⁰

It is conjecture whether this action was intended as an attempt actually to protect the Germans in Latvia or as a political tactic to score points against the Allies.

⁶⁰Vorwärts, July 7, 1919, p. 1.

This phase of interaction with the Entente on the protection of the German minorities in eastern Europe ended with a note delivered on July 8 to Clemenceau. The German Foreign Ministry proposed the immediate start of negotiations between Germany and Poland in order to arrange an orderly transfer of territory.⁶¹ The focus of Germany's attempt to secure guarantees for the German population now shifted from the Entente to the Polish government.

FORSAKEN OPPORTUNITY AT GENOA

With only few exceptions, Germany did not engage the broader international community on the protection of German minorities until it joined the League of Nations in 1926.

In June 1921 Germany made its first diplomatic intervention to the League of Nations over the treatment of Germans in Poland. This was precipitated by the "Ostrowo incident" of June 1921. On May 3 Polish nationalists had protested against the impending partition of Upper Silesia. In reaction German labourers in the Rhineland turned on their Polish co-workers. Thousands of migrant Polish workers in Germany were dismissed from their employment and deported. These deportees instigated riots and attacks against Germans and Jews in Ostrowo in Poznanian in the week of June 3-6. There were calls for retaliation in the German press and the Reichstag. Consequently, the German

⁶¹Vorwärts, July 10, 1919, p. 3.

government sent a letter of protest to the Council of Ambassadors and to the Polish government on June 16, 1921. The Council was asked to remind Poland of "the absolute necessity of complete protection of national and religious minorities according to the peace treaties." Germany warned that "in view of the total lack of minorities protection . . . in the severed provinces, no government should assume the responsibility of delivering more such minorities over to Polish intolerance."⁶²

The Foreign Ministry probably instigated two protests by the Deutschtumsbund zur Wahrung der Minderheitenrechte in Polen, the official organization of the German minority in Poland, to the League in early November 1921. The complaints related to the seizure of property belonging to the Reich but leased to German settlers and to the refusal to recognize the Polish citizenship of German property owners. After waiting until May for the League to come up with an interim ruling, Germany itself complained about the dilatory handling of these petitions. It sent Dr. Carl G. Bruns to Geneva to press the case of the Bund at the League and circulated a rejoinder to all of its diplomatic stations.⁶³ This marked another step in Germany's readiness to address the League on minority matters.

The other occasion was Germany's low-key support of an

⁶²Quoted in Fink, "Defender of Minorities," pp. 44-45.

⁶³Fink, "Defender of Minorities," pp. 46-47.

initiative by Hungary to place national minority rights on the agenda of the international conference at Genoa in the spring of 1922. At the opening session of the commission on political questions, on April 11, the Hungarian delegate presented a draft declaration that the provisions of the treaties on the rights of minorities should be carried out. After some deliberations on whether Hungary should be permitted to present its concern, it was decided that the minorities issue was an issue for the League of Nations and that this conference would not hear the speeches.⁶⁴ German representatives were present for this discussions but apparently did not speak openly to the point of mandating the League to investigate the protection of national minorities.

The German delegation had considered supporting this approach as advocated in an internal memorandum by the head of the legal department in the Foreign Ministry. After listing the minority protection treaties already under the guarantee of the League of Nations and noting that the Convention on Upper Silesia would soon be added to this list, its author, Friedrich Gaus, described the dilemma for the German diplomats at Genoa:

⁶⁴Documents on British Foreign Policy 1919-1939, First Series, Volume 19 (1922) Conferences of Cannes, Genoa, the Hague (London: Foreign Office, 1974), pp. 360-361; # 121, pp. 805-807; and # 135, pp. 935-939. See also Carole Fink, The Genoa Conference: European Diplomacy, 1921-1922 (Chapel Hill / London: University of North Carolina Press: 1984), pp. 155-157, 255.

Undoubtedly, it is uncomfortable, if now, in the face of our previous position on all appeals to the League of Nations to date, we change our position and engage ourselves in support of assigning a mandate to the League of Nations. On the other hand, public opinion in Germany would not understand a negative or even a passive position by the German delegation. In several press voices of recent days such an intervention by the German delegation has been demanded. Furthermore, we would severely disappoint the elements of German origin in the east if we did not use the opportunity now presenting itself. Therefore the delegation will have to support the Hungarian request. We are not thereby prejudicing our position in principle on the League of Nations because, in this case, the mandates of the League are defined by treaties which we cannot alter. The only matter to be considered is whether we want to limit ourselves to a support of the Hungarian request or if we want to use as examples the conditions in Poland and speak about all of the individual complaints against Poland (question of German settlers, property leases, etc.).⁶⁵

However, this argument did not convince Foreign Minister Walter Rathenau. The German delegation decided to hold to the previous stance of abstaining from any connection to the League and thereby dismissed its opportunity for promoting minority protection as being of no value to Germany. Rathenau explained the German position to Dr. Eugen Schiffer, the lead negotiator for the Convention on Upper Silesia, as follows:

The League of Nations has played a subordinate role in the discussions in the commissions here. There have only been a few requests to transfer a few matters of secondary importance to it for further work. We have declined these requests, without engaging in general discussions, for the reason that as a non-member, we are not in a position to give any mandates to the League of Nations. In any case, I regard it as impossible that the League of Nations could bring us closer to a satisfactory solution of any of the

⁶⁵ADAP, A, VI, # 97, pp. 202-203.

problems which oppress us.⁶⁶

Apparently Rathenau deemed the protection of minorities to be one of the matters of secondary importance which were to be referred to the League and on which it would surely not yield a satisfactory solution for Germany.

The caution of German diplomats in international fora was also evident in their stance toward petitions by the Germans in West Prussia and Poznania on the agenda of the session of the Council of the League of Nations scheduled to begin on May 11, 1922. Schiffer made a point of indicating that Germany would abstain from any comment on these petitions.⁶⁷

Subsequently, Germany did send an observer to the debate on minority rights during the League's third full assembly in September 1922.⁶⁸

ADVOCACY AT THE VATICAN

Soon after the signing of the Versailles Treaty, Foreign Ministry officials realized that they also had to be

⁶⁶ADAP, A, VI, # 98, p. 203.

⁶⁷Dr. E. Schiffer, Geneva, to F. Calonder, May 3, 1922, Politisches Archiv des Auswärtiges Amts, [Hereafter noted as PAAA.] Deutscher Bevollmächtigter für die deutsch-polnischen Verhandlungen über Oberschlesien. File 86. Minderheitenschutz (R 24747).

⁶⁸Fink, "Defender of Minorities," p. 41.

advocates in the Vatican.⁶⁹ In September 1919 Ernst von Simson, section leader of the Foreign Office's Justice and Peace Division, issued a memorandum to his colleagues, informing them that Poland had tried to bring the ceded territories under a special ecclesiastical jurisdiction and that it could use its influence on the papal delegate in Warsaw as well as in the Curia in Rome. Simson acknowledged the desirability of a concordat between Germany and the Vatican to regulate the situation and to safeguard the rights of minorities but noted that the conditions were not right for direct negotiations. He therefore recommended making Rome aware of Germany's concerns and requesting the Vatican to protect the rights of German-speaking clergy and to support the continuance of German religious services and organizations.⁷⁰ Several months later Germany's envoy to the Vatican reported that he had presented these concerns of the German Catholics in Poland and that he had received a sympathetic hearing.⁷¹

One year later there was more optimism about concluding a concordat with the Vatican. Indeed, the Foreign Ministry regarded the preservation of the German identity of the

⁶⁹See Stewart A. Stehlin, Weimar and the Vatican 1919-1933: German-Vatican Diplomatic Relations in the Interwar Years (Princeton: Princeton University Press, 1983), Chapter III, (pp. 102-161) for a comprehensive account.

⁷⁰ADAP, A, II, # 180, p. 325.

⁷¹ADAP, A, III, # 7, p. 15.

Germans in Poland as one of the foremost reasons to conclude such a concordat. This was reflected in a memorandum in mid-November 1921. In anticipation of the re-organization of the Roman Catholic Church in eastern Europe, everything should be attempted to reach an agreement with the Curia which would make it possible to protect the Germans in Poland from the polonization of their church life. The negotiations for the concordat seemed to be the best opportunity to represent these "national necessities" to Rome and the Foreign Ministry hoped that the concordat with the Vatican would include such guarantees.⁷² Soon thereafter, on December 27, 1921, Chancellor Joseph Wirth presented these concerns personally to the Papal Nuncio in Berlin as the prerequisites for progress toward the concordat.⁷³

However, several internal factors, including the resistance put up by several German states to a concordat between the Reich and Rome, led to the indefinite postponement of negotiations in mid-1922.⁷⁴ Subsequently, the Reich deferred to Bavaria, and then Prussia, in pursuing agreements with the Vatican. In 1925, Germany again made diplomatic efforts in Rome for the sake of the Germans in

⁷²ADAP, A, V, # 182, pp. 378-379. See also Stehlin, pp. 392-393.

⁷³ADAP, A, V, # 228, pp. 457-458.

⁷⁴Stehlin, p. 401.

Poland.

When Poland and the Vatican signed a concordat in early 1925, German representatives protested against the terms which increased Polish control over the church affairs of German Catholics. Germany did succeed in obtaining some modifications in the concordat, including the guarantee that German-speaking Catholics could use their language in worship and religious instruction.⁷⁵

By the time a Germany-wide concordat was attained in 1933, the question of the protection of minorities had receded as a concern in this area of foreign relations.⁷⁶

CONCLUSION

Germany's post-war efforts in relation to the Entente to secure the protection of German minorities were delayed by its initial focus on preventing any loss of territory with German occupants. Once the need to address the issue was identified, caution was expressed about the degree to which this goal should be pursued. The rights to be demanded were limited to protection of language and culture and consideration of reciprocity or cultural autonomy was foreclosed. Germany preferred to accent national self-determination as this principle could also potentially undergird the retention or even the attachment of Germans to

⁷⁵Stehlin, pp. 415-416.

⁷⁶Stehlin, pp. 431-432.

the Reich.

The case for minority protection was formally included in the guidelines for the delegation sent to Paris to negotiate the peace settlement. These went beyond the initial proposal. Provisions for cultural institutions were highlighted but the request for "cultural autonomy" was also mentioned. Furthermore, there was mention of the "reciprocal protection" of national minorities. Together, these references implied an unprecedented readiness on Germany's part for reciprocity in granting cultural autonomy to minorities. As the reality of losing citizens to another state became impressed upon Germany's leaders, they became more willing to make demands on behalf of German minorities even though these would then commit Germany to greater autonomy for the minorities within its own borders.

The shock at the severity of the peace settlement, especially the losses of territory, and the refusal of Germany's adversaries of any substantial negotiation, eliminated any significant exchange with the Entente on the rights of German minorities. The treaty on the protection of national minorities imposed on Poland by the Allied and Associated Powers was almost overlooked at first and then dismissed as inadequate and inaccessible for Germany's interests. So Germany gave notice of its intention to negotiate provisions for minority protection directly with Poland. However, for Latvia, Germany passed on the

responsibility for the protection of Germans to the Allies and to Latvia itself.

Until the end of 1922 Germany repeatedly presented its concern for the survival of the German identity of Catholics in Poland to the Vatican. On the other hand, it waited until mid-1921 before it referred complaints on minority rights to the League of Nations. Here it retained a low profile out of exasperation at being excluded from the League.

CHAPTER 5

THE DOMESTIC POLITICAL DEBATE ON MINORITY PROTECTION

Though the policy on the protection of German minorities abroad was primarily formulated and implemented by the Foreign Ministry, it was also affected by public opinion in post-war Germany. A consequence of the increased mobilization and arousal of public sentiment for the war effort was that the impact of the opinion of the public on government policies increased. Furthermore, Germany's citizens had deepened their solidarity with Germans abroad through the wartime contacts with Germans from the Baltic to the Black Sea and from the Danube to the Dnieper River.¹

DEBATE ON THE ACCEPTANCE OF THE FOURTEEN POINTS

Public attention to the protection of Germans abroad was hampered initially by the constraints placed by the new government on the discussion of those terms for peace which would result in the transfer of Germans to other states.

¹Otto Gessler, president of the VDA in 1931 quoted in Allen Cronenberg, "The Volksbund für des Deutschtum im Ausland: Völkisch Ideology and German Foreign Policy, 1881-1939" (Ph.D. diss. Stanford University, 1970), pp. 90-91. See also Rudolf Jaworski, "Der auslandsdeutsche Gedanke in der Weimar Republik," Annali dell'Instituto italo-germanico in Trento 4 (1978), pp. 369-386.

The Fourteen Points enunciated in January 1918 by President Wilson included points which implied the loss of German territory, most particularly Alsace-Lorraine and parts of Prussia. The new cabinet of Prince Max von Baden was concerned that public debate on the terms under which it was suing for an armistice might add fuel to the popular resistance to the necessary admission of Germany's military defeat. Second, the cabinet held to the faint hope that some of the most difficult terms, such as the loss of territory, could yet be avoided through discreet negotiations. Public statements on the peace terms which would lead to a rigidification of positions would remove all hope of this.

Thus, in its meeting on October 3, the cabinet indicated that the press was to refer as little as possible to Alsace-Lorraine, the Baltic, and Poland, that is, those areas which were to be ceded according to the peace terms it had accepted. The cabinet expressed the opinion that the press could concentrate on domestic reforms and the League of Nations instead.² Though these also grew out of the terms set out by their victors, they were more broadly accepted by the German public.

The government also attempted to stifle discussion of its acceptance of the Fourteen Points in the Reichstag. On October 6, it presented its formal statement on its peace

²Regierung des Prinzen Max von Baden, # 26, p. 87.

negotiations to the parliament. In order to prevent discussion, Konstantin Fehrenbach, the leader of the Center Party, moved the adjournment of the Reichstag immediately after speaking for the government's declaration. The proposal was that Reichstag would not to be recalled until its president deemed it to be necessary.³ However, two members of the Reichstag insisted on a discussion of the peace program and were able to make points which the government would rather have suppressed.

The speaker for the Independent Socialists, Hugo Haase, attacked the credibility of the diplomacy of the old system and claimed that the proletariat should determine the future of foreign policy instead. Haase was followed by an ethnic Polish member, Seyda. This speaker pointed to the historic consequences for a new Polish state of the government's position. He called for further explication of the specific point which the government found most difficult to accept, the loss of territory:

I want to highlight the fact that among the Wilsonian peace terms there is the point that an independent Polish state be established which shall include all Polish lands and have its own access to the coast. As the German government has also accepted this point as a basis for the peace negotiations, it recognizes for the first time that the strivings of the Polish nation for a unification of all Polish lands into an independent state are justified.

On the basis of the common desire for a lasting peace, Seyda suggested that it was the duty of the Reichstag to

³Vorwärts, October 6, 1918, pp. 2-3.

clarify the conditions for such a peace immediately. He was refuted by Friedrich Ebert, the leader of the Social Democrats and a member of the government, who urged the parliament to entrust the pursuit of peace to the government. The debate was promptly closed and thus discussion on the implications of the recognition of the right to existence of a Polish state, such as the conditions of its potential German inhabitants, was prevented.⁴

At the cabinet meeting on October 14, von Payer, the senior staff advisor to the government, again counselled that there should be no parliamentary debate on foreign policy, specifically not on Poland, as this would hurt the peace effort. Other cabinet members agreed with this intention.⁵ However, one week later, the government realized that it could no longer obstruct a discussion of Polish claims in the Reichstag and so it deliberated on how to minimize the debate which would surely be initiated by the Polish representatives.⁶

At this stage the term "self-determination" became the focal point for the German government's efforts to prevent the loss of the ethnically Polish parts of Prussia. In the Reichstag session on October 22, the Chancellor opened the debate by echoing the opposition's earlier demands for a

⁴Vorwärts, October 6, 1918, pp. 2-3.

⁵Regierung des Prinzen Max von Baden, # 56, p. 181.

⁶Regierung des Prinzen Max von Baden, # 78, p. 294.

open discussion on the peace terms:

The German people must not be led blind to the negotiating table; today the nation has the right to ask the question: If a peace is made on the basis of Wilson conditions, then what does this mean for our life and our future?⁷

However, there was no mention of the potential loss of territories.

Philipp Scheidemann, a Social Democrat cabinet member, hinted at the prospect of more autonomy for national minorities within Germany: "We must incorporate the happiness and the right of other peoples in our midst into our national life." Friedrich Ebert, also speaking for the government, took the offensive by calling for the same measure of self-determination for Germans which it was now ready to accord to other peoples.⁸

In response to the Polish claims, the cabinet felt compelled to clarify that the term self-determination could not mean that each small region could demand autonomy.⁹ With this interpretation it hoped to deflect the demands for the cession of its Polish areas even though its acceptance of Wilson's terms formally committed it to this outcome.

The "Polish debate," as it was labelled by Vorwärts, the Social Democratic newspaper, took place in the Reichstag

⁷Vorwärts, October 23, 1918, Beilage, p. 1.

⁸Vorwärts, October 23, 1918, Beilage, p. 2.

⁹Regierung des Prinzen Max von Baden, # 82, pp. 308-309.

on October 24. Foreign Minister Wilhelm Solf proclaimed the government's resolve to resist "any violation of Poles and any violation of Germans" and declared that if a peace of understanding was to be made, then Germans should not be torn away from their fatherland and attached to aliens. He added that obviously the right of self-determination must be assured to all foreign language groups.¹⁰ However, there was no reference by the government to provisions for protecting Germans in another state, in particular a Polish state.

It was a speaker for the Independent Socialists, Cohn, who made the most explicit and positive reference in the German parliament to the protection of Germans in Poland, albeit only in passing. He suggested that for his party, language was the crucial factor in national questions and continued: "The national minorities must be assured of sufficient protection. Hopefully in the future the Poles will do so in their own country." However, the first order of business for Cohn was determining who was to be held responsible for the current situation of the German people.¹¹

After this turbulent session the parliament adjourned, not to be recalled before the transformation of Germany into a republic and an election of a constituent assembly.

¹⁰Vorwärts, October 25, 1918, Beilage, p. 1.

¹¹Vorwärts, October 26, 1918, Beilage, p. 1.

POLITICAL PARTY PLATFORMS

On November 25, Foreign Minister Solf reviewed Germany's foreign policy for the representatives of the German states. Solf described his foreign policy approach in terms he considered amenable to his audience. He repeated Germany's intention to orient itself to Wilson's program as the only pacifist one. In his assessment, Germany would only be able to recover from the deep wounds which had been inflicted by the war if it pursued a thoroughly pacifist policy. Consequently, Germany had to support openly and genuinely all wishes for the creation of a league of nations, for disarmament, the introduction of courts of mediation, and the freedom of the seas. Solf also mentioned the desire for good relations with Poland on terms favourable to Germany but he did not refer to the prospects or obligations for German national minorities in Poland or elsewhere.¹² Apparently the German government was still unwilling to face openly the inevitability of losing territory inhabited by Germans.

By contrast, there were some passionate statements on Germany's obligation to protect Germans threatened by other nations. These did not come from government spokespersons but from political parties and interest groups. In November 1918 the leader of the Verein für das Deutschtum im Ausland (VDA), von Reichenau, highlighted the positive aspect of

¹²Regierung der Volksbeauftragten, # 30, pp. 157-158.

Germany's defeat:

The previous structure of the German state, the Reich, has collapsed. With this the state in which 82 million of the 100 million Germans on the earth have lived until now has been broken and with one blow the idea of the German people stands, no longer veiled and covered by the curtains of the state, [but] in a new and unaccustomed light before us. In the same moment that we lose our previous state we win our nation; that is, we become aware with the most vital certainty and clarity that beside the commonality of the Reich, which has united us with our kin, it is the fellowship of blood and tribe which exists to unite us with our fellow nationals.

On January 5, 1919, there was an assembly in Berlin for the cause of greater Germany with speakers from Austria and Bohemia as well as Germany.¹³ The representative from Austria, who spoke at this gathering, evoked:

the one uplifting idea, namely, that the moment has come to unite all large German settlements and to establish the cultural union and the political union for which our fathers have struggled and for which we have longed, and which was for too long disturbed by dynastic interests.¹⁴

In keeping with the emphasis on the German Volk rather than on the Reich, the detachment of the state from the nation caused by Germany's defeat was presented as a welcome breakthrough for the German people.

In conjunction with its assembly of January 1919, the VDA formulated a set of demands which the government should make in the international arena for the sake of Germans

¹³V. Aschenbrenner, Die Deutschen und ihre östlichen Nachbarn: Ein Handbuch (Frankfurt/Main: Diesterberg, 1967), p. 69.

¹⁴Aschenbrenner, p. 68.

abroad. These were:

1. The union of the states of German Austria and the Reich
2. The right to self-determination for Germans wherever they live
3. A government office for Auslandsdeutschtum
4. The right to vote for German citizens abroad
5. The calling of the National Assembly.

The latter request was "not only for internal political reasons, but primarily and exclusively in the interest of the totality of our nation."¹⁵

In the campaign for the election of the National Assembly on January 19, 1919, it was the nationalist political parties which were most explicit in their platforms about the protection of German minorities. Their positive appreciation of the shift of loyalty from the state to the nation or from the Reich to the Volk prompted them to address the topic of minority protection while other parties focused on attacking the immediate issue raised by the peace terms. Amidst the demands for a quick and just peace in the platforms of the political parties, there were also references to Germans abroad.

The German People's Party expressed itself as follows:

The more Germany suffers under the destructive consequences of the lost war, the more firmly we place our entire policy under the national idea, [and] the more sharply we reject all those international efforts which dilute and obscure our national uniqueness. . . .

¹⁵Barta and Bell, p. 214.

We desire a cultural tie with the Germans abroad and the complete guarantee for their commercial activities in all countries.¹⁶

The German National People's Party presented a strongly nationalistic position in December 1918. It declared its "unbowed devotion to [and] passionate love of the indestructible living dynamic of the German people and the German ideal." On this basis it demanded "the protection and preservation of our threatened border regions in east, north, and west; [and] the protection for the dispersed and oppressed Germans abroad."¹⁷

The Centre Party listed the immediate attainment of a peace settlement, an international law based on Christian principles, a league of nations, and the protection of national and religious minorities in all states, among its foreign policy goals.¹⁸

The German Democratic Party called for intercession for Germans abroad but from the basis of a conciliatory foreign policy:

We demand a foreign policy which is based on the spirit of lasting peace and which assures Germany's role in the world. . . . We advocate a league of equal nations, [and] international courts of mediation. . . . The precondition for a good foreign policy is a thorough

¹⁶Die Deutsche Nationalversammlung im Jahre 1919 in ihrer Arbeit für den Aufbau des neuen deutschen Volkstaates, ed. by Ed[uard] Heilfron (Berlin: Norddeutsche Buchdruckerei und Verlagsanstalt, [1920]), [Hereafter noted as Nationalversammlung.], Volume I. Part 2, pp. 132-133.

¹⁷Nationalversammlung, I, 2, p. 124.

¹⁸Nationalversammlung, I, 2, p. 138.

reform of the Foreign Ministry. The rights of the Germans abroad and the colonial interests of the German nation must be secured. At the peace negotiations we demand for ourselves complete free right to self-determination. . . . We advocate the legal protection of foreign language minorities in Germany and we demand the same right for the German minorities in foreign countries.¹⁹

By contrast, the Social Democratic Party had only one very general point on foreign affairs in its program of December 29, 1918, namely, "to bring about a peace as quickly and as favourable as possible."²⁰ However, a Social Democratic member of the cabinet, Leinert, set aside the internationalist inclinations of his party and spoke vehemently for the protection of his fellow Germans in the cabinet meeting of January 3, 1919. Here he attached the achievements of the socialist movement to German nationalism:

It needs to be said that we will become booty for alien nations if the nation does not now rouse itself, that the Poles shame us with their grand national pride, and that we Germans possess nothing to secure our German-dom. Surely we cannot let ourselves be deprived of our great achievements which the workers have attained and which have reached their peak in the great victory of the revolution. These achievements must be protected if we do not want to become hopelessly lost, if we do not want to starve. . . . It needs to be said: the army should protect that which is stated in Wilson's conditions for peace, namely the self-determination of the German nation. This may all sound somewhat pan-German, but it does not need to be said with these words. We must state explicitly that we want to protect the lives of our citizens in the east.²¹

¹⁹Nationalversammlung, I, 2, pp. 141-142.

²⁰Nationalversammlung, I, 2, p. 143.

²¹Regierung der Volksbeauftragten, # 93, p. 186.

The Independent Socialists also had only one broad foreign policy goal in their platform accepted on March 6, 1919, namely, "the establishment of friendly relations with all nations [and] the immediate resumption of diplomatic relations with the Russian Soviet republic and with Poland."²² At the same time the Council of Workers and Soldiers gave virtually no attention to international affairs, let alone the fate of Germans in foreign countries. At the conference of Councils in early March 1919, the majority of delegates regarded foreign affairs as distraction from the more urgent issues on the domestic front.²³

The leadership of the Social Democratic Party did have the opportunity to address the question of national minorities at the International Conference of Socialists which met in Bern, Switzerland, in February 1919. One of the working groups at the conference gave attention to the issue of national minorities. The resolution it presented to the plenary body reflected the debate in which German socialists were engaged. The resolution included several principles, among them the following:

²²Johannes Hohlfeld, Dokumente der Deutschen Politik und Geschichte von 1848 bis zur Gegenwart, Band 3, Die Weimarer Republik 1919-1933 (Berlin: Dokumentenverlag, [1951]), p. 24.

²³Der Zentralrat der Deutschen Sozialistischen Republik: 19.12.1918 - 8.4.1919, ed. by Eberhart Kolb and Reinhard Rürup, (Leiden: E. J. Brill, 1968) [Hereafter noted as Zentralrat.], pp. 753, 755, 756-764.

The peace must bring with it the liberation of the oppressed nationalities. . . . All nationalities must receive the right to determine their fate independently. . . . The nationalities. . . . must receive the right to cultural autonomy and the right to petition the League of Nations when they have complaints to present.

The presentation ended with the optimistic and categorical statement that "the nationalities question will no longer be a question in the socialist society."²⁴ However, the working group could not agree on the application of these principles in particular cases. It could only promise that the international socialist movement would monitor their application.²⁵ Presumably it was the particular concern of the German socialists for the treatment of German minorities, regarded as excessive by delegates from other countries, such as France, which prevented agreement among European socialists on the application of the general principle of minority rights.

NATIONAL ASSEMBLY DEBATE ON A NEW CONSTITUTION

The relation between Germany and Germans abroad came to the fore in the opening sessions the National Assembly convened in Weimar. This assembly had been elected in mid-January and its first major task was the preparation of a constitution for the new republic. In his opening address on February 6, 1919, President Friedrich Ebert avowed the

²⁴Vorwärts, February 8, 1919, p. 3.

²⁵Vorwärts, February 8, 1919, p. 3.

unity of all Germans and also spoke to the question of the rights of minorities:

If it is rightfully demanded that we not retain peoples and portions of nations with force who do not want to stay with us, then we demand with the same justification that one does not establish new enslavements and hinders no one who wants to stay with us or come to us from staying with us. Such an effort will be futile because the land of the free German people will always be the fatherland of all who want to be German and to be free as Germans. The new world which is to emerge from the war can only survive and flourish if none of its members withers in disgrace and need.²⁶

In his first speech to the National Assembly, Count Ulrich von Brockdorff-Rantzau, Solf's successor as state secretary for foreign affairs, affirmed that "the German people is a living unity beyond all state borders, even beyond the borders of the old Reich."²⁷ He offered a bleak prediction for relations with Poland and conceded that territory would be transferred, though the extent of this territory was uncertain. Then Brockdorff-Rantzau noted that Germany must strive to find a *modus vivendi* through the careful nurture of common interests and mutual respect for the very different national traits. However, he only mentioned transportation as a point for mutual arrangements and made no reference to agreements on the treatment of the

²⁶Nationalversammlung, I, 3, p. 105.

²⁷Ulrich von Brockdorff-Rantzau, Dokumente und Gedanken um Versailles, 3rd edition (Berlin: Verlag für Kulturpolitik, 1925), p. 52.

respective minorities.²⁸

International issues were addressed from a nationalist perspective by representative Traub, a member of the German National People's Party. Traub placed priority on restoring Germany's international role even as it struggled with its immense internal problems. In particular, he pointed to the relationship with Germans abroad:

We would not be Germans if we would not think of our brothers outside our German Reich. Nowadays that [sentiment] cannot be suspected of being any kind of pan-German imperialism. It is nothing other than a cultural obligation and a gratitude which we fulfil and have to fulfil toward fellow Germans in the world.

Then Traub mentioned the specific plight of several such groups, first of all, the Germans who had been expelled from Russia and who needed compensation for their property losses. Traub also expressed sorrow for the plight of Germans in Belgium, Poland, in the Baltic and in the Banat - a plight caused by the disgrace of Germany losing the war. With these statements Traub wanted to "open the windows again so that we here in our German National Assembly also occupy ourselves with all the events which are occurring outside of Germany."²⁹

The protection of national minorities was most specifically addressed in these sessions by Walter Schücking, the expert in international law. On March 3

²⁸Brockdorff-Rantzau, pp. 53-54.

²⁹Nationalversammlung, I, 3, pp. 481-483.

Schücking rose in the National Assembly to speak to the article of the draft constitution which promised rights for "foreign language ethnic groups" in Germany. While expressing pleasure that this issue was addressed in the constitution at three different points he lamented the weakening of the provision from the initial draft which had referred to "nationality groups."³⁰ Schücking predicted that:

Perhaps very soon no other nation will be as interested in the condition of national minorities as the German one because the unfortunate development of the war has led to the result that Germans, more than any other [people], will live in alien states under alien sceptres. Therefore we have a great concern to lead the civilized world in the protection of national minorities.

Turning to the peace negotiations, Schücking called for minority protection to be made a matter of international peace negotiations:

I hope, that the present government will also exert itself so that at the peace negotiations the legal protection of national minorities will be internationalized.

Specifically, he mentioned the many Germans in Russia, whose fate should be of special concern to Germany.³¹

The next day Gustav Stresemann, the leader of the German People's Party, reiterated this point. He indicated

³⁰The draft article had been formulated and then "leaked" to the press in mid-January to divert ethnic Poles from striving for separation from Germany. Regierung der Volksbeauftragten, # 104, p. 247.

³¹Nationalversammlung, II, p. 1181.

that he missed a clear declaration in the draft constitution in favour of the protection of the Auslandsdeutsche. He noted that this concern had been incorporated in the constitution drafted in 1848. In the current situation such an assertion was again highly significant. While there was an article in the present draft which did include this idea, Stresemann felt that it should be stated more explicitly. Furthermore, Stresemann predicted both an increase in the emigration of Germans from Germany and the transfer of many Germans to Poland. These Germans, as well as those who had lived under foreign rule for centuries, should not succumb to other nations and fertilize their growth.³²

The peace negotiations which Germany expected to enter shortly also informed the National Assembly's consideration of the new constitution. Thus Matthias Erzberger addressed Germany's stance on this front as well as with reference to the constitutional provisions for national minority rights. In response to questions to the government about the Polish threat he declared:

We must demand the protection of national minorities of the entire world. This is one of the most important elements of the government's program in the conclusion of a peace. We must intercede for the Germans in the whole world, for the preservation of their culture, their language, their religion. This is our duty.

He then indicated what he deemed to be the best basis for attaining this protection: "that we guarantee the same

³²Nationalversammlung, III, pp. 1226-1227.

freedom to the national minorities living with us."³³

Finally, the representative from Posen, a region slated for cession to Poland, Dr. Hermann, expressed the hope that the government had prepared for all eventualities, culminating in a treaty for autonomy. In addition to stressing the importance of providing such rights to Polish minorities within Germany, he also urged that the Germans affected by the expected transfer to Poland be consulted.³⁴

The government permitted the National Assembly to debate the terms for peace negotiations again on March 27 and April 10, 1919.³⁵ The stage was set by a passionate speech by the Minister President, Philipp Scheidemann, on the bond between Germany and the Germans about to be separated from her or prevented from joining her.³⁶ Again there were vigorous declarations of fealty to the Fourteen Points but there were equally strong assertions that there was no "indisputably Polish territory" in eastern Germany.³⁷

Scheidemann's concluding speech offered a more qualified commitment to fulfil the peace settlement imposed by the Allied and Associated Powers. "Loyalty to the treaty should be the trademark of the new Germany," he stated, but

³³Nationalversammlung, III, p. 1259.

³⁴Nationalversammlung, III, p. 1284.

³⁵Nationalversammlung, IV, pp. 1974-1977, 2096-2097.

³⁶Nationalversammlung, IV, pp. 1974-1975.

³⁷Nationalversammlung, IV, pp. 2307-2310, 2333.

alongside this he placed "the loyalty to ourselves [which] compels us to the unshakeable preservation of those vital German interests without which survival as a state or as a nation is not possible."³⁸

Thereupon the National Assembly passed a resolution on the peace negotiation which outlined the nature of a true peace from its perspective and expressed the expectation that the government "would only consent to a peace of understanding and reconciliation and would reject any peace which condemned the present and future of the German people and of mankind."³⁹

The editorial writer of Vorwärts was less obsessed with the effort to prevent any loss of territory and more optimistic about obtaining measures which could make the transfer of territory and citizens acceptable. In answer to the question "How should negotiations be conducted?" he stated:

The cession of small portions of the people from the whole may be much more readily borne, if the protection of national minorities is assured them rather than if they go into an uncertain fate under the hard fist of a conqueror.⁴⁰

Hope was placed in the League of Nations which could moderate the demands of those with the upper hand and make

³⁸Nationalversammlung, IV, p. 2235.

³⁹Nationalversammlung, IV, p. 2354. The Prussian parliament passed a resolution with similar sentiments on the following day. Vorwärts, April 12, 1919, Beilage, p. 1.

⁴⁰Vorwärts, April 26, 1919, p. 1.

the sacrifice bearable for the other side.

REACTION TO THE PEACE SETTLEMENT

The text of the peace treaty presented to Germany's delegates on May 7, 1919, in Paris unleashed a flurry of protest in Germany. Some of these protests focused on the conditions of Germans in the territory to be ceded, with some demands for their legal protection through the treaty.

On May 12 the National Assembly met in a special session to express its objection to the proposed treaty. The outrage was directed primarily at the losses and reprisals, including the loss of citizens and territory. Virtually no cognizance was taken of the promise of protection of minority rights included in the treaty.

Minister President Scheidemann avowed the unity of the German people. Noting the presence in the Assembly of representatives of the areas threatened with detachment from Germany, he proclaimed:

We belong together! We must stay together. We are one flesh and one blood and whoever attempts to separate us cuts into the living body of the German nation with a murderous knife. To keep our nation together is our highest duty.⁴¹

Other speakers from the eastern provinces were more explicit in describing the consequences of transferring German territory to other states. One argument for resisting such transfers was the inevitability of renewed

⁴¹Nationalversammlung, IV, p. 2644.

military conflict. Müller, a Social Democrat deputy from Breslau, stated a hope coupled with a fear:

We hope that something can be attained in the negotiations and we would regard it as a misfortune for Europe if this would not happen and if [now], by other means, new hot-beds would be created out of which chauvinism could ignite its fire again.⁴²

Bitta, a representative from Silesia and a member of the Center Party, declared:

The separation of Upper Silesia would never create peace and satisfaction; instead as a consequence of the disadvantages [of Polish rule] a new irredenta, an oven of political disruption, would soon make Upper Silesia a stage for warlike engagements of two neighbouring nations.⁴³

The spokesman for the Independent Socialists, Hugo Haase, agreed entirely with this point and, like most other speakers, noted the way in which the principle of national self-determination, hitherto exalted by the Allies, was being withheld from Germans:

We therefore condemn the fact that the Entente has, to the disadvantage of the German nation, denied in such an arrogant manner the self-determination of nations which it has proclaimed so solemnly. Political reason alone should have prevented them from stipulating territorial borders so recklessly [and] without determining the will of the affected population in free and independent plebiscites. The result of this recklessness is the creation of lasting restlessness, the formation of an irredenta which holds the certainty of new bloody conflict.⁴⁴

Ludwig Quidde, of the German Democratic party and a

⁴²Nationalversammlung, IV, p. 2653.

⁴³Nationalversammlung, IV, p. 2676.

⁴⁴Nationalversammlung, IV, p. 2694.

pacifist, added his protest to the treaty but then pointed out the impact it would have on the general opinion within Germany toward the League of Nations. His prognosis accurately described the sentiment of his compatriots:

In the terms of the peace presented to us by the Entente lies the great danger that we enter a development which contradicts the realization of the League of Nations and international understanding. It is as if one wanted to instigate new conflicts. There can be no doubt: if this peace should be implemented, then a German irredenta will be created and in Germany millions will say: Now all our thoughts and efforts should be directed toward removing this peace. And they will not be restrained by the notion that the League of Nations, once it really becomes a League of Nations, will in the future remove this peace [treaty] with the methods of peaceful mediation but they will rather nurture the idea of a war of retribution.⁴⁵

In the initial reactions of Germany's politicians to the Versailles Treaty, the case for the protection of German minorities was tangential to the fury over the loss of territory which would create these minority populations. They were not yet in the frame of mind which allowed them to propose constructive measures for their protection.

However, the Verein für das Deutschtum im Ausland was again quickly off the mark with a petition to the National Assembly requesting that a clause protecting the rights of German citizens living abroad be included in the treaty.⁴⁶ Soon thereafter, organizations of Germans who had lived abroad, but had re-settled in Germany during the war, held

⁴⁵Nationalversammlung, IV, p. 2708.

⁴⁶Frankfurter Zeitung, May 11, 1919, p. 2.

rallies in several cities on May 18. President Ebert spoke at the rally in Berlin and assured the audience that the government would give special attention to their needs.⁴⁷ On May 26 an alliance for the protection of the Germans abroad, the Deutscher Schutzbund für das Grenz- und Auslandsdeutschtum, was formed as an umbrella organization for the multitude of organizations of and for Germans in the territories to be ceded.⁴⁸

Back in the National Assembly it was again a spokesperson for the pacifist movement, Ludwig Quidde, who pointed explicitly to the need for the legal protection of minorities. Quidde subsequently recast his speech on "the right to self-determination in the territorial cessions" into an article published in the Frankfurter Zeitung on May 20 and 21. He proposed ten principles for resolving this issue. The ninth point read as follows:

The minorities must be equally guaranteed their right to autonomous national life, to nurture their language in school, church and literature and, if needed, to linguistic equality in administration and in the legal system, at least for the lower levels. The rights of the national minorities should be set down generally in the peace treaty, preferably in the constitution of the League of Nations which forms an integral part of the peace treaty.

Quidde's tenth principle advocated the drawing up of

⁴⁷Frankfurter Zeitung, May 19, 1919, p. 1.

⁴⁸Karl Heinz Grundmann, Deutschtumspolitik zur Zeit der Weimarer Republik: Eine Studie am Beispiel der deutsch-baltischen Minderheit in Estland und Lettland (Hannover-Döhren: Verlag Harrov Hirschheydt, 1977), p. 123. See also Schot, p. 18.

nationality registers in order to assure the national rights of the persons registered. Here Quidde's definition of national identity came through:

Determinative for inclusion [in the lists] is not origin or language but the declaration of the will of the citizen. The national constituencies formed on the basis of the register should receive their own education system and administration through measures of state legislation and on the basis of an appropriate financial arrangement. The rights of the national minorities are to be placed under international protection, i.e. the national constituencies receive a right to appeal to an international court of law against their own government in cases of violations of the guaranteed rights.

To supplement the protection of the language and culture of the minority, Quidde raised the possibility of securing an independent economic basis for the minority population:

The personal nationality register would be supplemented with a national property register which would protect the property of minorities against state intervention.⁴⁹

Though Quidde's suggestions developed some of the points implied in the guidelines for the German delegation to the peace conference, such as the nationality register, they were not adopted by the government for the peace negotiations. Probably the government was loathe to consider such demands on behalf of the national minorities in Germany. Nor was it ready to embrace Quidde's reliance on personal choice in determining national identity.

The fate of Germans in the eastern provinces received

⁴⁹Frankfurter Zeitung, May 21, 1919, p. 1.

more attention when, on June 22, 1919, the National Assembly debated whether the treaty should be signed. The anguish over losing German citizens was again at the forefront of the government's reaction. The new Chancellor, Gustav Bauer, declared that his government would authorize the signing of the treaty but only with the explanation that no other nation could expect the German nation to agree inwardly to a peace treaty by which living members would be separated from the body of the German state without the consent of the affected population. Furthermore, the treaty violated German sovereignty on an ongoing basis and imposed unbearable economic and financial burdens on the German nation.⁵⁰

The treaty's territorial measures were the focus of an vehement attack by Count Posadowsky-Wehner of the German National Party. He questioned the claims of enemy nations to have superior cultures in view of their decision to place the eastern part of Germany under the culturally inferior Polish rule and thereby obliterating the high cultural level of the Germans there. Toward the end of his long speech he made a special appeal to the government in the face of the certain prospect that the eastern territory would be lost:

I appeal to the government to strive to obtain a commitment from the governments of the Entente that our fellow German citizens in the ceded territories will be treated justly and humanely. Our fellow Germans cannot all leave house and property. I would regard it as the

⁵⁰Nationalversammlung, IV, pp. 2721-2722.

greatest misfortune if now a panic broke out in the east and these masses would surge westward and make our difficult situation even worse. I believe that the people who have a house and property will persevere. But the government must also intercede strongly with our enemies so that our enemies exert themselves to provide for just and humane treatment of our fellow citizens. The enemy governments should demonstrate that they truly belong to civilized nations.

In his anxiety over the responsibility of his government for Germans in the east, Posadowsky-Wehner overlooked the minority protection treaty for Poland promised by the Entente. His fixation on retribution upon Germany's enemies formed the context for his concern for the protection of German minorities:

I hope that the day will also come for our enemies when the rage of the gods will descend upon them. In any case, we must do everything to bring this day about. Above all, we will have the serious task in the future to sustain the love of the fatherland, the inner sense of belonging to Germany in the German compatriots ["Stammesgenossen"] who are being torn away from us and who are coming under alien rule, to protect them from succumbing to foreign influence and losing their national identity. We hope that by eternal justice this ploy of our enemies will come to nothing. We desire to maintain the sacred flame of the love of the fatherland in our nation and above all in our youth, which will place especially difficult duties and tests upon us.⁵¹

Chancellor Bauer responded to Posadowsky-Wehner's speech by assuring him that the government would do everything to assure the protection of fellow Germans if a portion of the eastern provinces would be lost. Then, giving the government more credit than was due, he stated that "on the basis of the negotiations which had taken place

⁵¹Nationalversammlung, IV, pp. 2746-2747.

with the Entente, at least the protection of the national minorities has been confirmed," and concluded with the usual declaration of solidarity with the Germans in the territories to be ceded.⁵²

Characterized more by anguish than by rage was a declaration of about twenty Social Democratic representatives from East Prussia, Memel, Danzig, Posen, Upper Silesia, the Saar region and Schleswig. They protested the separation of their homelands from the motherland but accepted the decision of their own party to sign the treaty so that "their homes would not become the scene of new bloody battles and so that their wives and children would be spared the horrors of another war." They vowed that they would remain German and would not give up the hope that their territory would be returned to Germany:

We base our hope on socialism and on the future League of Nations which will embrace all nations equally for the purpose of the reconciliation of all peoples, and which will make good what the animosity among nations and the hate-filled present is now doing to us.⁵³

Similar declarations of solidarity with the Germans in the ceded areas were again made in the National Assembly during the speeches on the debate over the ratification of the treaty on July 9, 1919.⁵⁴ However none of these made reference to the protection of national minorities.

⁵²Nationalversammlung, IV, p. 2748.

⁵³Nationalversammlung, IV, p. 2768.

⁵⁴Nationalversammlung, V, pp. 3436-3448.

EDUARD BERNSTEIN'S PROGRAM

While there was no reference to minority protection in the National Assembly, a major article published in Vorwärts dealt with this topic at length. In early July Eduard Bernstein, an independent and prominent Social Democrat, outlined a new set of goals and approaches to German foreign policy. He had presented the same arguments at the Social Democratic party convention in mid-June.⁵⁵

Bernstein was looking for constructive approaches to replace the pessimism which prevailed in this realm of state affairs. He claimed that a treaty with Poland which would minimize the damage to Germany's condition and status was still possible. According to Bernstein, if one had been worked out immediately after Germany's wartime declaration in favour of Poland's independence in November 1916 then Germany could have determined the extent of territory to be transferred to Poland instead of than having the territorial cessions be dictated by its victors.⁵⁶

Bernstein presented a challenge to undertake a constructive approach to foreign affairs, especially in relation to Poland:

German statesmanship has the difficult, but not futile, task of attaining the best possible way of implementing the terms of the treaty. . . . Now is the time to present a positive policy instead of an essentially negative one, to demonstrate which possibilities for a

⁵⁵Vorwärts, June 13, 1919, p. 1.

⁵⁶Vorwärts, July 5, 1919, p. 1.

rational German peacetime policy are attainable through the commitments made in the responses of the Allies to the German notes. The concessions which the Allies have made toward Germany are far less than what was demanded but they are not entirely worthless. Their response is useful because they now provide the rationale for many of the demands and thereby reveal at what points the levers must be utilized by Germany in order to attain improvements and to ward off feared developments.⁵⁷

On the question of the transfer of territory to Poland, Bernstein pointed out that the Allies "assume the guarantee for the rights of the German minorities in the areas now assigned to Poland" and then asked:

Should we leave it with a protest. . . or should we not, picking up on the assurances of the Allies, apply our efforts to attain a workable relationship with our eastern neighbour state, including the greatest possible protection of the German minorities in Poland.⁵⁸

CONSTITUTION AND FOREIGN POLICY DEBATES

The issue of the protection of minority rights came to the fore in two more debates of the National Assembly in July 1919. After ratifying the peace treaty in early July, the Assembly returned to the consideration of the constitution of the new republic.

On July 15, Cohn, the Independent Socialist who had raised the question of the treatment of national minorities in the "Polish Debate" back in October, rose to advocate a revision of Article 112. This article referred to the

⁵⁷Vorwärts, July 9, 1919, p. 2.

⁵⁸Vorwärts, July 9, 1919, p. 2.

rights of "national elements of a foreign language" ("fremd-sprachige Volksteile"). He suggested that it refer instead to "national minorities."⁵⁹ To support his revision he noted that the proposal presented by Germany for the tasks of a League of Nations had also spoken of "national minorities." This term implied that the crucial factor in national identification was the will to belong to a particular nation and that language was only one component alongside others in making this determination. This was consistent with the position taken by the Independent Socialists in the previous debate on the constitution in February.

In Cohn's view the article as presently written was in contradiction with the position Germany had taken against the Allied and Associated Powers. He cited the definition provided by the office for the peace negotiations:

A national minority in the sense of these proposals is a nationally defined group which on the basis of its numbers and its culture is willing and able to lead an independent national life.⁶⁰

Cohn argued that it was dishonest and dangerous to advocate one definition in international discussions and to select a different one for internal practice:

Germany may under no circumstances provide fewer rights to its own national minorities than it demands at the League of Nations of the other nations for all other national minorities, including German minorities in

⁵⁹Nationalversammlung, VI, p. 3833.

⁶⁰Nationalversammlung, VI, pp. 3833-3834.

Poland and other countries. . . . If you hold to the formulation of the draft then the objection can always be raised that, when you were able as a sovereign national assembly for the first time to provide to the national minorities who are within your borders that which you now demand of the Poles, the Czechoslovaks and other foreign states, you failed and did not want to give that which you demand of others.⁶¹

Cohn's arguments were in vain. His amendment was turned down by the rest of the Assembly. The rejection reflected the fact that the position taken with regard to the League of Nations had been deemed tolerable in the context of formulating a counterproposal to the Entente. Now, after the peace terms, including the mandate of the League, had been set, the broader definition had lost its negotiating value and was primarily perceived as a threat to Germany's internal uniformity.

The question of the proper relationship of Germany to Germans who were already or would soon be resident in foreign states also became a focal point in a debate on Germany's foreign policy. On July 23, 1919, Chancellor Bauer outlined the general nature of his government's foreign policy. He spoke of a pacific policy which would give priority to the League of Nations.⁶² Then the new Foreign Minister, Hermann Müller, added emphasis to this commitment to the peaceful resolution of conflicts. Indeed the situation of Germans abroad demanded this:

⁶¹Nationalversammlung, VI, pp. 3836-3837.

⁶²Nationalversammlung, VII, p. 7.

Nurturing the new spirit of justice is also our debt to the millions of Germans who will come under foreign rule as result of this war and whose desire is cultural autonomy. This protection for the German minorities can be secured only to the degree that the world becomes convinced that the German nation is a peaceful nation which wants to rebuild the destroyed European culture together with its neighbours and in whose midst only marginal voices without influence scream for military revenge. The more we show that the idea of an eternal peace . . . is a matter of holy solemnity for the German nation, the easier we make it for the Germans who have been torn from our national body to retain their Germanness in purity, even under a foreign flag.⁶³

The responses by speakers of other parties challenged this peace-oriented policy with somewhat different perspectives on the Germans abroad. Dr. Brauns of the Centre Party tied foreign policy closely to the recent peace settlement and added:

It is certain that we must undertake the protection of Germans abroad with all the methods at our disposal. That which legally belongs to us, must find the way to us open. We hold firmly and will hold firmly to the irrevocable goal of regaining our German-Austrian brothers for the German state through peaceful means. We will intervene with full force for the protection of the German minority abroad.⁶⁴

The next day Bäumer of the Democratic Party promised the cooperation of her party with the Foreign Minister's approach and added:

Our foreign relations must be resumed on the basis of a democratic policy so that the Germans abroad regain their ground and the German minorities outside our borders can lead a tolerable life.⁶⁵

⁶³Nationalversammlung, VII, p. 70.

⁶⁴Nationalversammlung, VII, p. 116.

⁶⁵Nationalversammlung, VII, p. 148.

The speaker for the German People's Party, Hugo, severely criticized the proposed foreign policy. He ridiculed the orientation toward international mediation as unrealistic as no other nation held to these principles.

Then he asked:

What does it offer the Germans out there? It provides neither a support nor strength for the Germans abroad. . . . We regard the goal of our foreign policy to be to re-establish Germany's profile in the world. . . . This does not happen by our speaking of the Poles in friendly terms and by forgetting the German Bohemians and German Tyroleans who fall to Italy. We must follow a realistic nationalist foreign policy.⁶⁶

Otto Wels, a Social Democrat, spoke in favour of Müller's approach and also emphasized Germany's duty toward Germans abroad:

We call to our fellow nationals abroad and in the ceded territories: protect yourselves against the poisoning and the unlimited greed of the pan-Germans who have brought the whole world against us. . . . The highest rule for our foreign policy should be to make the protection of national minorities a matter of world concern as soon as possible.⁶⁷

In Müller's defence of his program he again emphasized the Auslandsdeutsche as a factor and disputed the charges that his speech hindered the activity of Germans abroad:

My speech was oriented toward sustaining the Germans abroad and I can do that best, as I said in my speech, by saying: We Germans are a peaceful nation. Only once the world learns to understand this will we be able to help those who have been torn from us.⁶⁸

⁶⁶Nationalversammlung, VII, pp. 219-220.

⁶⁷Nationalversammlung, VII, p. 248.

⁶⁸Nationalversammlung, VII, p. 269.

In autumn 1919 the government again indicated its concern for German minorities when on October 7 the Chancellor declared Germany's intention of fulfilling the treaty, despite the fact that many of its citizens had been torn from it. He declared that no peace treaty could take away the feeling of national solidarity and no one could forbid the nurture of this sentiment:

Our fellow Germans, who will be separated from us and will stay separated, should know that we think of them and that we care for them in the ways which the peace treaty permits us.

Even if the tie could no longer be a political one, the linguistic and human bonds would be so much the warmer. The Chancellor concluded with the avowal that "this is a cultural duty of the German state."⁶⁹

POLITICAL PARTY POSITIONS

Nevertheless, the government remained under attack from the nationalist parties for its weak action on behalf of Germans abroad. The criticism was expressed in their political platforms. The German People's Party included several references to the Germans abroad in the platform it adopted on October 19, 1919:

Our foreign policy requires a circumspect, goal-oriented and knowledgeable leadership. Along with several other qualities, Germany's representatives in foreign countries should have close relations to the

⁶⁹Nationalversammlung, VIII, p. 318.

Germans abroad.⁷⁰

With specific reference to the German minorities this party said:

On behalf of the German minorities, the German People's Party demands the right to maintain their national identity. The nurture of the cultural bond with the Germans abroad, who are the representatives of the German ideal, the advance fighters for the totality of German identity, and the pioneers of German commerce, is among the primary duties of the Reich. Those who have been torn away from us against their will should remain closely bound to the German nation.⁷¹

This platform continued the trend toward emphasizing the nation over the state and of regarding Germans abroad as the vanguard of Germans in confrontation with other nations.

Two months later, the German Democratic Party also formulated a platform which stressed the relationship to the Germans abroad and which strove for a revision of the peace treaty:

Never will we accept the dictatorship of force as the permanent rule of law; never will we recognize the splitting of parts of the German nation from the fatherland; never will we let go of the right of nations to self-determination and we strive, based on this principle, for the union of all German peoples.

A major goal of German policy is the creation of close links to Germans abroad as well as their protection. It is a national obligation to help fellow nationals under alien rule to retain their national identity; but we also regard the respect for national minorities in Germany as a political obligation.⁷²

The National Socialist Workers' Party also had a point

⁷⁰Hohlfeld, p. 96.

⁷¹Hohlfeld, pp. 98-99.

⁷²Hohlfeld, p. 105.

in its political program calling for the unification of all Germans on the grounds of the right to self-determination. However it made no other reference to the protection of German minorities.⁷³

In September 1921, just before the decision on the partition of Upper Silesia, the Social Democratic Party included "the protection by international law of all nationalities according to the principle of total reciprocity" in its program.⁷⁴ The commitment to "total reciprocity" was the strongest reference to this principle in the several party platforms but it came more than a year after the Social Democrats had been ousted from the government by the elections in June of the previous year.

On another level, the Foreign Relations Committee of the Reichstag criticized the Foreign Ministry for its inadequate protection of Germans abroad when its budget was presented to parliament on October 23, 1919.⁷⁵

INCREASING RHETORIC ON MINORITY PROTECTION

On March 29, 1920, Hermann Müller, now Chancellor, assured the parliament that Germany's foreign policy would remain unchanged. Its goals would continue to be:

The loyal fulfilment of the peace treaty, the creation

⁷³Hohlfeld, p. 110.

⁷⁴Hohlfeld, p. 125.

⁷⁵Nationalversammlung, VIII, p. 354.

of an atmosphere of trust and commonality among the nations, drawing upon all possible sources of aid for the rebuilding of Germany and the ultimate break with all warlike measures and attitudes in policy.⁷⁶

In June 1920, the Socialist and Centre party coalition which had formed the core of the government since the November Revolution, was defeated in the national election. Thereafter, a more confrontational tone toward the peace terms became evident with each change in Germany's government.

Germany's policy toward Poland was again debated in the Reichstag on April 21, 1920. Several representatives expressed the hope that with the new Foreign Minister, Adolf Köster, there would no longer be a tired spirit but one of fresh initiative, purpose, clarity and firmness.⁷⁷ Köster answered with a strongly worded statement which drew shouts of approval from the right wing. He then made a commitment to the Germans in Poland:

Regardless of the stance of the Poles, the German government will do everything it can in order to maintain technically and economically the contact to the fellow countrymen now cut off in East Prussia.⁷⁸

Other speakers of the German Democratic party and the Centre party also criticized the timidity of Germany's stance on behalf of Germans in Poland.

The protection of German minorities was again the

⁷⁶Nationalversammlung, IX, p. 252.

⁷⁷Nationalversammlung, IX, p. 341.

⁷⁸Nationalversammlung, IX, pp. 341-342.

focus of attention in the parliament when the Geneva Convention on Upper Silesia was ratified in May 1922.⁷⁹ By approving the Convention, the Reichstag tacitly endorsed the principle of reciprocity as well as the most comprehensive set of provisions for minority rights yet presented to it.

CONCLUSION

In the public political discourse two approaches to the protection of Germans abroad emerged once the issue was no longer suppressed. In the socialist camp, especially among the independent elements, the need and the possibilities for securing provisions for German minorities were readily recognized and advocated. With their internationalist orientation, its spokespersons expressed the hope that the League of Nations could alleviate the injustices of the peace treaty, including the subordination of Germans to foreign states. These elements were also ready to permit minorities within Germany to have the range of cultural and political rights which they sought for Germans elsewhere. They experienced disappointment at the negative reaction of the international community to Germany's concerns.

The other approach was presented by avid German nationalists who upheld the unity of the German nation across state boundaries. They regarded the German nation as

⁷⁹See above, pp. 1-4.

engaged in a worldwide conflict with other nations. Germany, as the state in which German culture and power was concentrated, was obligated to intercede for Germans living in other states. The German nationalists were not constrained by the political concern for reciprocity in the treatment of minorities in Germany. They unabashedly called for maximum rights for Germans abroad while exhibiting no interest in the rights of minorities in Germany. One dilemma for this group was the contradiction between their degradation of other nations as incapable of civilized statehood and their demands that these very nations treat German minorities in a civilized fashion.

In the first round of deliberations on the new constitution in February the concern for the rights of Germans abroad prompted several calls for granting significant rights to the national minorities within Germany. The awareness of the measures under consideration at the peace conference in Paris which would create German minorities and affect their treatment formed a significant background for these expressions. After the Versailles Treaty prescribed Germany's cessions of citizens as well as the mandate of the League of Nations, the National Assembly took a more restricted view of the rights of minorities.

In later discussions in the National Assembly, the pursuit of reconciliation and honour was presented as a prerequisite for the fair treatment of Germans abroad.

Indeed such treatment for German minorities was given as a reason for a new style of foreign relations.

The positions articulated in public by the German government asserted its intention to secure the protection of German minorities, especially in Poland, in negotiations with the Allies and with Poland. However, it rarely indicated the specific provisions it sought.

Generally, the nationalist forces which spoke most forcibly about solidarity with Germans abroad and their protection, provided the least specific proposals for diplomatic initiatives. By contrast the most developed schemes came from independent socialists and pacifists, whose parties had the sparsest platforms on foreign policy.

Whereas the nationalists called for the protection of German minorities in order to retain them as co-combatants in the never-ending battle between nations, the pacifists and socialists called for their protection for the sake of the peaceful co-existence of nations which they envisioned.

CHAPTER 6

CZECHOSLOVAKIA:

NOMINAL NON-INTERVENTION FOR GERMAN BOHEMIA

As the war came to its end and Austria-Hungary approached its military defeat and political rupture, the three and one half million Germans in Bohemia sought to evade incorporation into nascent Czechoslovakia. On October 28, 1918, the German deputies from the German-speaking areas in Bohemia met in Vienna and announced the formation of German Bohemia as an independent province. The next day the German members of Austria's national assembly resolved to create the state of Austria, including Bohemia, and constituted themselves as a Provisional National Assembly.¹ There were, however, divergent opinions among the Germans in Bohemia on their national future. Many wanted to attach their homeland to Germany and others advocated independence for German Bohemia but a significant number, especially among the industrialists, favoured the continuation of their linkage to the Czechs for economic reasons. Within Czechoslovakia their economic prospects would be greater

¹Albert D. Low, The Anschluss Movement 1918-1919 and the Paris Peace Conference (Philadelphia: American Philosophical Society, 1974), pp. 91-92.

than in Germany where they would face more competition.²

The allegiance of the Germans in Bohemia to Germany fostered by wartime experiences was reciprocated by Wilhelm Solf, Foreign Minister of Germany in the final month of the war. To the German ambassador in Vienna on October 19, 1918, he asserted:

The grave struggles of the four years of war have raised and strengthened German national consciousness. No German, no party . . . would now tolerate that our fellow nationals across the border who have made the greatest sacrifices for the defense and honour of the Danubian monarchy should be oppressed and Slavicized. . . Thus we must take care of the Germans and, if necessary, receive them hospitably.³

The Czechoslovak National Committee had its own intentions for the Germans when it declared the formation of the Czechoslovak republic in Prague on October 28. The aim of this committee was the establishment of the Czechoslovak state within the historic borders of the Czech and Slovak lands. In recognition of the sizable German population and economic power within the claimed territory, Germans were invited to join the government.⁴

ACCEPTING CZECHOSLOVAKIA'S CLAIM TO GERMAN BOHEMIA

²Deutsche Gesandtschaftsberichte aus Prag. Teil I: Von der Staatsgründung bis zum ersten Kabinett Benes 1918-1921, ed. by Manfred Alexander (München: R. Oldenbourg Verlag, 1983) [Hereafter noted as Gesandtschaftsberichte aus Prag.], # A1, p. 543.

³Low, p. 72.

⁴Campbell, p. 41.

As the formation of a Czechoslovak state accelerated, the Germans of Austria-Hungary sought to remain separate and they turned to Germany for support. This prompted Baron Friedrich von Gebattel, the German consul in Prague, to review the options for the future status of German Bohemia. Writing directly to the German Chancellor, Prince Max von Baden, on October 25, he proposed that the best choice for the Germans here was neither independence nor attachment to Germany but voluntary incorporation into Czechoslovakia. Gebattel argued that an independent state of Bohemian Germans would not be viable and that attachment to Germany would cause interminable hostility between Germany and Czechoslovakia.

Gebattel expressed his confidence that, even if not all of their national wishes would be satisfied, the Germans could be sure of most generous treatment by the Czechs. Indeed, it was in the best interests of the Czechs to satisfy the highly developed German minority in national and economic affairs. He advised that negotiations on their status should begin as soon as possible because once the peace conference would have begun the Germans would encounter less favourable conditions.⁵ Though Gebattel highlighted the benefits for the Bohemian Germans, his primary aim was fostering amicable ties to the new Czechoslovak neighbour state.

⁵Gesandschaftsberichte aus Prag, # A6, pp. 558-561.

The German ambassador in Vienna, Wedel, expressed a very different perspective:

Despite all, we are and remain the leading nation ("Führervolk") of the German peoples and can less than ever withdraw from our duties now. We may openly point to our current impotence in evading injustice, but we cannot, with a meek shrugging of the shoulders, abandon our German neighbours who turn to us, and make deals with their enemies without having tried every last method for their rescue.⁶

Wedel placed less emphasis on good relations to the new state and was ready to support the resistance of the Germans in Bohemia against their integration into Czechoslovakia, even if this was only of a moral or diplomatic nature.

Indeed, there was an increasing danger of reprisals against Germans by the local population and armed Czech nationalists. These developments prompted Gebattel to take the initiative for what he deemed to be Germany's primary interests. On October 29, one day after the Czechoslovak National Committee attained power in Prague, Gebattel visited the new government. He himself raised the possibility of Germany recognizing the Czechoslovak state and promised to obtain confirmation from Berlin. The German diplomat requested protection for the German citizens living in Prague and in Bohemia against violence and was promptly promised such protection. In his report he explained, "I believed that I did not need to wait for an instruction in this matter, because the necessity of intervening for my co-

⁶Gesandtschaftsberichte aus Prag, # A7, p. 561.

nationals could arise at any moment."⁷

Gebattel argued strongly for forming friendly relations to Czechoslovakia as soon as possible and noted the risk of endorsing the efforts of the Bohemian Germans to attach themselves to Germany. This would strike the Czechs at "their most sensitive place."⁸

On November 2 Gebattel returned to the Czechoslovak National Committee. This time he was moved to act by prospect of Entente troops entering Bohemia and mistreating the German citizens there. He was told that as long the National Committee was in control there would be nothing to fear. However, if and when Entente troops would arrive, it could not guarantee anything. This made Gebattel anxious about their treatment, especially of the families of soldiers in the German army. In order to avert this danger and "furthermore to avoid a catastrophe which would make the beginning of good relations between our two states impossible for a long time," Gebattel made a momentous declaration to the National Committee. The German government would be willing to permit a diplomatic representation of the Czechoslovak state in Berlin. Gebattel himself spelled out the implication of this promise by indicating that the Czechoslovak state was

⁷Gesandschaftsberichte aus Prag, # 2, pp. 35-36.

⁸Gesandschaftsberichte aus Prag, # A8, p. 565.

thereby recognized by his government.⁹

In return the German envoy obtained assurances that the rights of German citizens would be protected even in the case of an occupation of Bohemia by Entente troops.

Gebtsattel justified his action to his superiors in Berlin by describing the urgency of preventing the harassment of the Germans in the new state. However beyond this concern lay the desire for initiating an amicable relationship:

I emphasize again that the welfare and woe of my compatriots and [the impact] of their expulsion or other maltreatment on the long-term relationship between our countries determined my decision.¹⁰

Gebtsattel's highly independent and far-reaching action evoked a reprimand on November 7 from the Foreign Ministry. He was told that it was impossible for Germany to recognize Czechoslovakia while at the same time denying recognition to the German Austrians.¹¹ At this point, the Foreign Ministry was postponing the recognition of Austria in the hope that Austria-Hungary could still be held together despite moves by its various national groups to form autonomous states.

Though Gebtsattel's act was not sanctioned by his immediate superior, it was in line with the sentiment of the German cabinet. After receiving the text of the armistice terms for Austria on November 3, Matthias Erzberger of the

⁹Gesandschaftsberichte aus Prag, # 9, p. 52.

¹⁰Gesandschaftsberichte aus Prag, # 9, pp. 52-53.

¹¹Gesandschaftsberichte aus Prag, # 11, p. 55.

Centre Party led the cabinet in urging that the Foreign Ministry attempt to regulate the relations to the newly established states lest the Bolsheviks gain control in Austria and Bohemia. Specifically Erzberger suggested that representatives from Hungary, Bohemia (i.e. Czechoslovakia), and Austria come to Berlin for negotiations on establishing better relations. Furthermore, Germany should already prepare to send representatives to these countries, especially to Prague.¹²

During the first week of November Berlin's fear that Bolshevik forces would take advantage of the fragmentation of Austria-Hungary was greater than the hope for the continuation of a unified Austria-Hungary. This fragmentation was accelerated by the armistice terms demanded of Austria-Hungary by the Allies. The German cabinet felt an urgency to regulate the political and economic questions between Germany and the successor states of Austria-Hungary. This broader concern superseded any preferences of the Germans in Bohemia for their future place in the post-war constellation of states.

This was stated explicitly in Foreign Minister Solf's response to Erzberger's arguments in this cabinet meeting. He implicitly agreed with Erzberger's analysis and predicted that Czechoslovakia would be the state which would

¹²Regierung des Prinzen Max von Baden, # 121, pp. 481-482.

consolidate the fastest. Solf added that for this reason he had counselled the Germans from Bohemia to accept their inclusion into Czechoslovakia and to make the best of it. In his words, they should, for the time being, "bite into the sour apple."¹³

The outcome of the discussion was a request that the Foreign Minister submit an overview of relations to eastern Europe to the cabinet on the following day. Solf's plan focused on containing the Bolshevik threat. Germany should promote the formation of the new states in order to foster its security and weaken that of Russia.¹⁴ The implication was that it was more important for Germany to support the formation of a Bolshevik-free Czechoslovakia than to encourage the Germans in Bohemia in obstructing their inclusion into this new state.

The Foreign Ministry may have tried to convey this positive attitude toward Czechoslovakia through the press at this critical juncture. To a domestic public with a hostile and sceptical attitude toward this aspiring state, the Ministry needed to justify a positive stance toward Czechoslovakia. In the international arena it wanted to present a new conciliatory image of Germany. Vorwärts, the paper of the Social Democratic party, carried an article on

¹³Regierung des Prinzen Max von Baden, # 121, p. 482.

¹⁴Arno Mayer, Politics and Diplomacy of Peacemaking: Containment and Counterrevolution at Versailles, 1918-1919 (New York: Alfred Knopf, 1968), p. 230.

"Germany and the Czechs" on November 13 which cast an optimistic light on this relationship. The article cited official, but unnamed sources, who reported that hitherto the Czechs had done everything they could for the protection of citizens of the German Reich in Bohemia. Then, in an official tone the article declared:

The German government is aware that it has a full interest in fostering the political and economic development of the Czech people, provided, of course, that the national right to self-determination of all Germans is assured.¹⁵

Gebtsattel's reports may have provided the background to this article. On November 1, 1918, he reported that he was not aware of any complaints by German citizens but indicated that he was receiving reports of fair treatment.¹⁶

On October 29 the same paper had printed an article on "Habsburg Decline." This article had been severely critical of the Czechs and southern Slavs who had made their appeal on the basis of the right to self-determination but, once in power, dismissed this right for others in numerous ways, for instance by resisting the attachment of German Bohemia to Germany.¹⁷ In this paper close to government leaders, the assessment of Czechoslovakia had shifted to reflect the government's change in perspective.

Germany's representative in Prague visited the premier

¹⁵Vorwärts, November 13, 1918, p. 1.

¹⁶Gesandtschaftsberichte aus Prag, # 6, p. 46.

¹⁷Vorwärts, October 29, 1918, p. 1.

of the new Czechoslovak state, Karel Kramar, on November 9, 1918. The first item discussed in this meeting was the question of the Germans in Bohemia. Kramar stressed that it was the intention of the new government not to let the national and cultural rights of Germans wither but rather to permit their free development in this direction. Generally he was optimistic about a good relationship between the two countries.¹⁸

Germany's Foreign Minister Solf echoed this assessment. In a notice to the embassy in Vienna on November 17 Solf advised that the prospects of forming normal relations with Czechoslovakia were good but extending practical assistance to German Bohemia would be impossible. Therefore one should approach the Czechs in a calming and reconciliatory manner while avoiding a definitive position on the future of German Bohemia.¹⁹ At this stage both sides were eager to establish good relations and Germany's diplomats choose to be content with general promises from the Czech leadership and their own vague statements about the rights of Germans in Czechoslovakia.

Whereas Solf's stance was based on a shrewd political assessment, Gebtsattel's position was shaped by his kind disposition toward the Czech people. He had befriended

¹⁸Gesandschaftsberichte aus Prag, # 16, p. 67; also ADAP A, I, # 3, p. 7.

¹⁹ADAP, A, I, # 44, p. 68, n. 2.

several of their leaders, most notably Thomas Masaryk, before he became Czechoslovakia's president, and he was inclined to trust their promises of fair treatment for Germans. Gebattel also held a high opinion of the potential role of the Czechs in the international community, especially in eastern Europe. In a report on November 27, 1918, Gebattel wrote that the Czechs were "the nation which is destined to take over the leadership of the [southern] Slavs and whose stance toward us will set the standard for the remaining Slavic nations." If Germany would antagonize Czechoslovakia over the issue of German Bohemia, then, instead of being a bridge to the rest of the Slavic realm, the Czechs would form a gulf for Germany.²⁰

Gebattel was more critical of the Bohemian German politicians. In mid-October he had described the Germans as quite indolent in political matters and content simply to maintain their national standing without even thinking in the least of national expansion.²¹ At the end of November he noted their lack of energy, talent for organization, and strength to resist.²² He was especially critical of politicians who discounted Czech promises and advocated the attachment of Bohemia to Germany.²³

²⁰ADAP, A, I, # 44, p. 68.

²¹Gesandschaftsberichte aus Prag, # A3, p. 549.

²²Gesandschaftsberichte aus Prag, # 31, p. 107.

²³Gesandschaftsberichte aus Prag, # 18, p. 72.

With regard to the attachment of German Bohemia to Germany, Gebattel's advice to his own government in mid-November was that Germany could patiently await the further development of the German-Bohemian relationship and need not become involved in the conflict. His restraint was remarkable given the fact that the Czechs were expanding their military occupation of German Bohemia.²⁴ Only two weeks later he had to acknowledge the undiplomatic and rude manner in which the Czechs had turned away the Germans' offers of cooperation. He observed that this rejection had strengthened the German Bohemians' efforts toward joining Germany.²⁵

Nevertheless, Gebattel continued to discourage any active intervention by Germany in the confrontation. He elaborated the reasons for restraint in a report of November 27. Any agitation by Germany's agents for the detachment of German Bohemia from Czechoslovakia would be obvious to the Czechs and would elicit their hostility. Germany's claim to follow a new international policy would be discredited and its position at the upcoming peace conference would be undermined. Conversely, a conciliatory stance by Germany toward Czechoslovakia might be openly acknowledged by the Czechs at the peace conference. As U.S. President Wilson and the Entente were sympathetic toward the Czechs, there

²⁴Gesandschaftsberichte aus Prag, # 18, p. 72.

²⁵Gesandschaftsberichte aus Prag, # 26, p. 95.

was a possibility that a bridge between the Allies and Germany could be mediated by the Czechs.

Gebattel added that the Czech attitude had provoked the Germans in their country to the point that they would now agitate for themselves without Germany expending resources or risking its image in their behalf.²⁶ He even regarded the prospect of the Germans remaining in the Czech state and forming a significant minority as a benefit to Germany, "because the more Germans taken in by the Czech state, the more surely the Czechs will have to avoid an anti-German policy."²⁷

SUPPORTING AUTONOMY FOR GERMAN BOHEMIA

In any case, Gebattel was ready to facilitate the appeals of the German Bohemians for autonomy within Czechoslovakia by passing their demands on to the Foreign Ministry in Berlin and through it to the international community. On November 28 he reported that a group of professors at the German university in Prague had drafted a memorandum which set down their demands for the upcoming peace conference. This document was to be sent to all participants at the conference as well as to a wider circle

²⁶Gesandtschaftsberichte aus Prag, # A12, pp. 575-576; also ADAP, A, I, # 44, p. 68.

²⁷ADAP, A, I, # 44, p. 68.

of neutral states.²⁸ Several weeks later, on December 19, Gebattel summarized a petition being prepared by this same circle of academics together with the Austrian Foreign Ministry for the Peace Conference in Paris. This petition proposed that if German Bohemia would be attached to Czechoslovakia then the Germans in Bohemia, Moravia, and Silesia should receive their own legislative assembly which would send its representatives to the central parliament of the Czechoslovak republic.²⁹

Two days later Gebattel forwarded to Berlin a list of demands which several other German Bohemian leaders had set as the minimum for conditions under which they would accept the retention of Czechoslovakia's historical borders and thereby their inclusion in the new state. These conditions included autonomy, the right to an internal official language (i.e. German) distinct from the external one, the right to occupy one-third to one-fourth of the official posts in the central administration and the passing of basic legislation whereby no citizen would be disadvantaged on account of his nationality.³⁰

The position of the German Foreign Ministry on the role of the German Bohemian question in Germany's relationship with Czechoslovakia at this stage was delineated by Baron

²⁸Gesandschaftsberichte aus Prag, # 29, p. 103.

²⁹Gesandschaftsberichte aus Prag, # 41, p. 123.

³⁰Gesandschaftsberichte aus Prag, # A15, p. 594.

Werner von Rheinbaben, Understatesecretary in Berlin. This directive issued from Berlin on December 9, 1918, contained many of the arguments which had appeared in Gebssattel's communications and which would undergird Germany's policy toward Czechoslovakia during the period under consideration.

Fundamental for Rheinbaben's position was the assumption that Germany would not be able to thwart its enemies' plans to confirm the creation of Czechoslovakia at the peace conference. To encourage the attachment of Bohemian Germans to Germany rather than to Czechoslovakia would only elicit Czechoslovakia's antagonism. Rheinbaben could only hope that through the trend toward socialism within Czechoslovakia and through eventual border corrections some German Bohemian districts might someday yet become part of the German federation.³¹

The struggle against Poland also played a role in Rheinbaben's case for friendly relations to Czechoslovakia. Rheinbaben proposed that if Germany acquiesced to the attachment of German Bohemia to Czechoslovakia, it could use the national, geographic and economic arguments brought forward by the Czechs, and accepted by the Allied powers, to resist the cession of Germany's territory to Poland. Its position on a more vital issue would be strengthened.³²

Furthermore, Rheinbaben predicted that the strong

³¹ADAP, A, I, # 58, pp. 90-91.

³²ADAP, A, I, # 58, p. 91.

German minority in the Czechoslovak state would be able to obstruct Czech policies directed against Germany.³³ Thus allowing the incorporation of the Bohemian Germans into Czechoslovakia would be to the advantage of the German state.

The senior Foreign Ministry official also repeated Gebssattel's earlier assessment of the Czech role among the Slavic nations with which Germany wanted to restore relations:

We can reckon with certainty that we will also never attain a good relationship with the southern Slavs, if we pursue an anti-Czech policy. Prague will undoubtedly become a central point for the Slavic world.³⁴

Rheinbaben also had an idea for increasing the political benefits of Germany's silence on German Bohemia. This tactic involved some manipulation of the German Bohemian population and leadership:

In order to present this abstinence as a valuable accommodation toward the Prague government, it would be advantageous if more sentiment against the Czech intentions would be fostered in German Bohemia than hitherto and if this voice would make itself be heard.³⁵

Of course, such agitation should only be undertaken by German Bohemian elements and any encouragement from Germany should not manifest itself in any form.

³³ADAP, A, I, # 58, p. 91; See also ADAP, A, I, # 44, p. 68.

³⁴ADAP, A, I, # 58 p. 91.

³⁵ADAP, A, I, # 58, p. 91.

Gebattel was instructed that he should officially adopt a position of restraint on the question of German Bohemia. At the same time he was authorized to point out in a careful manner the merits of this stance to a few influential members of the government, specifically by noting the consequences if Germany took a contrary position.

Another aspect of Germany's diplomatic activities in relation to the Germans in Czechoslovakia was Gebattel's reporting on the public statements of Czechoslovak political leaders. Usually he took these at their word, for instance, the statement by Premier Kramar to the National Assembly on December 20, 1918, that the linguistic, cultural, citizenship and economic rights of the Germans would not be violated in any way. The state, however, would remain a Czech state.³⁶

By Christmas 1918 virtually all of Bohemia was under the control of the Czechoslovak forces. For Gebattel, this development, together with the definitive statement by President Thomas Masaryk that a separation of the German-speaking regions of Bohemia would not be permitted, confirmed the fate he had predicted for German Bohemia.³⁷

However, Rheinbaben in Berlin now found signs pointing in a contrary direction. He reported that the Czechs did

³⁶Gesandschaftsberichte aus Prag, # 42, p. 124. See also Gebattel's report on Kramar's speech of December 13, 1918, in Gesandschaftsberichte aus Prag, # 35, p. 114.

³⁷Gesandschaftsberichte aus Prag, # 44, p. 128.

not yet have a definitive commitment from the Entente for receiving German Bohemia. As confirmation of Czech uncertainty, he cited news that the Czechoslovak government intended to issue an appeal to the German Bohemians in which it promised them autonomy. For Rheinbaben, the most important passage in this declaration was the reference to the new state as "sovereign, fully legitimated, democratic, socially just, based on the equality of all of its citizens." This passage concluded with the promise that Czechoslovakia would grant "full and equal national rights to the national minorities."³⁸

In Prague Gebattel maintained his conviction that the attachment of German Bohemia to Czechoslovakia was inevitable. In a report in mid-January 1919, just days before the opening of the peace conference in Paris, he also noted the vagueness of the official positions of the Allies but repeated his prediction that the friendships and diplomatic skills of the Czechs in Paris left no doubt that Czechoslovakia's desires would prevail over "the grey theory of self-determination on which the Germans were relying."³⁹

In February 1919 Consul Gebattel was supplanted by Samuel Saenger, sent to Czechoslovakia as the personal representative of the Foreign Minister.⁴⁰ Within days of

³⁸ADAP, A, I, # 84, pp. 133-134.

³⁹Gesandschaftsberichte aus Prag, # 48, pp. 136-138.

⁴⁰Gesandschaftsberichte aus Prag, # A24, p. 620, n. 1.

his arrival, on February 21, he visited his friend, President Masaryk, and discussed the factors which would determine whether German Bohemia would become part of Czechoslovakia.

Saenger's report on his meeting summarized the situation as it stood when he arrived in Prague. Czechoslovak leaders were confident that the Entente would award all of Bohemia to their state. They declared that they would leave the rights of Germans, specifically for local elections, intact. The Germans also regarded the attachment of German-speaking Bohemia to Czechoslovakia as probable. They expected that the Entente would insist on assurances for the welfare of their national identity but they were not inclined to place much trust in such assurances. Germans in the urban centres of Bohemia were advocates of the attachment of Bohemia to Czechoslovakia. Indeed these elements were criticizing the German government for allegedly supporting the separation from Czechoslovakia.⁴¹

On April 15 Saenger reported increasing anxiety in Prague about the outcome of the peace conference and counselled that Germany should refrain from anything that might give the impression of outside agitation in Bohemia. This would be superfluous because Czech politics had already elicited considerable unrest. He warned against dismissing

⁴¹Gesandtschaftsberichte aus Prag, # 54, pp. 150-151.

the conciliatory approach of the top leaders even though the public, the press and the civil service were resisting their efforts.⁴²

Accordingly, the Foreign Ministry advised several German Bohemian representatives visiting Berlin on May 13 that they should set aside thoughts of attachment to Germany and content themselves with autonomy within Czechoslovakia. Furthermore, while Germany might be able to provide diplomatic support for autonomy, they should not count on military assistance for their struggle against attachment to Czechoslovakia. The most that Germany could promise was that it would advocate the right of self-determination at the peace conference so that their efforts toward eventual attachment to Germany could at least gain a foundation in international law.⁴³

Another sign of the Foreign Ministry's caution was its response to a question raised in the German parliament on April 11, 1919. Dr. Paul Fleischer, a member of the Ostausschuss of deputies from the eastern provinces, asked whether the government was aware of the Czech confiscation of property owned by the Breslau diocese and what it intended to do against this "unheard-of violation of rights and the resulting irritation and discrimination of millions

⁴²Gesandtschaftsberichte aus Prag, # A24, p. 620, n. 1.

⁴³ADAP, A, II, # 18, pp. 36-37.

of German citizens?"⁴⁴ Walter Simons, the spokesperson for the Foreign Ministry, assured the questioner that the government was aware of the incident and that it concurred with his condemnation of it. Effective reprisals, however, would be difficult to undertake. He explained:

You know that the diplomatic relations between Germany and the Czechoslovak republic are not normal ones. Thus it is not easy to indicate the means which one is resolved to apply against [the confiscation]. It could be a matter of reprisals; it could be other means. In any case, a normal relationship to the Czechoslovak republic can only be re-established if a satisfactory agreement between Germany and Czechoslovakia is reached over these measures [against the Breslau diocese].⁴⁵

This rather vague statement reflected the reluctance of the German government to react sharply to an action against Germans in Czechoslovakia and thereby jeopardize its overall relationship to Czechoslovakia before full diplomatic relations had been established.

Germany's reluctance to intervene for Germans in Bohemia was more explicit in response to a request from Austria in June that Germany send a note to the Entente to protest the "subjugation of four million Germans to a hated alien rule."⁴⁶ Brockdorff-Rantzau, the Foreign Minister, instructed his department to answer that while Germany agreed with Austria's condemnation of the peace terms, it did not deem a protest by the German government as advisable

⁴⁴Nationalversammlung, IV, pp. 2358-2359.

⁴⁵Nationalversammlung, p. 2371.

⁴⁶ADAP, A, II, # 51, p. 93, n. 2.

at this time. Germany's antagonists had indicated that they would refuse to receive any more German notes and the intervention of the German government for the fate of Austrian Germans would only worsen their situation.⁴⁷ This left Austria alone in its efforts to reverse the decision on the attachment of Germans formerly in Austria-Hungary to Czechoslovakia.

Through their peace settlements with Austria and Hungary, the Allied and Associated Powers awarded Czechoslovakia most of the territory it desired, including German Bohemia. Like Poland, Czechoslovakia was also obligated to accept a treaty on the protection of minorities with almost identical provisions. This treaty was signed on September 10, 1919, and came into effect on July 16, 1920, simultaneously with the peace treaty with Austria.

DIRECT REPRESENTATIONS TO CZECHOSLOVAK LEADERSHIP

In a memorandum dated August 1, 1919, Saenger provided a description for Germany's approach to the new situation. He saw no alternative other than to "treat the matter of the German Bohemians as one of Czechoslovak domestic politics." However, this did not preclude the possibility that personal and diplomatic tact might occasionally permit a successful intervention which would benefit fellow Germans. He advised that Germans should retain their good will, patience, and

⁴⁷ADAP, A, II, # 51, p. 93.

fealty, and thereby clear the political and moral atmosphere which was laden with elements hostile to Germany.⁴⁸

One method by which German diplomacy could intervene on behalf of Germans in Czechoslovakia was through personal representation to Czechoslovak leadership. As described above, Gebattel had sought out the leadership on several occasions in the first months after the formation of a Czechoslovak government and Saenger visited the president shortly after his debut in Prague.

Saenger's first official meeting with the Czechoslovak president occurred in February 1920 when the government introduced its language legislation. The law as passed on February 29, 1920, declared that "the Czecho-Slovak language is the state language of the Republic" but also decreed that "in districts containing a racial minority of at least 20 percent, the authorities are bound to transact business with any of its members in their own language, and to issue all proclamations and official notices in the language of the minority as well as in Czecho-Slovak." Additionally it allowed "the mother tongue . . . to be the language of instruction in all minority schools."⁴⁹ However, the legislation fell short of German expectations for the use of German in parliament and in other institutions at the state

⁴⁸Gesandschaftsberichte aus Prag, # A30, pp. 632-634.

⁴⁹H. W. V. Temperley, ed., A History of the Peace Conference in Paris (London: H. Frowde / Hodder and Stoughton, 1924), Volume 5, p. 470.

level.

Saenger protested against inadequacies of this legislation and commented on a speech by Eduard Benes, the Czech Foreign Minister. In Saenger's opinion, Benes was deluding himself with the notion that it would be possible to ensure domestic peace if it proceeded with "the forcible construction of a nation-state" and "the language law which violated the natural rights of the Germans."⁵⁰

The next issue on which Saenger addressed the Czechoslovak Prime Minister was the treatment of Germans who resisted being drafted into the Czechoslovak army. In his meeting with the new Premier, Vlastimil Tusar, on August 17, 1920, Saenger was quite forthright in his presentation of German grievances. He explained that the resistance of Germans to joining the army was based on the perception that it was an instrument of the "Czech master nation." He also described the constitution as one which the Germans would never accept, and presumably not defend, "as long as there was no serious attempt to re-construct it in a true democratic sense and to accommodate the rights of speech, school and administration for the Bohemian Germans." Saenger took the opportunity of the meeting to tell Tusar that the hopes with which the Germans had initially welcomed his cabinet had been replaced by deep disappointment.

⁵⁰Gesandschaftsberichte aus Prag, # A41, p. 667; # A43, p. 673.

Prime Minister Tusar responded to the German diplomat by indicating that conditions would improve if the Germans would join the coalition of government parties and thereby give him a firm majority in parliament. At the end of the conversation Saenger asked the premier whether he could share the content of this discussion in the circles of German members of parliament. Tusar asked him to do so. In this way Saenger also served as a messenger between the Czech government and the German political leadership.⁵¹ One week later Saenger met with another senior Czech member of the government, Chancellor Samal, to plead for mild sentences for Germans who had fled abroad to avoid the military draft.⁵²

In early November 1920 Saenger met Foreign Minister Benes after the publication of an article on Czechoslovak foreign policy in which Benes expressed scepticism about the democratic nature of Germany. Saenger tried to explain the anxiety in Germany about the situation of the Germans in Bohemia. Then, Saenger felt constrained to give the reasons for the growing bitterness among the Germans in the country. He listed them point by point: (1) the language law, (2) the discrimination in the business language of Parliament, (3) the campaign against the German schools, (4) the commercial dealings of Czech legionnaires in the areas bordering the

⁵¹Gesandschaftsberichte aus Prag, # 122, p. 307.

⁵²Gesandschaftsberichte aus Prag, # 125, pp. 314-315.

German region, (5) the desecration of German monuments, (6) the discrimination against German civil servants, (7) the mistreatment of the German recruits, and (8) the miserable provision of food in the German border areas.⁵³

Saenger again expressed his disappointment in the performance of the Masaryk government and added his personal advice that it was time to create a "Swiss" atmosphere regardless of the common opinion on "the street" and the psychoses of wartime. With the reference to a "Swiss" atmosphere Saenger was alluding to the balance and toleration of diverse nationalities as established in the Swiss confederation, a model which Czech representatives themselves had promised at the peace conference. Germany was not interested in Czechoslovakia in terms of power politics. Rather its interest was cultural and on the level of the soul ["seelisch"].

The Foreign Minister avowed that neither Masaryk nor he would abandon the quest for an avenue of understanding to the Germans in their country. It simply had to be found. He added the hope that the ultra-nationalists among the Germans would have some common sense and not obstruct compromise through maximum demands.⁵⁴

Soon thereafter when a group of legionnaires invaded the offices of a German association, the Reichsdeutscher

⁵³Gesandschaftsberichte aus Prag, # 143, p. 349.

⁵⁴Gesandschaftsberichte aus Prag, # 143, p. 349.

Hilfsverein, Saenger again went to protest at government headquarters.⁵⁵ In December 1920 Saenger met with the archbishop of Prague and discussed the popular attitude toward Germans.⁵⁶

Saenger reported on another meeting with President Masaryk in September 1921 prompted by an attack of Czech legionnaires which caused a German casualty. Saenger took the opportunity to present complaints about compensation for damages in previous disturbances as well as to challenge the investigation of the case at hand. He spoke to the president of "the sloppy observation of international courtesies." With some satisfaction Saenger remarked in his report that "now finally he properly understood why the diplomatic representation of the German Reich reacted so sharply to the passive stance of the Czech authorities."⁵⁷

Saenger's good personal relationship with Masaryk and his tactful method was widely appreciated in Czech official circles⁵⁸ but criticized by influential Bohemian Germans.⁵⁹ In response to such published criticisms Saenger justified his approach and defended his friendship with Masaryk to his

⁵⁵Gesandschaftsberichte aus Prag, # 144, p. 350.

⁵⁶Gesandschaftsberichte aus Prag, # 151, p. 365.

⁵⁷Gesandschaftsberichte aus Prag, # 213, pp. 531-532.

⁵⁸Gesandschaftsberichte aus Prag, # 194, p. 456.

⁵⁹Gesandschaftsberichte aus Prag, # 123, p. 310; # A52, p. 707, n. 1.

superiors in Berlin. His defense shed light on his diplomatic approach in relation to the treatment of Germans in Czechoslovakia:

In none of my communications with officials, and least of all with President Masaryk, have I ever withheld that I predict no calm and stable development of this state if a German-Czech compromise is not created first. I have pointed, more emphatically than any other German politician from the Reich would have been permitted, to the consequences the nation-state idea which destroys all internal relations. I have warned President Masaryk against the imposition of the constitution, even if it contains a maximum of liberality. I have presented a comprehensive list of Bohemian German complaints to President Masaryk on his sickbed in a farewell conversation and asked him to obligate the leader of the new cabinet to remove these complaints when the parliamentary cabinet is formed in fall in order to make the entry into the cabinet at least possible for the German Socialists. Lastly, I have, in Berlin and again on his visit to Prague, referred Tusar to the same necessities and to the consequences of the unresolved nationality conflict.⁶⁰

Despite his access to the leadership of the Czechoslovak government and his intercessions on behalf of the Germans, Saenger left his posting deeply disappointed in the failure of his Czechoslovak friends at integrating the Germans into the new state--politically, culturally or economically. He was especially disappointed in his personal friend, Masaryk. In his assessment they had not kept their promises for the fair treatment of the German minority.⁶¹ Even so, he clung to his hope. In October 1921 after a new government had been formed under Benes, Saenger

⁶⁰Gesandschaftsberichte aus Prag, # A52, pp. 704-705.

⁶¹Gesandschaftsberichte aus Prag, # 143, p. 349.

reported hopefully but cautiously that "if one can believe what Dr. Benes has consistently described as his special mission to this reporter, then he will do everything in order to make a positive relationship to the Czechoslovak state possible for the Germans."⁶²

ESTABLISHING NORMAL RELATIONS

In April 1920, Czechoslovakia and Germany established full diplomatic relations and Saenger became Germany's official minister in Prague. At the same time the two countries concluded a treaty which obligated Czechoslovakia to protect the rights of citizens of the German Reich residing in Czechoslovakia and the territories yet to be ceded. Germans residing in Czechoslovakia on January 10, 1920, the date of the implementation of the Treaty of Versailles, could retain their German citizenship and the residents of Hlucin, a smaller region transferred from Germany to Czechoslovakia, who became Czechoslovak citizens by force of the Versailles Treaty, could opt for German citizenship.

This treaty was negotiated alongside agreements on trade and on the liquidation of property. The agreement of July 1, 1920, on liquidation was intended to ameliorate the impact of the Czechoslovak liquidation law on German

⁶²Gesandschaftsberichte aus Prag, # 216, p. 539.

citizens.⁶³

Germany's basic stance toward the Germans in Czechoslovak in the context of its overall relationship to Czechoslovakia was summarized by Foreign Minister Simons in September 1920:

Our relationship to Czechoslovakia can be described as correct. . . . Our relationship does experience a hardship through the position of the Czechoslovak government toward the Germans in Bohemia. Even if it cannot be our task to involve ourselves in internal Czech affairs, the anti-German manner of official authorities and the effort to oppress the Germans cannot but have repercussions on our political relationship.⁶⁴

In this assessment, treatment of Germans was regarded as an irritant to the desired normal relationship rather than a concern which Germany should address for its own sake.

On November 7, 1920, State Secretary Haniel von Haimhausen advised the German envoy in Prague that Germany could not support plans for a violent overthrow of the Czechoslovak government as a means of freeing the German population. According to Haniel, "the only way which offers the Germans of Bohemia the prospect of liberation from their unfortunate situation is the League of Nations." To this he added the assurance that "as soon as this way is open for us, they shall receive the full support of their motherland in taking this route." He hoped that under the influence of a new American President, the League would attain its ideals

⁶³ADAP, A, III, # 173, pp. 314-316.

⁶⁴ADAP, A, III, # 269, p. 542.

and remove the injustices of the peace treaties and he urged the Germans in Czechoslovakia to be patient.⁶⁵

However, the Foreign Ministry was not yet ready to assist Germans in Czechoslovakia in presenting their petitions to the League of Nations. A German organization in Czechoslovakia had prepared a report on violations to the provisions on minority protection and then asked Germany to find a friendly state willing to submit the report to the League of Nations. Ten days after Haniel commended recourse to the League, the Foreign Ministry informed the German legation in Prague that it could not assist as requested:

Even though the German government empathizes vitally with the unfortunate situation of the Germans in Czechoslovakia, it is, much to its sincere regret, not possible to meet the requested wish. Under the current conditions a neutral state, simply out of respect for its own relationship to Czechoslovakia, could not make itself available to support the complaint of a portion of the Czechoslovak population about its own government. Such a step would be regarded as an unfriendly act by the Czechoslovak government. Accordingly, an initiative of this nature by the German government toward a neutral state would have no chance of success.

The legation should inform the organization of this and encourage it to send its memorandum directly to the League. Perhaps some day in the future there would be an opportunity to represent their right before the League effectively.⁶⁶

On December 29, 1920, in response to a report that certain German Bohemian leaders had complained about being

⁶⁵Gesandschaftsberichte aus Prag, # A46, p. 680.

⁶⁶Gesandschaftsberichte aus Prag, # A47, pp. 681-682.

abandoned by Germany, Haniel re-stated Germany's stance and pointed to its higher obligation:

The truth is that the German government not only has warm empathy for the oppressed fellow nationals in Bohemia but that it also attempts, as best it can, to provide them with every support in moral and material form which is possible according to the provisions of the peace treaties of Versailles and St. Germain. . . . [However], while having a full understanding of the wishes and efforts of the Germans fellow nationals abroad, the responsibility toward our own people in terms of its state and economic needs cannot be disregarded.⁶⁷

Haniel was indicating that Germany could not risk the repercussions for its own citizens of interventions for the Germans in Czechoslovakia. Such actions would turn Czechoslovakia and other more powerful states against Germany.

MONITORING AND ADVISING GERMAN POLITICIANS IN CZECHOSLOVAKIA

Throughout the duration of his posting in Prague, Saenger was worried about the approach taken by the German political parties in Czechoslovakia. Early on he predicted that the German Bohemian politicians would adopt an aggressive confrontational style in the Czechoslovak parliament and would do everything they could to sustain a German-Bohemian irredenta. To Saenger it was clear that such politics could not be supported by any means, officially or otherwise, by the Reich without placing Germany in a most precarious position and eliminating

⁶⁷ADAP, A, IV, # 99, pp. 191-192.

possibility of an agreement with Czechoslovakia. According to Saenger: "We have signed the peace treaty of Versailles and thereby have solemnly acknowledged the German-Bohemia question to be one of Czechoslovak internal policy."⁶⁸

Only through constructive parliamentary participation would Germans in Czechoslovakia be able to prevent economic damage to themselves and secure cultural autonomy. The German Bohemian leaders must be told that the German government would not come to their side at the first provocation, and certainly not in response to pressure politics or other aggressive means. Indeed Germany might even have to distance itself, publicly and totally, from such agitation for irredenta.⁶⁹

Indeed, Saenger expected German Bohemian politicians to look after Germany's interests in Czechoslovakia. On September 1, 1919, he asked the leaders of the Social Democrats "to warn the Czech side against damaging interests of the German Reich in this country" and informed them that "it was their duty to protect this interest of the German state."⁷⁰

One month later Dr. Rudolf Lodgman, a prominent German spokesperson with strong nationalist sentiments, received the same advice from Saenger. He had urged Saenger to

⁶⁸Gesandschaftsberichte aus Prag, # A30, p. 635.

⁶⁹Gesandschaftsberichte aus Prag, # A30, pp. 636-637.

⁷⁰Gesandschaftsberichte aus Prag, # 68, p. 191.

support the fight for the preservation of German nationality. Lodgman suggested that this would be possible without Germany violating the proper relationship to Czechoslovakia.⁷¹ Saenger rejected Lodgman's approach and continued to advocate the pursuit of German interests through the parliament and the upcoming election.

On November 4, 1919, the two met again for an exchange of views. Saenger strongly counselled Lodgman against promoting sabotage and irredentism and then he asked Lodgman to give heed to Germany's crisis and to be patient:

We are after all at the beginning of an indefinite evolution which, however, can and will lead to the revision of the treaties of violation Germany could not be had for the special interest politics of the German Bohemians, and, it was their duty also to take account of German state politics and not hinder friendly relations between Germany and Czechoslovakia with an unleashed irredenta.

Saenger's primary concern was the establishment of good relations and he regarded Lodgman's politics as a potential source of danger to the German Reich.⁷²

Saenger found the position of the leader of the Social Democrats, Josef Seliger, much more agreeable. Seliger's position conformed to Saenger's perspective:

He does not believe that the revision of the peace treaties of Versailles and St. Germain, which hobble the right to self-determination of the Germans and seek to replace it with ridiculously futile obligations for the protection of minorities, can be brought about by the united efforts of the proletariat. . . . Rather he

⁷¹Gesandschaftsberichte aus Prag, # 77, p. 209.

⁷²Gesandschaftsberichte aus Prag, # 79, p. 219.

accepts, quite rationally, the only politically effective position, namely to recognize the Czechoslovak state as such, though not as a national state.⁷³

The German envoy also acclaimed a speech by Seliger on May 28, 1920, in which Seliger listed ethnic German demands and criticized government policies toward its German citizens.⁷⁴ He lamented Seliger's death in October 1920.

Saenger monitored closely and critically the negotiations of the German Bohemian political parties with the Czechoslovak government.⁷⁵ He was especially interested in the formation of a parliamentary coalition of these parties and in their behaviour in the parliament.⁷⁶ He empathized with their refusal to join the cabinet because of anti-German legislation,⁷⁷ but at one point he criticized the refusal of Lodgman even to visit the president and to present the German complaints. Eventually he acknowledged with appreciation that the leaders of the German political parties were conscious of the fact that Germany could not help them and that German Bohemian problems would make

⁷³Gesandschaftsberichte aus Prag, # 82, pp. 224-225.

⁷⁴Gesandschaftsberichte aus Prag, # 114, pp. 292-293.

⁷⁵Gesandschaftsberichte aus Prag, # 85, pp. 232-233; # 86, p. 234.

⁷⁶Gesandschaftsberichte aus Prag, # 100, pp. 282-283; # 112, pp. 286-288; # 140, p. 343; # 149, pp. 362-363; # 202, pp. 471-491.

⁷⁷Gesandschaftsberichte aus Prag, # 105, pp. 274-276; # 107, p. 280; # 182, p. 424; # 184, pp. 427-428.

difficulties for hard-pressed Germany.⁷⁸ He expressed satisfaction at his success in conveying in discreet manner the perspective of the Foreign Ministry in Berlin.⁷⁹

In September 1921 a new government was formed in which Benes functioned as premier as well as foreign minister and in the next month Walter Koch replaced Saenger in Prague. He continued along the lines of his predecessor's stance of non-intervention and assessment of German Bohemian political leaders though in a more formal style.⁸⁰ In February 1922 Koch endorsed and forwarded an essay by his press attaché on "Czechs and Germans." The article highlighted the mission of the Bohemian Germans and asserted that culturally, politically and economically they were needed to serve as mediator between German and Slav realms. Koch continued to advise that Germany not intervene in the political life of Czechoslovakia and its German population.⁸¹ Even though German Bohemian deputies presented a complaint to the League of Nations in April 1922,⁸² "in late 1921 and 1922 there was a relatively quiet interlude in the relations between Berlin and Prague."⁸³ This was manifest in the conclusion of a

⁷⁸Gesandschaftsberichte aus Prag, # 146, p. 359.

⁷⁹Gesandschaftsberichte aus Prag, # 146, p. 360.

⁸⁰Campbell, p. 162.

⁸¹Pieper, pp. 232-235.

⁸²Pieper, pp. 228-229.

⁸³Campbell, p. 111.

treaty on the legal protection of citizens, approved by the German cabinet on June 19, 1922.⁸⁴

CONCLUSION

In the first several months after the end of the war Germany's leaders vacillated between the hope that German Bohemia would join their state and the resignation that it would go to Czechoslovakia. Once they accepted its attachment to Prague, they adopted a stance of official non-intervention and abstained from direct participation in the political struggle of the German minority.

Through the minority protection treaty the Germans in Czechoslovakia could appeal to the League of Nations for their grievances on nationality rights. This recourse reduced the expectations on Germany for diplomatic intervention. Conversely, German diplomats expected the leadership of the Bohemian Germans themselves to obtain fair treatment and political influence, in particular through astute tactics in the Czechoslovak parliament. Overall they were quite disappointed and even frustrated at the obstinate aggressiveness of the German politicians whether toward one another or toward cooperative Czech politicians.

Germany had its own reasons for minimizing its advocacy. Czechoslovakia, on its own as well as a channel to other Slavic nations in eastern and southern Europe, was

⁸⁴ARK, Wirth, II, # 296, p. 890.

regarded as an important commercial partner. Irritations which could disrupt the building of friendly relations were to be avoided. Thus there were few public statements by members or representatives of Germany's government criticizing Czechoslovakia's policies and actions.⁸⁵

Nevertheless, Germany's envoys in Prague did present the complaints of their fellow Germans in meetings with the top leadership of Czechoslovakia on several occasions between 1919 and 1922. Their personal rapport with Czech leaders and their empathy for the Czech people allowed them to address the issue frankly and frequently. However, Germany's envoys over-estimated the resolve of their friends in the Czech government to withstand the pressure of the Czech public to repress their German fellow citizens. Thus they were repeatedly disappointed in the effect of their appeals.

Even after the normalization of relations in 1920, Germany remained very cautious about forms of diplomatic support for the German minority in Czechoslovakia.

Occasionally there were references in the reports of German diplomats to the prospect of eventually attaching parts of German Bohemia to Germany as a means of rescuing Germans from Czech oppression. Not until Germany regained adequate power and favour in the international community, however, would it attempt any overt measures toward this

⁸⁵Campbell, p. 86.

goal.

Though the Foreign Ministry acknowledged that the Germans in Bohemia were the crucial factor in relations between Germany and Czechoslovakia, Germany exercised restraint in being an advocate for the Germans in order to preserve good overall relations. It did not press the Czechoslovak government for specific guarantees for the right of German minorities there.

CHAPTER 7
ADVOCACY FOR GERMAN MINORITIES
IN OTHER EASTERN EUROPEAN STATES

Though the treatment of the German minorities in Poland and Czechoslovakia loomed largest for Germany's public and government, the Foreign Ministry also attended to the situation of Germans in other states in eastern Europe. There were German minorities in all of the states which emerged in the war's aftermath: Romania, Hungary, Russia, and the Baltic states of Latvia, Estonia, and Lithuania.

ROMANIA

The collapse of Austria-Hungary and adroit maneuvering of Romania at the end of the war brought a significant German population into the Romanian domain. The ethnic Germans in the formerly Austrian province of Bukovina, numbering about 70,000, declared their willingness to join Romania on October 27, 1918.¹ Assured by Romania's promises of full freedom for national groups, including autonomy for religious groups and the freedom to use native languages,

¹Keith Hitchins, Rumania 1866-1947 (Oxford: Oxford University Press, 1994), p. 279.

the Saxon Germans in Transylvania decided to detach themselves from Austria-Hungary upon its defeat and to join Romania. The conditions for union with Romania were set down by representatives of the Transylvanian population assembled at Julia Alba on December 1, 1918.²

Germany promptly acceded to this enlargement of Romania. Already on November 1, 1918, Foreign Minister Solf informed the German envoy in Romania, Horstmann, that "we did not resist in principle Romanian efforts toward unification beyond present borders."³

Germany exerted very little influence on the treatment of Germans in Romania in the immediate post-war period. After several months of stubborn resistance, Romania eventually obligated itself to the League of Nations for the protection of its minorities. Even though Romania had switched its alliance away from the Central Powers at the very end of the war, Germany was more intent upon establishing the basis for commercial ties than advocating the rights of the Germans in Romania.⁴

²Sherman D. Spector, Rumania at the Paris Peace Conference (New York: Bookman Associates, 1962), pp. 68-70.

³Peter Grupp, Deutsche Aussenpolitik im Schatten von Versailles 1918-1920: Zur Politik des Auswärtigen Amts vom Ende des Ersten Weltkriegs und der November Revolution bis zum Inkrafttreten des Versailler Vertrags (Paderborn: Verlag Ferdinand Schöningh, 1988), pp. 231-232.

⁴Hans-Paul Höpfner, Deutsche Südosteuropapolitik in der Weimarer Republik (Frankfurt a.M. / Bern: Peter Lang, 1983), p. 118.

Indeed German officials regarded the German minority as a potential tool for Germany's goals. They expected that the German population in Romania would moderate their country's animosity toward Germany.⁵ Thus Germany supported those elements in the German minority which took a cooperative stance toward the Romanian government.⁶

RUSSIA

Germany's relations with Russia were suspended in early November 1918 due to Germany's fears of Bolshevik agitation within its borders. The rupture was deepened by the stipulation of the Allies that Germany's treaty with Russia signed at Brest-Litovsk be revoked. Thus the few provisions in this treaty which indirectly addressed the treatment of Germans in Russia were set aside. The treaty between Austria-Hungary and Ukraine which had some specific commitments in this respect underwent the same fate. On the official level, Germany's diplomacy for Germans in Russia had to start anew.

Germany's post-war government was firmly resolved not to interfere in Russia's internal affairs. This stance was summarized by the German consul Zitelmann in a report in July 1919. The expression of hope for conditions under

⁵ADAP, A, I, # 77, p. 120, n. 4; # 145, p. 247; # 159, pp. 269-270.

⁶Hoepfner, p. 341.

which national minority groups, such as the German one, could flourish, seemed perfunctory in this statement:

The present goal of our policy toward Russia must be the fostering of an authentically friendly relationship between both peoples based on mutual trust. Without any intervention in the establishment of its form of government nor in Russia's other internal conditions, we hope that the Russian people soon attain a just and truly democratic government which guarantees the welfare of all groups.

Zitelmann's comments also revealed the motive behind this policy of patient non-intervention:

This stance of waiting with regard to Russia's political development, in particular the form of its state, however, does not form an obstacle to our efforts to facilitate by any means the resumption of commercial relationships between German and Russian private and corporate business circles.⁷

In other words, the priority for Germany was the pursuit of profitable economic ventures in Russia rather than the encouragement of democratic practices. Thus any concern which the German government may have had about the plight of Germans in Russia in the immediate post-war years was subordinated to the quest for re-establishing commercial ties with Russia.

In January 1920, Viktor Kopp, the representative of the Russian Red Cross, forwarded several proposals from his government to Ago von Maltzan, head of the eastern section in the German Foreign Ministry. Both governments were to declare their readiness to resume full official relations and both were to commit themselves to "the basis of complete

⁷ADAP, A, II, # 86, p. 150.

mutual non-intervention in internal affairs." In response, Germany was "to refrain from any support of parties and groups fighting against the constitution of the Soviet Republic." At the end of his report Maltzan recommended that the plan of a private organization for the immigration of ca. 200,000 persons be supported.⁸ Astonishingly, despite the tenuousness of their relations and the unstable conditions in Russia, both governments were open to supporting a scheme for the re-settlement of thousands of Germans from their crowded country to Russia.⁹ Eventually, only several hundred German technicians moved to aid in the building of the Soviet Union but most returned after a short stay.¹⁰

However, the need to resolve the problem of prisoners of war, both military and civilian, held by both sides, did open an avenue for Germany's contact to Germans in Russia. After negotiations in Moscow, treaties which gave Germany permission to establish consulates and to have contacts with Germans in the Soviet Union were signed on April 19, and July 7, 1920.¹¹

⁸ADAP, A, III, # 13, pp. 30, 32.

⁹ADAP, A, V, # 27, p. 50.

¹⁰Ingeborg Fleischhauer and Benjamin Pinkus, Die Deutschen in der Sowjet Union. Geschichte einer nationalen Minderheit im 20. Jahrhundert (Baden-Baden: Nomos Verlagsgesellschaft, 1987), pp. 157-158.

¹¹Fleischhauer and Pinkus, p. 153.

Concern for the "protection of the life, personal freedom and the property" of the Germans moving to Russia, as well as of the German delegation already there, were mentioned in a memorandum in March 1921 by Maltzan. He urged the conclusion of a treaty to supplement the treaty of the previous April by expanding the spheres of activity of the respective representatives in each country, especially to include the right to monitor the interests of its citizens.¹²

In December 1921 and January 1922 there were a series of meetings between senior representatives of both countries exploring the intensification of commercial relations. It was the Russian diplomat Krestinski, who in a meeting with State Secretary von Simson, identified the protection of German citizens in Russia and of Russian citizens in Germany as one of several issues which needed to be regulated beforehand.¹³ The mutual desire for closer relations was again affirmed in meetings with Radek, Russia's unofficial envoy to Berlin, in January 1922. However, the topic of protecting expatriate citizens was not mentioned in this encounter.¹⁴

The situation of Germans in Russia did not enter into

¹²ADAP, A, IV, # 211, p. 440. For the invitation from Russia, see ADAP, A, IV, # 179, p. 383.

¹³ADAP, A, V, # 211, p. 428.

¹⁴ADAP, A, V, # 249, pp. 509-511; # 251, p. 514; # 257, p. 536.

the considerations leading up to the Rapallo Treaty concluded on April 16, 1922. If anything, the impetus of this treaty toward closer political and economic cooperation between Germany and Russia further submerged the concern in Germany for the Germans there.

German diplomacy paid scant attention to the situation of the German settlers in Russia in the first years after World War I. In the challenge of coming to terms with such a large state and the ideology emanating from it, the advocacy for Germans in Russia was but a minor concern.

HUNGARY

The drastic reduction of Hungary's territory through the Treaty of Trianon still left a significant German minority within its realm. Numbering over half a million, the Germans formed about seven percent of Hungary's population.¹⁵ Like other "new states" established through the Paris Peace Conference, Hungary was also obligated to accept a treaty on the protection of national minorities.

Germany devoted minimal attention to the treatment of Germans in Hungary, leaving this concern to Austria which had closer historical ties to them. The principle undergirding Germany's stance, as stated in July 1922 by State Secretary Haniel, was "that any action which could be interpreted with reason on the Hungarian side as

¹⁵Hoepfner, p. 329.

intervention of any kind in the internal politics of Hungary or as the attempt of an intrusion in Hungary's independence as a state" had to be avoided. Thus direct financial aid was not possible, though the German press could be encouraged to report and raise public interest. Representations could be made to Hungarian officials which emphasized "the empathy and interest of the German public in the condition and the diminished size of the German community in Hungary." Furthermore, as Hungary was seeking Germany's support for the protection of the Hungarian minority in Romania, it should also be pointed out that a fair treatment of the Germans in Hungary was "the absolute prerequisite for a fruitful cooperation in the question of minority protection."¹⁶

ESTONIA, LATVIA AND LITHUANIA

Under the terms of the armistice of November 11, 1918, Germany was required to relinquish its control over the Baltic provinces which it had wrested from Russia and then occupied. One of the foremost concerns of the German officials in charge of dismantling Germany's control of the Baltic region was the protection of its German inhabitants, whether these were citizens of the German Reich or members of the Baltic German community.

Already on November 12 the representative of the

¹⁶ADAP, A, VI, # 153, pp. 317-319.

Foreign Ministry to the German military administration for the Baltic, von Kimnitz, suggested that the German civil administration for the Baltic region could mediate between the Estonian and Latvian provisional governments and a representative organization of Baltic Germans. If this was not possible, then at least the formal recognition of Estonia and Latvia should be made dependent on their acceptance of provisions for the German minorities into their constitutions.¹⁷

August Winnig, appointed as Germany's plenipotentiary to the Baltic region on November 14, met with representatives of the Estonian provisional government on November 17 and 19 to negotiate the transfer of control. However, despite German intentions, the agreement reached did not include a provision for the fair treatment of Germans. To compensate for this omission, Winnig issued a declaration, approved by the German Foreign Minister Solf, and dated November 20, 1918:

All Estonian inhabitants of German origin and language stand under the protection of the German People's State ["Volksstaat"].

Furthermore, the German People's Government expects that those Estonian inhabitants who conducted German-oriented politics will not be disadvantaged. . . . The German People's Government regards the observance of this declaration as the prerequisite for the protection provided by the continuing presence of the German

¹⁷ADAP, A, 1, # 8, p. 12. See also, Hiden, Baltic States, p. 11.

military force.¹⁸

The protection not obtained in the bilateral agreement was demanded in a unilateral ultimatum to the Estonian government.

In Latvia a provisional government formed by conservative and German elements on November 7, 1918, could not maintain itself after Germany's military defeat and political revolution. A council of Latvian nationalists stepped in to establish an independent Latvia.¹⁹ As with Estonia, Germany's representative, Winnig, tried to secure written guarantees from the Latvian government for the protection of the German population in Latvia. Again he was not successful. In his report, dated December 1, on these negotiations, Winnig described the political dynamics which prevented the attainment of his objective. Various political elements, including Bolsheviks, were becoming increasingly dissatisfied with the provisional government because of the slow negotiations for the transfer of power. Winnig had concluded that if he were to extend the negotiations for the sake of protecting the German population, the provisional government would lose even more

¹⁸"Vereinbarung mit den Esten," November 18, 1918. Politisches Archiv des Auswärtigen Amts, Bonn, [Hereafter PAAA.] Abteilung I.A. Krieg 1914 / Der Weltkrieg 20d, No. 1a. Die Zukunft der baltischen Provinzen Kurland, Livland und Estland, Band 23, Vom 1. November 1918 bis 30. November 1918 (R 21777). See also ADAP, A, I, # 25, p. 41, notes 3 & 5.

¹⁹Fleischhauer, Zarenreich, p. 581.

ground and then soon fall. In this gap a new government would be formed which would make major concessions to the Bolsheviks. Then the current relative calm would cease and the orderly transport of German troops from the eastern front back to Germany would be seriously jeopardized. As he wanted to prevent this if at all possible, the German official had reluctantly decided to abandon the demand for written guarantees for the protection of the German minority and to conclude the negotiations on the next day.²⁰

Winnig reported that he had received verbal assurances on this point but the provisional government had not been able to decide to give such guarantees in writing because it anticipated that doing so would weaken its hold on power. The Latvian political leaders felt obligated to implement the uncompromising attitude toward Germany held by the people who had given them their mandate to govern.²¹ Clearly with respect to Latvia, and probably Estonia as well, the fear of rising Bolshevik influence prompted German officials to conclude agreements on transferring governmental power without securing protective terms for the Germans in these new states.

Eventually the Estonian constitution drafted with considerable input by the Germans of Estonia and accepted in

²⁰ADAP, A, I, # 52, pp. 81-82.

²¹ADAP, A, I, # 52, p. 82.

1920 did enshrine cultural autonomy as a principle.²²

The political existence of Latvia and Estonia was secured by the peace conference of the Allies in Paris and Germany's military presence in the Baltic receded in the first months of 1919. By August the Foreign Ministry was at the point of formulating its long-term Baltic policy for the foreseeable post-war conditions. An internal Foreign Ministry report prepared by Ago von Maltzan, head of the department for eastern affairs, described its two basic principles: non-intervention in internal affairs and protection of German minorities. Maltzan also indicated the underlying purpose for this policy: Germany was interested in the internal and external health of the Latvian republic only insofar as it could later form a channel for its trade with Russia.²³

Maltzan then outlined the constraints on effective advocacy by Germany for the Germans in Latvia. The German government was still attempting to persuade General von der Goltz to withdraw his troops from Latvia. On the other hand, the Latvian government was by now reneging on a promise to grant land to German soldiers and instead proposed only to accept them as its citizens. In the face of the general's refusal to obey the order to withdraw, Maltzan conceded that the Germans in Latvia would still be

²²Hiden, Baltic States, p. 51.

²³ADAP, A, II, # 171, p. 305.

regarded as second class citizens. Furthermore, the German government would not be in a legal position to protect former German citizens who would become Latvian citizens, nor to make representations to the Latvian government for their rights.

Our task must be limited to the protection of the ca. 4,000 - 5,000 citizens of the German Reich still to be found in Courland and Livland, to the nurture of the German language and instruction as well as to the resumption of traffic in goods and commerce.²⁴

The first occasion for such a defense was Latvia's legislation, passed on October 10, 1919, which confiscated large landholdings for re-distribution. As many Baltic Germans were major landowners, this agrarian reform affected them disproportionately and drastically. In addition to preparing the needed land reform, this legislation was motivated by the intent of destroying the economic base of the political strength of the Germans.²⁵ The Germans in Latvia and their supporters called upon the German government to protest and to press for redress in its dealings with the Latvian government. Indeed Germany was expected to make the amelioration of the unjust effects a condition for economic treaties with Latvia. On the other hand the economic and entrepreneurial interests in Germany who were pressing anxiously for access to Russian markets urged the government "finally to throw overboard the policy

²⁴ADAP, A, II, # 171, p. 307.

²⁵Hidden, Baltic States, p. 37.

of the German Balt barons and to conduct a purely German policy in Latvia and Estonia, on an honourable basis."²⁶

In these circumstances the Foreign Ministry decided upon "a judicious emphasis on the distinction between Reich German and German origin" in order to minimize resistance to efforts made on behalf of its own citizens working in Latvia and Estonia.²⁷

In mid-1920 Germany and Latvia agreed to resume normal relations. The negotiations were completed on June 15, the German cabinet approved the draft treaty on June 28, and it came into effect on October 8, 1920. The German cabinet deemed this treaty to be necessary for protecting German investments in Latvia and as a precursor for relations with Russia.²⁸ Germany and Latvia also signed a provisional trade agreement on March 27, 1922, which however Latvia was reluctant to ratify because, like Germany, it was "aware of the link between such attempts to create favourable conditions for the restoration of business activity and the

²⁶Karl Heinz Grundmann, Deutschtumspolitik zur Zeit der Weimarer Republik: Eine Studie am Beispiel der deutsch-baltischen Minderheit in Estland und Lettland (Hannover-Döhren: Verlag Harrov Hirschheydt, 1977), p. 245.

²⁷Hiden suggests that "the first duty of the German representatives in the Baltic, to look after the Reich Germans there . . . , could only make sense in terms of the survival and readjustment to new conditions of the far more influential and numerous German Balts." Hiden, Baltic States, pp. 39-41.

²⁸ARK, Feuerbach, # 36, p. 88, n. 1.

position of the German minority as a whole."²⁹

In May 1920 there was an exchange with Lithuania's Foreign Minister on his country's treatment of German citizens.³⁰ The issue came to the fore in connection with the transfer of the Memel region, also called Klaipeda, from Germany to Lithuania. Article 99 of the Versailles treaty had removed the Memel area from Germany's control and placed it temporarily in the care of the League of Nations. Graf von Lamsdorff, Germany's commissioner for the Memel region, urged the formulation of an overall plan to sustain the German presence in the Memel region. His plan, as outlined in a memorandum on August 28, 1920, involved the press, churches, schools, associations and cultural institutions.³¹

Within the Foreign Ministry there was some vacillation on whether the Memel should go to Lithuania or Poland. After a presentation in November 1921 by a group of Memel Germans, who reported that Lithuania was promising extensive cultural and administrative autonomy for the region, attachment to Lithuania was deemed to be the lesser of two evils.³² Only a few months later, after receiving a different impression of the sentiments of the Memel Germans, Germany's Foreign Minister expressed the opinion that the

²⁹Hiden, Baltic States, p. 115.

³⁰ADAP, A, III, # 134, p. 235.

³¹ADAP, A, III, # 262, pp. 527-528.

³²ADAP, A, V, # 192, pp. 395-396.

attachment of the Memel to Lithuania in any form was not possible in the face of the exceptionally strong resistance of the population. Furthermore, "the transfer of responsibility of a culturally elevated minority to the low-standing Lithuanian state was not desirable." Instead the goal should be an independent state, provided that a later attachment to Poland was precluded.³³

Germany's concern for the protection of the German minority was at least partially addressed by the commitments made by the Baltic states to the League of Nations. When Lithuania, Latvia and Estonia applied for admission to the League of Nations, they were requested to "take the necessary measures to enforce the principles of the Minorities Treaties." Lithuania responded with a declaration on May 12, 1922, worded similarly to Poland's minority protection treaty. After protracted negotiations, on July 7, 1923, Latvia declared its acceptance in principle of the League's guarantee of minority rights. Estonia did the same on September 17, 1923.³⁴

In any case Germany had little influence on the future of the region. In spring 1922, Lithuania occupied the Memel region and soon thereafter a conference of Germany's diplomats in the Baltic states was held at which minority

³³ADAP, A, V, # 294, p. 614.

³⁴C. A. Macartney, National States and National Minorities (Oxford: Oxford University Press, 1934), pp. 258-261.

protection was one of the major agenda items.³⁵ Eventually, in May 1924, the Memel region was officially transferred to Lithuania by the League of Nations under a special convention which included provisions for the German minority.

CONCLUSION

As Latvia and Estonia emerged as independent states in November 1918 German authorities attempted to elicit formal commitments from them for the protection of the rights of their German residents. Germany used its military presence in the region in this attempt. However, the goal was relinquished due to the urgency of stabilizing the new Baltic states before the Bolshevik movement based in Russia gained influence or overt power in them.

During 1919 the protection of Germans in the Baltic states was wrapped up with the ongoing presence of German military forces. As long as these were present and on the advance, Germans in the area enjoyed their protection. However, the withdrawal of German forces was foreseeable and Germany's obstruction of the nationalist aims of the Baltic peoples worsened the attitude toward the remaining Germans. Germany's announcement of transferring the responsibility for the protection of the Germans to the Allied powers and the Latvian government was an implicit admission that

³⁵ADAP, A, VI, # 61, p. 135, n. 2.

Germany could not in the long-term protect the German minority in the Baltic by military force.

In the next phase of establishing normal relationships, specifically, the regulation of economic relations, the German Foreign Ministry, under pressure from Baltic German emigrés, proposed to link the removal of discrimination against Germans with the formulation of terms for commercial trade. However, the measures targeted as discriminatory only affected commerce and land-holding and were not related to cultural expression or language use. Furthermore, only citizens of the German Reich, and not the Baltic residents of German origin, were to be protected. In any case, the pressure to solidify the relationship with the Baltic states, and thereby to establish a bridge to Soviet Russia, superseded the pursuit of protection for the German minority group.

The necessity of intervention on the diplomatic level for the Germans in Latvia and Estonia was lessened in part by the substantial political and economic strength of the German minority. They could ably present their arguments for cultural and political rights on their own. Indeed their adoption of a constructive posture in their new state undergirt the cooperation Germany sought with the Baltic states in the pursuit of a channel to Russia.³⁶ Conversely the struggling new states could hardly dispense with the

³⁶Hiden, Baltic States, p. 35.

support of their ethnic minorities--in Latvia these formed twenty-five percent of the citizenry and in Estonia fourteen percent. In particular, they needed the expertise of the German element.³⁷

Finally, the lack of bilateral commitments on minority rights states was offset by the commitments each of the states made to the League of Nations with respect to the treatment of minorities in general.

For the several reasons described above, Germany's diplomatic appeals for the protection of the German minorities in Lithuania, Latvia and Estonia as well as in Hungary, Russia and Romania were neither persistent nor extensive in the period from the end of the war until 1922. With regard to all of these Eastern European states, the pursuit of commercial interests superseded the concern for the rights of German minorities in Germany's foreign relations.

³⁷Hidden, Baltic States, pp. 50-51.

CHAPTER 8

POLAND:

FROM THE ARMISTICE TO THE VERSAILLES TREATY

The German minority within Poland would be largely composed of citizens of Germany residing in territory which the defeated Reich would be compelled to transfer to Poland. The immediacy of this direct and substantial loss made the protection of the rights of the Germans in Poland a difficult political and emotional issue, much more so than the protection of German minorities in other eastern European states. The Germans transferred to Poland were much closer culturally and politically to Germany due to geographical proximity and historical ties. Germany's difficulty in addressing the issue of minority protection was exacerbated by its view of the Poles as an inferior nation and it was loathe to relinquish its own citizens to the rule of a nation which it had hitherto dominated.

EVADING THE PROSPECT OF A GERMAN MINORITY IN POLAND

The prelude to Germany's post-war negotiations with the Polish state about the treatment of Germans within Poland was the parliamentary debate on the terms of the armistice in October 1918. In response to the announcement that the

German government was suing for peace on the basis of President Wilson's Fourteen Points, Polish members of the Reichstag sought clarification of Germany's position on the formation of an independent Poland, a commitment included in the Fourteen Points. These deputies, rather than the government, first mentioned publicly the protection of the German minority in their future state.

The government could barely concede the prospect of the establishment of a Polish state, the pre-condition for the existence of a German minority, despite its formal assent to this point.¹ On October 6, 1918, a Polish member of the Reichstag, who was alert to the promise of an independent Polish state in the Fourteen Points, demanded clarification of the government's position. The government abruptly ended the session rather than reveal its position.

Two weeks later in the same setting, the promise by another Polish spokesperson of the fair treatment of Germans in the future Polish state was not even acknowledged by the German government. In the midst of the "Polish debate" in parliament on October 24, Gustav Noske, a member of the German cabinet, expressed the fear that national minorities would be repressed in Poland.² His prediction was vehemently rejected as a severe insult to the Polish people by one of their representatives, Wojciech Korfanty.

¹See above, pp. 94-100.

²Vorwärts, October 25, 1918, Beilage, p. 1.

Korfanty agreed that Danzig, which he hoped would be ceded to Poland, was a German city, and he promised that it would receive the same treatment as other foreign language enclaves. Rather than acknowledge this promise, Konstantin Fehrenbach, another cabinet member, heatedly rebuked Korfanty for speaking in the Reichstag about the rending of German territory from Germany.³

Thus the political leadership which took over the German government in the last month of the war and which would continue to set its course in the immediate post-war years forsook the first opportunity for dialogue on the future of Germans in Poland. Through this omission, together with the efforts to stifle parliamentary debate on the prospect of ceding territory to Poland and other states, Germany's political and diplomatic leaders delayed the formulation of a position on minority rights for Germans in Poland.

Another element in the failure to lay a basis for the protection of the future German minority in Poland was the perpetuation of a division of responsibilities within the government for relations to Polish territory: the Polish provinces of the German Reich which would be ceded to Poland and the Polish region, formerly part of Russia, but now still occupied by Germany. Though the Foreign Ministry assumed responsibility for responding to the developments in

³Vorwärts, October 26, 1918, Beilage, p. 1.

occupied Poland, the cabinet decided on October 7 that the responsibility for drafting strategies for retention of the Polish provinces should remain with the Interior Ministry.⁴ Thus a common policy for addressing the situation of Germans in the Polish state which would ultimately incorporate the territories from Germany and from Russia was impeded.

This separation was reflected in the nature of Germany's response to the aspirations to independence by Poles in these separate contexts. On October 7 the Regency Council in occupied Poland proclaimed that the independence of Poland would soon be realized. On the same day, the Council forwarded demands to the German Foreign Ministry for the transfer of the public administration to the Polish people. The Polish submission promised that the minorities on both sides of the Polish-German border would receive the same legal status. Germany's Foreign Minister, Wilhelm Solf, simply assented to all the demands with one exception: the attachment of Lithuania to Poland. He did not pursue the treatment of minorities.⁵

On the other hand, Germany's leaders were not disposed to accede to Polish claims on Reich territory. On October 22, a Polish parliamentary representative re-stated the Polish territorial claims in anticipation of the fulfilment

⁴Regierung des Prinzen Max von Baden, # 30, p. 100.

⁵Werner Conze, Polnische Nation und Deutsche Politik im Ersten Weltkrieg (Köln: Böhlau Verlag, 1958), pp. 383-384.

of the Fourteen Points.⁶ In response, the cabinet asserted that the term "self-determination," which undergirded the Polish aspirations, could not mean that each small region could demand autonomy.⁷ With this interpretation of the now popular principle of self-determination the German government intended to undermine the momentum toward separating Polish areas from Germany.

The German cabinet also responded to appeals from Germans in the territories facing transfer to Poland in contradictory ways. On October 14 and 15, the cabinet received reports that Germans were threatening to leave the eastern areas if the government abandoned them to the Polish agitation. The need to provide some support to the German population in these areas was indicated.⁸ Yet on October 23 the cabinet decided to advise the chancellor against receiving a delegation of Germans from the eastern provinces. The reasons given were lack of time and the reluctance to set a precedent for granting audiences to interest groups.⁹ Thus an appeal to support these citizens was ignored.

Another manifestation of the inability and hesitancy of

⁶Vorwärts, October 23, 1918, Beilage, p. 2.

⁷Regierung des Prinzen Max von Baden, # 82, pp. 308-309.

⁸Regierung des Prinzen Max von Baden, # 56, p. 185.

⁹Regierung des Prinzen Max von Baden, # 82, p. 309.

the German government to prepare for the protection of the German minority in Poland was its decision not to conclude a treaty with Denmark on the transfer of northern Schleswig. It was agreed by the cabinet on October 24 that such a treaty would be regarded as a precedent for transferring territory to another state, a precedent which Germany wanted to avoid with a view toward Poland.¹⁰ By delaying such a treaty, which was apparently quite attainable, the new government also forsook an opportunity to articulate provisions for the rights of Germans in a transferred territory. Again the preoccupation with avoiding the loss of territory to Poland overshadowed Germany's foreign policy to the detriment of preparing for the protection of a German minority.

By early November, the government was more inclined to take measures which could inaugurate normal bilateral relations with the nascent Polish state. In accordance with the cabinet's resolve to establish relations with Germany's neighbours to the east on the basis of new principles, the Foreign Ministry released the prominent Polish political leader, Jozef Pilsudski, on November 9, 1918, and allowed him to return to Warsaw to set up a Polish government. There he was immediately placed at the head of the Polish military command and a few days later, on November 14, the

¹⁰Regierung des Prinzen Max von Baden, # 84, pp. 314-316.

Regency Council resigned and handed full authority to Pilsudski.¹¹

Germany was also eager to clarify the matter of its representation in Warsaw. The wartime German governor, Beseler, left Warsaw on November 12, and Pilsudski began negotiations with the German Soldiers' Council for the departure of German troops. As this arrangement was unsatisfactory to the German government, it soon sent a new envoy, the liberal Count Harry Kessler, from Berlin to represent Germany's interests.

For Germany, the most urgent matter to regulate with Poland was the orderly transit of German troops in Ukraine through Poland. However, even before arriving in Warsaw, Kessler intimated a broader goal to the Polish aide accompanying him, namely a comprehensive treaty between their countries. Kessler suggested that good relations would be fostered if Germany and Poland could negotiate a general bilateral treaty and present this to the peace conference. As Germany had accepted the Fourteen Points as the basis of peace terms, Kessler believed that such a bilateral agreement should be possible. Germany's hope was that a prior agreement between Poland and Germany might reduce the extent of territory and population to be taken

¹¹Richard Blanke, The Orphans of Versailles: The German Minority in Western Poland, 1918 - 1939 (Ithaca: University of Kentucky Press, 1993), p. 14.

from Germany and given to Poland.¹² Undoubtedly, in the thinking of Kessler, and the Foreign Ministry which had dispatched him, this general treaty would have included provisions for the treatment of the respective national minorities.

This direct agreement, however, did not come to pass. Though the German and Polish political leadership may have hoped for it, the pressures from the nationalist forces within Poland and from the Allied powers, especially France, made any such treaty impossible. On November 28, 1918, the Polish delegation in Paris received a note from the French prime minister, Georges Clemenceau, informing Poland that the Supreme Council was of the opinion that further negotiations with Germany should be re-located to Paris and that no further bilateral agreements should be signed.¹³ Even the negotiations for the evacuation of German troops through and from Poland were made quite difficult. Consequently, Kessler was expelled from Warsaw on December 15. Thus the first attempt by Germany to negotiate a treaty which would have included provisions for the protection of the German minority in Poland was thwarted by external powers.

¹²Harry Kessler, In the Twenties: The Diaries of Harry Kessler, trans. Charles Kessler (New York: Holt, Rhinehart and Winston, 1971), p. 15.

¹³Harald von Riekhoff, German-Polish Relations, 1918-1933 (Baltimore: John Hopkins Press, 1971), p. 26.

Nevertheless, Kessler did become involved in the protection of Germans living in Poland during his brief stay in Warsaw. On November 20 Kessler received a German pastor living in Poland who pleaded for Germany to support his compatriots. On a practical level, Kessler interceded for a group of Germans imprisoned for German nationalist agitation. After several appeals to Pilsudski and to lower officials he gained the promise of their release.¹⁴

The government in Berlin did not interfere with the election by the Polish population in the province of Posen (Poznania) of an assembly. Among the principles which this sejm set down for an independent government was the promise of full equality for Germans.¹⁵

However, an altercation between Germans and Poles several weeks later led to the occupation of Posen by Polish militia. The German cabinet heard reports of the fears of Germans and there were demands for some form of protection for them. On December 28 the German cabinet met twice to consider its response. There was an intense debate whether to extend autonomy to the Polish areas of Germany or to send in military forces to quell the uprising. In the first meeting, the cabinet, desperate to persuade the population to remain with Germany, agreed on granting cultural autonomy to Silesia, but remained undecided about military or other

¹⁴Kessler, pp. 15-16.

¹⁵Blanke, Orphans, p. 12.

action against the Polish forces in Posen.¹⁶ In the second session, the majority of the cabinet, including the Social Democrats, committed the government to military intervention. The representatives of the Independent Social Democrats argued against military measures. Hugo Haase was convinced that Germany could assert its claims against Poland at the peace conference only if it did not provide the Poles with the argument that they were being oppressed by Germany's new socialist government as much as they had been by the imperial government. His colleague, Emil Barth, stated that Germany would only succeed if, instead of provoking the Poles, it dealt with them in a conciliatory manner.¹⁷ This difference in approach to the Polish insurrection was a secondary reason for the withdrawal of the Independent Socialists from the government.

On January 2, 1919, the cabinet devoted considerable attention to the physical and financial security of German civil servants, whether these were evacuating or remaining in Poland. On this occasion the cabinet recognized the limits of its capacity for military action and concluded that negotiation with the Poles was the only possible means of protecting Germans, in particular civil servants.¹⁸

¹⁶Regierung der Volksbeauftragten, II, # 76, pp. 55-65.

¹⁷Regierung der Volksbeauftragten, II, # 78, pp. 116-123.

¹⁸Regierung der Volksbeauftragten, II, # 91, pp. 173-181.

Negotiations with Poland, led by the Prussian government, were initiated in February 1919 but these faltered under another wave of Polish rebellion and on the Reich's insistence that it would retain sovereignty over the area enclosed by the borders of 1914.¹⁹ After several weeks of armed conflict, the Entente powers imposed a truce and a temporary border between Germany and Polish territory.²⁰

For the next several months the focus of German diplomacy shifted to the Peace Conference in Paris where the deliberations were setting the parameters of its relations with Poland, in particular the territory to be transferred. The provisions of the Versailles Treaty regarding the protection of Germans in Poland were also determined without input from Germany or Poland. Thus, bilateral negotiations between Germany and Poland lapsed until August 1919, after the German Reichstag had ratified the treaty in early July.

In the meantime, the German government had to cope with a separatist solution to the problem of protecting the rights of Germans. On May 28 the representatives of the People's Councils in West Prussia and Posen met and called upon all inhabitants of the eastern provinces, regardless of their mother tongue, to create a new separate state. This group was convinced that such a state, distinct from Poland

¹⁹Schulthess' Europäischer Geschichtskalendar, 60 (1919), II, p. 28.

²⁰Blanke, Orphans, pp. 9-17.

and Germany, would be the best setting for protecting the cultural and economic values of both nationalities. The proposal was rejected outright by the German government which preferred to re-assert that Germany, in contrast to Poland, would be the better guarantor of the rights of national minorities.²¹

Meanwhile, the cabinet continued to consider quite seriously the notion of granting Upper Silesia autonomy as a province in the German state. It was the feeling of some German politicians from Silesia that this was the only arrangement under which it could remain part of Germany.²² Thus the federal cabinet, on September 11, 1919, exerted pressure on the Prussian government to award more autonomy to Silesia.²³ This step was never taken, not even later when the plebiscite in Upper Silesia increased the prospects of losing this area totally.

SEEKING BILATERAL AGREEMENTS

The treaty on the protection of national minorities mentioned in the Versailles Treaty and imposed on Poland by the Allied and Associated Powers was barely noticed in Germany. Furthermore, it was deemed inadequate in the scope and strength of its provisions. Another deficiency from

²¹ARK, Scheidemann, # 111, pp. 458-463.

²²ARK, Bauer, # 50, pp. 201-202.

²³ARK, Bauer, # 61, p. 249.

Germany's perspective was that it did not bind Poland to Germany on the treatment of the German minority. The dissatisfaction with Poland's minority protection treaty prompted Germany to attempt to negotiate a more comprehensive bilateral treaty with Poland.

Encouragement to the German government to negotiate such a treaty with Poland came from several quarters. On June 28, 1919, officials from Danzig, Königsberg, Allenstein, Bromberg, and Marienwerder met with a senior official of the Prussian Interior Ministry, an official of the Foreign Ministry, and several military officers to discuss the peace settlement. They noted the declaration of the Polish parliament on June 6 that the protection of minorities as stipulated in the peace treaty was an infringement of Polish sovereignty. The assembled officials called for energetic action on the part of the German government for the comprehensive implementation of the provision for minority protection in Poland. Their specific concerns included the retention of German as an official language alongside Polish and the protection of Germans who had moved to Prussia after 1908 and to whom Poland was denying citizenship. In conclusion, they demanded "that the treaty anticipated in Article 93 be concluded quickly and come into force before the transfer of the territories to Poland takes place."²⁴ Apparently this group of regional

²⁴ADAP, A, II, # 81, pp. 142-143.

officials was unaware that this treaty had already been drafted at the peace conference and that Germany was not expected to participate in the formulation of its content. Soon thereafter, and probably prompted by this meeting, the Prussian Minister of the Interior forwarded a demand to the Foreign Minister for the negotiation of a treaty with Poland on the protection of national minorities.²⁵

At this same time military leaders also issued calls for the protection of Germans who would become subjects of Poland. One commander of troops still in eastern Poland declared that he would not vacate his post until the rights of the Germans to be transferred to Poland would be legally secured. General von der Borne, Supreme Commander of the Army South, had responded to the many protests from troops and civilians by calling for a war against the Poles. In reporting his stance, the Frankfurter Zeitung predicted that:

Open rebellion against the government and the shedding of noble German blood could only be prevented by a three point declaration by the government: that it would (1) immediately negotiate future border corrections with the Polish government in Warsaw; (2) address the mass internment of Germans in Polish territory; and (3) obtain binding assurances from the Polish power-wielders for the freedom and the honourable treatment of all Germans residing in the areas now occupied by Poland and yet to be occupied.²⁶

The Polish government declared its good intentions

²⁵ADAP, A, II, # 83, p. 146.

²⁶Frankfurter Zeitung, July 1, 1919, p. 1.

toward its German citizens already on July 2, 1919:

The peace-minded fellow citizens of German nationality, who want to come to terms with the new circumstances and to become loyal citizens of Poland have nothing to fear for the future. In conformity with the traditions of freedom, citizens of German nationality will be assured of the full equality, full freedom of belief and conscience, access to state offices, freedom in the use of the mother tongue, and national identity, and full protection of property. In the Republic of Poland neither confession of faith nor mother tongue is decisive for status in public life or in the extent of citizenship rights; it is personal diligence alone. Therefore all civic authorities and officials are called upon to remain at their posts and as much as possible be taken into the Polish state service. We expect that the German government will treat Poles in the same way.²⁷

This declaration notwithstanding, on July 8 the German delegation in Paris delivered a note to the peace conference in which the German Foreign Ministry proposed the immediate start of negotiations between Germany and Poland in order to arrange an orderly transfer of territory.²⁸ Though the protection of minorities was not explicitly mentioned in this note, such intentions came to the fore in subsequent statements by German spokespersons.

Two weeks later the cabinet received a report that the Germans in the eastern territories believed that they had been promised tangible assistance in the face of Polish aggression. Furthermore, this population now felt it was being betrayed by the army by being deprived of any defence

²⁷Schulthess, 60 (1919), II, p. 352.

²⁸Schulthess, 60 (1919), II, p. 582; Vorwärts, July 10, 1919, p. 3.

against the Poles.²⁹ Unable to provide military protection, the government felt pressure to arrange at least diplomatic or legal protection. Thus in its meeting on July 19, 1919, the cabinet proposed:

The beginning of negotiations with the Poles even before the evacuation in order to obtain binding declarations [regarding] the lives, property, and personal freedom of the Germans living in the territories to be ceded or for which plebiscites are planned.

It also expressed the desire "that self-administration will be accorded to the former German areas."³⁰

Several days later, on July 23, the Foreign Minister included this call for a bilateral treaty with Poland on the protection of the German minority in a speech to the Reichstag. Müller professed Germany's desire for a constructive relationship with Poland despite the unsatisfactory terms of the peace treaty:

We want to ameliorate the damage of the peace treaty through direct negotiations with Poland. The transfer of the ceded territories to Polish control is to be carried out without irritation and violence. Specifically, the government will try to work out a reliable protection of the minority rights of the Germans falling to Poland so that the cultural ties of those Germans to the old homeland is still guaranteed when they have become loyal citizens of the new state.

Müller concluded with words of gratitude to the Germans in the east for their calm and honourable stance in a difficult time and he appealed to Poland to respect the

²⁹ARK, Bauer, # 29A, p. 133.

³⁰ARK, Bauer, # 29A, pp. 133-134.

sincere desire of the German people and their government to initiate satisfactory relations to their neighbouring country.³¹

Indeed, negotiations between Germany and Poland began in Berlin on August 11, 1919, in the presence of observers of the Inter-Allied Control Commission. The German delegation included representatives of the Prussian government because the affected territory was part of Prussia. The talks were to encompass political, economic and transportation issues. In the opening exchange, the leader of the German delegation, Edgar Haniel von Haimhausen, stressed that:

A primary desire of the German nation is that their fellow nationals who will become citizens of the Polish republic will enjoy the protection of their cultural values there as equally franchised citizens.

The head of the Polish delegation, Wroblenski, gave a verbal assurance that the Polish state would treat its citizens of German origin in this way. Accordingly, the protection of the rights of minorities, including those of religious minorities, was assigned to one of the four commissions formed to carry the talks further.³²

These negotiations were interrupted within two weeks when, on August 20, the Polish delegation withdrew because

³¹Nationalversammlung, VII, p. 79.

³²Schulthess, 60 (1919), I, pp. 378-379; also Vorwärts, August 12, 1919, p. 1.

of the Polish - German conflicts in Upper Silesia.³³ They were resumed in late September and on October 1 an agreement on amnesty of prisoners was announced. In this connection, Germany also obtained the permission for its representatives to enter Posen and other yet to be determined areas beyond the demarcation line to monitor transportation arrangements and to take up the interests of the German citizens there.³⁴

These agreements were followed by others on economic relations on October 22, 1919,³⁵ on the modalities for dismantling the German governmental apparatus on October 24,³⁶ and on the retention of German civil servants on November 9.³⁷ Negotiations on the schools to be allowed to German minority were also under way.

These agreements were considered elements of, or at least precursors to, a comprehensive treaty with Poland. This approach was defended by Foreign Minister Müller in the National Assembly when he presented the treaty on prisoner exchanges for ratification. Müller asserted that these treaties were being concluded before the date of the

³³Vorwärts, August 23, 1919, p. 1.

³⁴Schulthess, 60 (1919), I, pp. 414-415; Vorwärts, October 4, 1919, p. 1.

³⁵Schulthess, 60 (1919), I, p. 444.

³⁶Schulthess, 60 (1919), I, p. 451.

³⁷Schulthess, 60 (1919), I, p. 476. See also the discussion between the Foreign Minister and a member of negotiating team, Dr. Diamond, on November 2, 1919, in ADAP, A, II, # 215, pp. 388-389.

territorial transfer required by the Versailles treaty because "we have a special interest in a smooth development in the east and proper political relations to the neighbouring Poles."³⁸

At the same time the Foreign Ministry was receiving and considering proposals for providing practical and monetary support to the Germans in ceded territories. Count Hugo von Lerchenfeld of the section for eastern affairs in the Foreign Ministry conducted a meeting on September 9, 1919, of all parties, private and governmental, interested in the fate of eastern Germany. The focus of this conference was a memorandum on the future protection of the Germans in the eastern territories prepared by Max Winkler, vicechair of the Ostausschuss, a committee of deputies from the eastern provinces to the National and Prussian assemblies.³⁹ The emphasis was on financial and political support of the organizations and institutions of the Germans rather than on diplomatic efforts directed at the Polish government. The plan was eventually approved by the cabinet in November.⁴⁰

On October 20 there was another meeting in the Foreign

³⁸Nationalversammlung, VIII, p. 336; Vorwärts, October 16, 1919, Beilage, p. 1. For the presentation of the treaty on government officials, see Nationalversammlung, VIII, p. 551.

³⁹Norbert Krekeler, Revisionsanspruch und geheime Ostpolitik der Weimarer Republik: Die Subventierung der deutschen Minderheit in Polen, 1919-1933 (Stuttgart: Deutsche Verlags-Anstalt, 1973), pp. 14-15.

⁴⁰Krekeler, p. 14, n. 5.

Ministry on the preservation of Germandom in the eastern provinces. It also focused on practical support for German publications, schools, charitable institutions, and culture. Mention of the minority protection treaty was not recorded.⁴¹

Proposals on the protection of Germans were also submitted to the Prussian parliament and the German National Assembly by the former mayor of Posen (Poznan), a conglomerate of delegates of West Prussia calling itself the Aktionsausschuss Nord, and the Reichsverband Ostschutz.⁴² In response, the Foreign Ministry established several agencies for supporting the Germans in Poland and also re-shaped the German organizations in Poland to be more effective for this goal, especially in anticipation of the formal transfer of territory scheduled for January 10, 1920.⁴³

CONCLUSION

Germany's diplomatic efforts to secure the rights of Germans in Poland began in the turmoil of its military

⁴¹ADAP, A, II, # 200, pp. 364-366. See also Felix-Heinrich Gentzen, "Die Rolle der deutschen Regierung beim Aufbau deutscher Minderheitenorganisationen in den an Polen abgetretenen Gebieten (1918-1922)" in Jahrbuch für Geschichte der UdSSR und der volksdemokratischen Länder Europas 10 (1967), p. 167.

⁴²Gentzen, pp. 165-167.

⁴³Krekeler, pp. 12, 26.

defeat and political upheaval. In this context the fight to prevent any loss of German citizens to Poland loomed larger than the need to prepare the legal basis for the eventual life of a German minority under Polish rule. The confusion and vacillation within Germany's government--whether to place the Interior or the Foreign Ministry in charge of the territories to be ceded, whether to receive delegations from these areas, whether to resort to military force to quell Polish uprisings, and whether to grant autonomy or more tolerance--reflected the deeper uncertainties surrounding Germany's future course.

Whenever Germany's Foreign Ministry did pursue a treaty with Poland which would include provisions for the protection of national minorities and met some readiness on the part of Poland for such negotiations, these initiatives were either obstructed by external forces, in particular France, or derailed by internal clashes between Germans and Poles which required the German government to respond with reprisals instead of negotiations. The conversations of Germany's first envoy, Kessler, in November and December 1918, the talks led by officials of the Prussian government in February 1919, and those conducted by representatives of the Reich government in August 1919 were all disrupted by insurrections.

After letting direct negotiations with Poland lapse during the crucial months of the peace conference in Paris,

Germany resumed the quest for a bilateral treaty, a treaty which would have included provisions on minority rights. The statements of Germany's politicians and diplomats indicated an increasingly clearer and stronger intention to attain a bilateral treaty in the course of 1919.

CHAPTER 9

POLAND:

FROM THE IMPLEMENTATION OF THE VERSAILLES TREATY TO THE PLEBISCITE IN UPPER SILESIA

The transfer of territories from Germany to Poland as stipulated by the Versailles Treaty took place on January 10, 1920. On this date the status of the Germans in western Poland as a national minority was sealed. The German government issued a sombre farewell to its citizens who now came under Polish rule. The statement expressed sorrow over the cession and affirmed ongoing unity in language and culture. It promised that whatever could be done to maintain "the mother tongue, German identity, and the innermost bond with the homeland" would be undertaken. Germany avowed its primary concern for protecting the rights of the Germans for their own national life insofar as these had been secured through negotiations. In this spirit "we will not cease to advocate that the assurance given by treaty will be upheld." The Germans leaving Germany at this time were encouraged to take courage and example from the Germans who had lived outside Germany for a long time already. The message ended with the hope "that some day the

right to self-determination will be granted."¹

ONGOING NEGOTIATIONS

The negotiations with Poland on a variety of technical matters continued in Paris after the transfer of territory. On January 16, 1920, the cabinet received a report that nine treaties with Poland had been reached in Paris.² There was, however, no significant progress toward a comprehensive treaty on minority protection. Progress on other bilateral issues seemed to be more possible. On February 25, 1920, Haniel von Haimhausen, now Undersecretary in the Foreign Ministry, instructed the chair of the German peace delegation in Paris to begin negotiations with Poland on the citizenship options for Germans in Poland and for Poles in Germany.³ At the end of April and in mid-May, Otto Goeppert, the chair of the delegation, reported that he was still pressing the Poles to resolve the option question as well as the matter of corridor transit.⁴

Relations between Germany and Poland were further normalized with the arrival in Berlin of the Polish diplomat Szebeko in March 1920 and with the simultaneous plans to

¹Frankfurter Zeitung, January 11, 1920, p. 1.

²ARK, Bauer, # 148, p. 538.

³ADAP, A, III, # 45, p. 83.

⁴ADAP, A, III, # 116, pp. 201-202; ADAP, A, III, # 133, pp. 233-234.

send Count Oberndorff as Germany's representative to the Polish capital.⁵ Several weeks earlier, on February 28, the cabinet had appointed a commissioner to review the situation in the unoccupied part of Silesia and attempt to regulate the situation.⁶

A question posed by a member of the Reichstag on April 14, 1920, prompted the Foreign Ministry to refine its public position on diplomatic intervention for Germans in Poland. Representative Herrmann asked whether Germany was going to protest the obstacles put up by the Polish government to the founding convention of a German Party in Poznan (formerly Posen). He also asked whether the government would soon establish the diplomatic representation in Poland "which would be suitable for protecting the rights of the German minority in Poland."⁷

The official explanation reflected a constricted view of the possibilities for effective diplomatic action by Germany. The government pointed to several factors which deprived Germany of a formal basis for official intervention. The Treaty of Versailles to which Germany was party did not contain any provisions to protect Germans. The peace treaty merely obligated Poland to conclude a

⁵ADAP, A, III, # 62, p. 111.

⁶ARK, Bauer, # 175, p. 621; # 216, p. 770.

⁷"Anfrage Nr. 859," April 20, 1920, in PAAA, Abteilung IV, Polen, Deutschum im Ausland, Band 1, Vom März 1920 bis 31. August 1920, (R 82181).

separate treaty with the Allied Powers on the protection of minorities. Furthermore, Germany had only received Poland's treaty through non-official channels. Finally, from Germany's standpoint the "treaty which only provided a general framework was inadequate due to the lack of precise stipulations for effective protection." On the other hand, it was avowed that Germany would not leave any means untried to reach binding agreements with the Poles in this matter despite their totally negative position. The answer also noted that the prohibition by Polish authorities of the founding of the German party was based on the state of siege in Poland. Thus Germany had no legal basis to protest against this action. In any case, the German government was not in a position to intervene regarding the political affairs of the Germans in Poland by presentations to the Polish government.⁸

Foreign Minister Adolf Köster used the Reichstag debate on Germany's policy toward Poland on April 21, 1920, to send a message to Poland. He reminded Poland of its economic dependence on Germany and suggested ominously that no one could know how the future in the east would evolve. Against this background, he referred to the Germans in Poland:

We also ask Poland to consider that, out of deference to the numerous Germans which it shelters within its state, it has an interest in good, or at least

⁸Response to "Anfrage 859," April 20, 1920, in PAAA, Abteilung IV, Polen, Deutschum im Ausland, Band 1, Vom März 1920 bis 31. August 1920, (R 82181).

tolerable, relations to Germany. How much and how soon this insight will register with the Poles is their concern.⁹

On May 3, 1920, the German government received a comprehensive summary of the perspectives and desires of the Germans in areas formerly part of Prussia and now part of Poland. Representatives of various vocations and parties of the German minority in Poland had met on April 28, 1920, in Poznan and had summarized their views. Poland was described as a "republic without a constitution in which the dictatorship of the uneducated bureaucracy prevailed." Most of the points made in this memorandum related to the economic situation in Poland but tactics focusing on the German minority were also proposed. There was a call for a united campaign in the German press which should emphasize that the Poles were intolerant toward the minorities living in their country. This tactic was expected to be effective because "the Pole regards himself as the model of a tolerant nation" and would therefore be most displeased with such a depiction of Poland, especially in the press of Germany's enemies or of neutral states. Efforts should also be made to influence the publications of other national minorities in Poland and even of Polish papers.¹⁰

⁹Nationalversammlung, IX, pp. 341-342.

¹⁰"Anschauungen und Wünsche der Vertreter des Deutsch-tums im ehemals preussischen Gebiete," May 3, 1920, in PAAA, Abteilung IV, Polen, Politische Beziehungen Polen zu Deutschland, Band 1, Vom 1. März 1920 - 30. Juni 1922 [National Archives Microfilm Publication T120, Roll 3723, K

The report then listed the goals which should be pursued with respect to the Polish government for the sake of the Germans. Poland should be compelled to revoke various measures of economic discrimination. Several cultural rights should be guaranteed. The right to use the German language, especially in the justice system, should be secured for a transitional period of five years. The right to opt for either citizenship should be clarified. Guarantees should be obtained to permit the entry of German teachers from Germany into Poland in order to preserve the German schools. Finally, the hasty emigration of Germans, in particular that of judges and lawyers, should be impeded. The group also urged the prompt establishment of German representations in Warsaw, Lodz, and in the ceded territory.¹¹

The memorandum concluded with an appeal to understand the plight and challenge facing the German minority in Poland:

The interim period presents an extraordinary sacrifice for the Germans remaining in the country. If they are resolved to make this sacrifice for the sake of Germany, then they may expect every furtherance and support on the part of the Reich. However, this must come in a way which cannot be perceived by the Polish side as a reason for new repressive measures. Therefore we want to avoid the impression that German official agencies want to intervene in internal Polish

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¹¹"Anschauungen," pp. 5-7.

affairs.¹²

Finally, advice was offered on the striving for the autonomy of the formerly German parts of Poland. This widespread movement should be promoted by Germany even though it was aimed at forming a independent state and the nature of its relation to Germany could not be predicted.¹³

With this comprehensive request and the progress in normalizing relations with Poland in other matters, the stage seemed to be set for success in negotiating a bilateral treaty on minority rights.

AWAITING THE OUTCOME OF THE POLISH-RUSSIAN WAR

When war erupted between Russia and Poland in the spring of 1920, German diplomats were tempted to direct their efforts for securing the welfare of the German minority in Poland to the expected victor, Russia. By summer Russian armies were sweeping into Poland and the defeat of Poland seemed imminent.

General von Seeckt, head of the German army and a militant conservative, suggested to the Foreign Ministry that Germany formally request Soviet Russia to spare the German inhabited areas in its anticipated sweep through Poland. In his view such an intervention by Germany would impress the Poles, and the rest of the world, with the depth

¹²"Anschauungen," pp. 7-8.

¹³"Anschauungen," pp. 10-11.

of Germany's sense of obligation toward those who had until recently been its citizens. Even more brashly, Seeckt proposed that Germany should press for a reversal of the cession of German territories to Poland and simultaneously ask to participate in an international conference for ending the Polish-Russian war. According to Seeckt's logic, Germany could claim that its intention was not to change the Versailles Treaty but rather to fulfil it, namely by re-considering whether one of its principles, the right of nations to self-determination, had been followed in the case of the German territories ceded to Poland.¹⁴

In contrast, the German envoy in Warsaw, Count Oberndorff, argued vehemently against favouring a victory of Bolshevik forces over Poland. Even if Russia would extend a hand for Germany to regain its lost territory, the dreadful result would be that "the red horde would stand at our border and soon within our borders." Germany should wish that Poland would remain, even if it was Germany's adversary in many respects, because "it is the barrier which separates us from the red ruin and it would be a crime against our country and all humanity if we would contribute in even the smallest measure to a victory of the Soviets."¹⁵

¹⁴ADAP, A, III, # 224, pp. 466-468.

¹⁵Letter to Auswärtiges Amt, Berlin, Count Oberndorff, July 1, 1920, in PAAA, Abteilung IV, Polen, Politische Beziehungen Polen zu Deutschland, Band 1, Vom 1. März 1920 - 30. Juni 1922. [National Archives Microfilm Publication T120, Roll 3723, K 170 / K023969-23970].

In the Foreign Ministry itself the position of absolute neutrality in this conflict was upheld. Indeed there was apprehension about indications that there were Germans and even Poles who were tempted to strive for re-attaching their land to Germany. State Secretary Haniel's advice was that "the former German territories liberated from the Polish rule by the advancing Russians should declare themselves to be autonomous on the basis of the right to self-determination," but Germany should leave the initiative to the German population and to the Russians.¹⁶

A memorandum circulating in the Foreign Ministry in August 1920 revealed the possible scenarios which the Foreign Ministry tried to anticipate as outcomes of the war between Poland and the Soviet Russia. The worst outcome would be "that the present Polish government would remain in control after a peace with Russia and would retain the sole authority in the Prussian areas." In this case the repressive measures against the Germans would surely become even more severe and it could not be assumed that the German population would have enough strength in the long term to resist. The disappearance of Germanism would be the inevitable result.¹⁷

A more likely result of the war would be the

¹⁶C. Hölzje, Die Weimar Republik und das Ostlocarno Problem: 1919-1934 (Würzburg: Holzner Verlag, 1958), p. 29.

¹⁷ADAP, A, III, # 255, p. 513.

Bolshevization of all of Poland which would lead to such chaotic conditions that the Germans there would have to fight for their survival. Their many sympathizers within Germany along the border would surely rise up to protect the threatened Germans in Poland. Then Germany would be drawn in and an armed intervention by the German state to protect the lives of the residents of Poznanian and West Prussia could not be ruled out.

The most welcome outcome would be the occupation of Poland by Russia. Then the German population could enter into an acceptable arrangement with the Russians. In this case "a necessary support of the Germans could and should be provided through confidential contact by the German government with the Russians."¹⁸

In its conclusion the memorandum posed four strategies for Germany. The options, along with the response of the German Foreign Minister as noted in the margin of the document, were the following:

1. to press for the re-attachment of the eastern provinces even if it meant the irretrievable loss of the Ruhr region (answered "no")
2. if Russia occupied Poland, to press the Russians to treat the Germans favourably; and if Russia did not occupy Poland [but defeated it], to press Russia to take over the guarantees for the German minorities

¹⁸ADAP, A, III, # 255, p. 515.

(answered "yes")

3. if chaos broke out in the former German territories, to protect the lives and limbs of the population (answered "yes")
4. to urge the German population in Poland to ally with the Poles in order to ward off Russian Bolshevism (answered "no").¹⁹

Indeed, Russia's unofficial representative in Berlin made several promises regarding the status of Germans in Poland in anticipation of Poland's defeat. In a meeting with Ago von Maltzan of the Foreign Ministry on August 12, Viktor Kopp declared that if Russia occupied territory formerly part of Germany it would protect the interests of the Germans as much as possible and it would respect the eventual wishes of the Germans for autonomy or another form of government. Kopp went even further when projecting the future government of Poland. If a Bolshevik government would be established in Warsaw, "then this government would, of its own free will, return the previously German regions, insofar as they were ethnographically German."²⁰

The war ended with the unexpected result that Poland defeated the Soviet army and remained an intact state. None of the eventualities anticipated by Germany's leaders were realized and hence none of the proposed responses were

¹⁹ADAP, A, III, # 255, p. 517.

²⁰ADAP, A, III. # 246, pp. 496-497.

implemented.

LINKING ECONOMIC AGREEMENTS TO MINORITY RIGHTS

From this time on, another German tactic for securing rights for the German minority in Poland came to the fore: linking negotiations on economic issues to negotiations on minority rights. Germany's diplomats refused to negotiate matters which would have economic advantages for Poland without at the same time attempting to elicit a commitment from their Polish counterparts to negotiate improvements for Germans in the Polish state. This tactic was mentioned in a report on June 26, 1920, by a German representative in Warsaw for talks on a transportation corridor through West Prussia and on options for citizenship.²¹

In mid-August the German consul in Poznan, Herbert von Dirksen, was advised by Haniel, his superior in Berlin, that while Germany was ready to negotiate the various economic questions, these "can only be initiated if they are regarded by the Polish side as a part of a German-Polish normalization on a broad basis." Included in the broader range of issues were the regulation of liquidation of German property and the protection of minorities.²²

At the same time, a proposal for broad-scale negotiations, including the protection of minorities, was

²¹ADAP, A, III, # 162, p. 301.

²²ADAP, A, III, # 248, p. 503.

presented to Poland via its representative in Rome and possibly by other channels.²³ At the end of August, Dirksen reported on the frustration of the Polish Foreign Minister Morawski that negotiations over the option issue were being delayed by the inclusion of the liquidation and minority protection questions as insisted by Germany. Dirksen had responded by indicating that this linkage did not represent a delay because there was no obstruction to parallel negotiations. Rather "only the conclusion of the treaties would be dependent upon agreement being achieved also on liquidation and minority protection." Morawski emphatically repeated the desire of Poland for understanding. He assured the German diplomat that local authorities in Poznan and Pomerania had been instructed anew to care for the fair treatment of Germans and asserted his optimism that this instruction would have effect.²⁴

German officials also began to ascribe more importance to the minority protection treaty between Poland and the Allied powers. At a meeting on August 28, 1920, with representatives of various departments of the Foreign Ministry, several other departments in the federal and Prussian governments, and the Evangelical Church, it was agreed that maximum use should be made of the minority treaty. However, two hazards had to be avoided: claiming

²³ADAP, A, III, # 273, p. 552.

²⁴ADAP, A, III, # 263, p. 530.

rights for Germany in the international arena--as Germany had been excluded from the League of Nations, and recognizing the treaty as binding in any way on Germany. Accordingly, it was agreed that henceforth in official negotiations German diplomats could point out contradictions between the content of the treaty and the actions of the parties to the treaty. This would utilize the treaty for German interests but avoid the two consequences deemed to be undesirable for Germany's international position.²⁵

Soon thereafter, the German Foreign Ministry followed through on this approach, when, on November 3, 1920, it sent a memorandum to the embassy in Warsaw to complain about the treatment of Germans in Poland. It charged that members of the German minority were being arrested arbitrarily, held without charge under inhumane conditions, pressured to leave Poland long before the deadline for doing so, or being drafted into the Polish army despite their continued German citizenship. Germans in Poland enjoyed "anything but the solemnly promised equality of rights; rather, they appear almost everywhere to be free game" in a concerted effort to encourage them to emigrate.²⁶

Along the same approach, a book titled "Der

²⁵Notes on a meeting on "Stellungnahme zu dem sogenannten Minderheitsschutzabkommen," August 28, 1920, in PAAA, Abteilung IV, Polen, Deutschtum im Ausland, Band 1, Vom März 1920 bis 31. August 1920, (R 82181). See also Pieper, pp. 68-69.

²⁶Blanke, Orphans of Versailles, p. 40.

Minderheitenschutz in der Republik Polen" was covertly published by the Foreign Ministry in 1920. The book described the violations of minority rights in Poland. The author was purported to be Dr. H. H. Schrader. In truth it was a compilation prepared on the instruction of the Foreign Ministry and published under the name of a fictitious author.²⁷

In the meantime German diplomats continued to press the linkage of talks on minority rights with discussions on other outstanding questions between Poland and Germany. In response to Polish impatience on the progress of negotiations, a Foreign Ministry official retorted on September 11 that there had already been negotiations on these points in the autumn of 1919 and therefore it should not surprise the Polish government if, now, in the pursuit of a broad understanding, Germany sought the resolution of all questions raised at that time. Dirksen reported that, in an encounter with the Polish Foreign Minister, he had asserted that these negotiations were linked but nothing on Germany's side was hindering their resumption. Morawski promised better treatment of minorities but apparently was still reluctant to engage in negotiations which would commit

²⁷Letter of Herbert von Dirksen to Dr. E. Schiffer, November 30, 1921 in PAAA, Deutscher Bevollmächtigter für die deutsch-polnischen Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1, November 4, 1921 - January 4, 1922 (R 24778).

his country to specific protection of minorities.²⁸

However, the progress toward German goals was slow. On October 8, 1920, the German delegation in Paris requested permission from its supervisor in Berlin to take the following position:

We are ready to negotiate all question without linkage but must demand that all points yet to be resolved now be seriously pursued. A sign of this would be if in the negotiations on the options [for citizenship] there would be some compromise with regard to our recent proposals. Then the negotiations in Paris could be brought to an end simultaneously. In the same manner economic negotiations could be conducted concurrently with negotiations over Article 256 [re: transfer of German and Prussian government property to Poland], liquidation and minority protection.²⁹

Apparently, the German delegation in Paris was asking for some flexibility in linking negotiations in order to achieve some progress. Haniel endorsed this formulation, and added that:

It should be mentioned that a linkage was never made on Germany's part in the sense that German demands had to be met before the beginning of negotiations on Polish wishes. Rather parallel negotiations were demanded. It should also be noted that in view of the importance of the remaining questions for public opinion it would be extremely difficult for the German government to enter economic negotiations without a resolution of these questions, also because all questions affect the economic relations of both countries.³⁰

Throughout the fall of 1920 Germany waited for Poland's answer on the matter of concurrent discussions on the

²⁸ADAP, A, III, # 279. p. 563.

²⁹ADAP, A, IV, # 5, p. 10.

³⁰ADAP, A, IV, # 5, pp. 10-11, n. 8.

protection of minorities and economic issues.³¹ Only in December did Dirksen report from Warsaw that Polish resistance to negotiations on the outstanding issues was diminishing in the interest of normalization of relations with Germany. In verbal communications it was being suggested that Poland would make concessions on Germany's political demands and in return economic negotiations would begin. Dirksen anticipated that some would argue against pursuing normalization on the grounds that negotiations would be in vain until the plebiscite in Upper Silesia would clarify matters there. He refuted this by pointing out that Germany had a interest in not turning public opinion against it by refusing negotiations.³² The Foreign Ministry in Berlin received a similar message from the Polish Consul in Berlin in mid-December.³³

Poland's faltering economic health gave Germany new opportunities to press for improvements in the legal status of Germans in Poland. An unofficial representative of the Polish government was informed that "before these [negotiations] can even be considered, several matters must be removed which are oppressing the Germans in the ceded territory and which thereby hold the German public opinion in constant agitation." There had been improvements

³¹ADAP, A, IV, # 16, p. 28.

³²ADAP, A, IV, # 74, pp. 140-141.

³³ADAP, A, IV, # 81, p. 149.

regarding German prisoners, corridor transit and "other capricious encroachments on the freedom of Polish citizens of German origin." However the laws on the application of Article 256 on the disposal of Reich property and on the liquidation of German property were totally unacceptable and immediate remedies on the part of Poland were needed. Furthermore the negotiations on all of the questions between Germany and Poland still outstanding from the peace treaty had to begin soon. Even if the Conference of Ambassadors of the Allied Powers in Paris would delay the negotiations, German and Polish negotiators should try to clarify their respective position as soon as possible through direct negotiations.³⁴

Preliminary discussions began in Berlin with two unofficial Polish representatives on December 16-17, 1920. At the outset of these informal conversations the German Foreign Ministry repeated its conditions for improving relations:

The methods of treatment of Germandom in the republic of Poland and especially in the ceded territory must be fundamentally changed. The continued repression and arbitrary arrests as well as the one-sided Polish interpretation of the articles on the option, liquidation and confiscation of German state property by the Polish treasury stood in the way of such an understanding.

A list of possibilities for mediating Polish-German relations and establishing orderly neighbourly relations was

³⁴ADAP, A, IV, # 81, pp. 150-151.

presented. The first item on the list of steps to be taken by Poland was the following:

The Polish government will immediately take up negotiations with Germany on the outstanding questions arising from the peace treaty, including the option and citizenship questions as well as the question of the reciprocal protection of minorities.³⁵

This statement which was circulated by the Foreign Minister to all German missions on December 30, 1920, implied that Germany was now ready to include reciprocity as a principle in the negotiations with Poland on minority protection. If this was a genuine commitment then it marked a fundamental shift on Germany's posture. February 28, 1921, was set as the target date for the completion of these negotiations.

To maintain the momentum, Dirksen met with the new Polish Foreign Minister, Prince Sapieha, early in January 1921 in Warsaw. On this occasion the Polish minister reiterated Poland's desire for friendly and normal relations with Germany for the sake of its economic welfare. He avowed that he was resolved to regulate all outstanding issues by treaty, if possible before the plebiscite in Upper Silesia scheduled for March.³⁶ Thereupon Dirksen received permission on January 14, 1921, to explore negotiations with the Polish Foreign Minister.³⁷ In the midst of the uncertainty about the beginning of comprehensive talks, a

³⁵ADAP, A, IV, # 102, pp. 195-200.

³⁶ADAP, A, IV, # 109, p. 219.

³⁷ADAP, A, IV, # 118, p. 237, n. 4.

treaty on transit between East Prussia and the rest of Germany was reached on January 22, 1921.³⁸

However, one month later Dirksen reported that a lower Polish official had informed him that the Polish government now rejected the plan for concurrent negotiations of all economic and political questions and proposed Paris as the site for negotiations though only on the matters of options and liquidation. Poland now also demanded that France be involved in the negotiations. The other questions, presumably also the protection of minorities, would be negotiated in a location yet to be determined.³⁹ Dirksen attributed the Polish shift to pressure from France. He surmised that Poland planned to play France off against Germany, that is, it would pursue a treaty with Germany if French support was inadequate.

From Germany's perspective, Dirksen was not disappointed at this reversal by Poland. Indeed its action now placed Germany in a favourable position "because the blame for delaying the negotiations would fall exclusively on Poland." Furthermore, Germany still had a trump in hand, the economic blockade of Poland.⁴⁰ Dirksen's readiness to resort to an economic blockade implied that Germany had a goal which it set higher than negotiating the protection of

³⁸ADAP, A, IV, # 156, p. 324; # 170, p. 361.

³⁹ADAP, A, IV, # 156, p. 322,

⁴⁰ADAP, A, IV, # 156, p. 322.

Germans in Poland, namely Poland's total collapse.

This view was stated more explicitly by the German commissioner in Danzig in a letter dated January 3, 1921.

He described Germany's duty as:

utilizing the crisis in which Poland finds itself to the benefit of the German Reich i.e. to seek by all means a way to regain the territories lost to Poland. In any case the collapse of Poland is the prerequisite for this and Germany has no interest in postponing this collapse through economic assistance to Poland.⁴¹

The general negotiations with Poland began on March 17, 1921, in Paris with a French chairperson. The leader of the German delegation, Gerhard von Mutius, expressed pessimism about the prospective outcome, specifically on the options issue.⁴² His pessimism was vindicated as the negotiations ceased due to the disruption caused by the plebiscite in Upper Silesia on March 20, 1921. The indefinite postponement also removed the test of Germany's commitment to reciprocity in minority rights.

TESTING BRUNS' PROPOSAL FOR A RECIPROCAL MINORITIES POLICY

At the very end of 1920 the Foreign Ministry received a comprehensive brief urging an active policy for protecting Germans in Poland. The author, Dr. Carl Georg Bruns, was the most prominent advocate of the cause of protecting German minorities. Thus his memorandum, dated December 29,

⁴¹ADAP, A, IV, # 107, p. 215.

⁴²ADAP, A, IV, # 198, pp. 417-418.

1920, and bearing the title "Premises and Methods for German Policy for the Protection of the German Minorities in Poland," received thorough consideration by the Foreign Ministry.⁴³

Bruns built his case on the assertion that the treaty on minority protection to which Poland was obligated in the Versailles Treaty was actually a part of the peace treaty with Germany and that therefore Germany itself could demand that Poland fulfil it. This position had been put forth in the meeting of various interested parties at the end of August but apparently Bruns felt that it had not been implemented as effectively as it should have been.

In his paper, Bruns argued that although Germany was excluded from utilizing the methods legally available through this treaty to the German minority, "the diplomatic path for the enforcement of the Polish obligations remains available to Germany."⁴⁴ On this basis Germany could present Poland with several specific demands related to the legal status and treatment of Germans in Poland and derived from the provisions of the minority treaty.

Bruns acknowledged that under the terms of the peace treaty, Germany could have no official influence on the

⁴³Carl G. Bruns, "Voraussetzungen und Wege für die deutsche Politik zum Schutze der deutschen Minderheit in Polen," December 29, 1920, in PAAA, Abteilung IV. Polen, Deutschtum im Ausland, Band 3, Vom 1. November 1920 bis 31. Januar 1921 (R 82183).

⁴⁴Bruns, "Voraussetzungen," p. 3.

details of minority protection. It would have to attain such influence by other means. Bruns was thinking of a bilateral treaty on minority protection. He noted that, in the context of the current negotiations with Poland, the conclusion of an economic cooperation treaty with Poland could not be made dependent on Poland also concluding a treaty with Germany on the protection of German minorities. One could only work with the argument that Poland's failure to fulfil the obligations of the minority protection treaty could raise questions about Germany's fulfilment of the obligations imposed on it by the peace treaty. Furthermore it could be suggested to Poland's leaders that the continued repression of the German minority did not foster the proper atmosphere for the continuation of negotiations. However, in Bruns' estimation, this position was too weak a basis for Germany to press for guarantees for the German minority in Poland in the current discussions.⁴⁵

Bruns opined that Germany had taken only minimal advantage of the fact that it was not obligated by a treaty to provide rights to the Polish minority in Germany. Since no provisions for the protection of national minorities had been imposed on Germany, it could have formulated such provisions voluntarily and thereby attained a positive international reputation. Yet to date, any such measures had been only minimal and sporadic. Bruns recalled that

⁴⁵Bruns, "Voraussetzungen," p. 6.

well before the imposition of the Versailles peace treaty, the People's Councils had expressed the wish to establish a positive nationalities policy. However under the pressure of many other concerns the attempt to exert a greater influence on the formulation of minority protection on the international level had not been undertaken.

Bruns urged that the desire for a positive policy for national minorities in Germany should be revived but now with the explicit declaration that any measure would only be implemented on the basis of reciprocity. He acknowledged that Poland's acceptance of such a reciprocity was doubtful but the attempt should be made. The prospects would not be impossible if at every opportunity it would be emphasized that a generous support of Poland's economy, support which exceeded the formal points of the peace treaty, could only be attained on this condition.⁴⁶

Even if this tactic would not lead to immediate success it had to be attempted in order to manifest support for the discouraged and disoriented German minority in Poland:

A German program for the protection of the Polish minority in Germany, whose implementation would be made contingent on Poland's commitment to reciprocity would be a vivid proof of the practical interest which the German government has in the fate of the German minority in Poland, and furthermore it would be the most vivid call for Germanism to persevere at its post in Poland.⁴⁷

⁴⁶Bruns, "Voraussetzungen," pp. 7-8.

⁴⁷Bruns, "Voraussetzungen," p. 8.

Bruns then pointed to the value of such a policy in the realm of international relations. It would challenge the position of the Polish government that Germans in Poland could only receive the rights which were accorded to Poles in Germany and thereby the basis for the struggle of the German minority in Poland would be strengthened. It would also increase international empathy for complaints of the German minority, an important consideration given the fact that the minority protection treaty stipulated that the German minority itself had to strive for its rights in the international arena.⁴⁸

The domestic concerns against allowing more cultural independence for the Poles in Germany were dismissed by Bruns as non-existent or as not decisive. Now that a Polish state had been formed it was pointless to continue the policy of Germanizing them--Poland would continue to encourage them to maintain their Polish identity in any case. Bruns was also confident that with reciprocity in minority rights between Poland and Germany, the Poles in Germany would soon fall behind while Germans would show their superiority, especially if given the right to operate their own schools.⁴⁹

Bruns also rejected the argument that Germany should not formulate a program for minority protection as long as

⁴⁸Bruns, "Voraussetzungen," p. 9.

⁴⁹Bruns, "Voraussetzungen," p. 10.

the question of Upper Silesia remained unresolved. Indeed in the propaganda intended to affect the plebiscite's outcome, the minority protection promised to the Poles in the rest of Germany would be the minimum measure of what would be received by the Poles in Upper Silesia and might sway votes in Germany's favour.⁵⁰

Another danger was obvious to Bruns, namely that individual provinces in Prussia would pursue a policy hostile to Poles, and thereby undermine the interests of the German Reich. This would be analogous to the anti-German policies of the Poznan province in Poland which provoked anti-Polish sentiment in Germany and made a policy of reciprocity impossible.

Bruns summarized his appeal as follows:

If, for domestic political considerations or with reference to the Upper Silesian question, there really would be reservations against a German policy of reciprocity then these reservations should retreat before the necessity of leaving no means untried to maintain Germandom in Poland and hence the German government should immediately proceed actively in this matter before the Poles succeed . . . in decimating Germandom in Poland any more than has already happened to date.

The remainder of Bruns' paper described specific guidelines for a reciprocal minority protection treaty between Germany and Poland. Among the rights to be provided to minorities were:

1. access to teachers of the respective nationality and

⁵⁰Bruns, "Voraussetzungen," pp. 10-11.

access to public schools for a minimum number of persons of the nationality in a particular district

2. the right to establish private schools
3. freedom for the minority to form its own organizations
4. freedom to operate and to defend national interests through its own press
5. no restrictions on private use of national language and provision for its use in relation to government
6. no discrimination in commerce
7. support for cultural contact with the motherland.

The final point was that prompt attention be given to any developments contrary to the these provisions.

Bruns concluded by re-stating his conviction that at this time the issue "can only be a matter of broadening the basis from which Germany can provide help to the Germans in Poland."⁵¹

Bruns sent another challenge to the approach of the Foreign Ministry on minority policy on February 21, 1921. In this memorandum he proposed that the government's position on minority protection be clarified, whether or not it was now time to make public a comprehensive program on minority protection. One section of the government, perhaps the Prussian Ministry of the Interior, should be assigned all points related to minority protection. He disputed the idea held by many departments in the Reich and Prussian

⁵¹Bruns, "Voraussetzungen," p. 16.

governments that Poland's German minority was not a factor in German-Polish relations and urged that this position be re-considered in anticipation of the negotiations on options for citizenship. He could not understand why Germany would deprive itself of the possibility of reporting violations of the minority protection treaty.⁵²

The government's response to Bruns' program was formulated by W. H. Jaffe, a Foreign Ministry official.⁵³ Jaffe asserted that the interest of the German Reich in the attainment of a wide-ranging protection for the German minority in Poland was indisputable. However, the treaty between Poland and the Entente of June 28, 1919, could not be the basis for securing such protection. Its stipulations were too vague and general. Even more problematical was the provision that only members of the Council of the League of Nations were given the right to bring petitions to the League. Accordingly, the conclusion reached at a meeting of representatives of various departments that this treaty should be regarded as "not present" still pertained. Here Jaffe was distorting the conclusion of the meeting on August

⁵²Letter to Foreign Minister Simons by Dr. Carl G. Bruns, February 21, 1921, in PAAA, Abteilung IV, Polen, Deutschum im Ausland, Band 14, Vom 1. April 1923 bis 30. Juni 1923 (R 82194), [L 682 / 215643-215658].

⁵³W. H. Jaffe, "Zu der Denkschrift des Dr. Bruns über den Schutz der deutschen Minderheit in Polen . . .," February 4, 1921, in PAAA, Abteilung IV, Polen, Deutschum im Ausland, Band 3, Vom 1. November 1920 bis 31. Januar 1921 (R 82183), [L 682 / 215659-215664].

28, 1920.⁵⁴ On that occasion it was asserted that the minority treaty was not applicable to Germany and that Germany should not draw any international rights for itself from the treaty but that the treaty could be used to point out the shortcomings of the Polish government in observing it.

For Jaffe, the only practical method toward for protecting the German minority in Poland was "that Germany through a state treaty become an independent guarantor of this protection." Furthermore, "the means to make Poland incline to such a treaty would be economic concessions and the promise of reciprocity."⁵⁵ Jaffe emphasized the readiness to accept reciprocity because surely Poland would only grant legal guarantees for Polish citizens of German nationality if it obtained the same legal status for Poles in Germany.

Jaffe then devoted much of the rest of his memorandum to an optimistic prediction of the ascendancy of the German minority in Poland as compared to the decline of the Polish minority in Germany. He asserted that in essence minority protection was a matter of the school. If the right to organize autonomous schools and to receive state funds would be granted to both minorities, then it was a certainty that the Germans would succeed at organizing their education

⁵⁴See above, pp. 226-227.

⁵⁵Jaffe, "Zu der Denkschrift," p. 2.

while the education efforts of the Poles would soon bog down. Indeed, Jaffe predicted increased social problems and tensions between Polish and German labourers in Germany, especially in the industrial regions, once the majority of Poles sank into illiteracy. The inference was that German national supremacy would not be threatened by a treaty in which Germany would enhance and entrench minority rights for its Polish population in exchange for the same rights for the German minority in Poland.⁵⁶

Nevertheless, Jaffe advised against negotiating such a treaty at this time. He concluded his considerations by connecting a general treaty on minority rights to the question of Upper Silesia:

[Undertaking] such a program before the initiation of the negotiations would expose Germany's ultimate goals prematurely and unnecessarily bind the German government. The German program would also fade away in the present unrest precipitated by the impending decision on Upper Silesia; and if it did not die away, it, together with the related explanations, could possibly influence negatively the struggle for Upper Silesia. Only after the resolution of the Upper Silesian issue will it be time to think of a state treaty which shall also secure the protection of the German minority in Poland.⁵⁷

Thus, as long as the future of Upper Silesia remained unresolved, Germany abandoned the negotiation of a comprehensive bilateral treaty directly with Poland on the protection of their respective national minorities.

⁵⁶Jaffe, "Zu der Denkschrift," pp. 3-4.

⁵⁷Jaffe, "Zu der Denkschrift," p. 5.

Instead, Germany resorted to economic measures to exert pressure.

INCREASING THE PRESSURE

Germany faced a more immediate problem arising from the conditions in Poland: the immigration of hundreds of thousands of Germans from Poland to Germany. According to an official estimate almost 600,000 Germans emigrated from West Prussia and Poznanian by the end of 1921. Germany, it was said, could not absorb these numbers of immigrants.⁵⁸ To stem the tide, the Foreign Ministry sent a memorandum to all departments on February 25, 1921, in which it outlined numerous measures to reduce the immigration. These included: a review of all public statements so that immigration would be lamented rather than encouraged, the support of civic officials who stayed in the ceded areas, a reduction in the level of care for immigrants, and the diversion of these funds for use within Poland.

The seventh point clearly affirmed the importance of minority protection on the basis of the international treaty system:

The German government recognizes the minority protection treaty which has been concluded between Poland and the Allied and Associated Powers based on Article 93 of the peace treaty as binding for the relationship between Germany and Poland, insofar as its content is not in contradiction with the peace treaty.

⁵⁸Blanke, Orphans of Versailles, Chapter 2, "The Great Exodus," pp. 32-53.

This recognition is necessary so that an important legal and moral basis for actions for the protection of Germans in Poland is not removed, in order to bring violations of the minority protection treaty before an international forum, and finally, in order to show the Germans in Poland that the German Reich will, as much as it can, work toward the implementation of the minority protection treaty which is the basis and goal of every political effort toward the preservation of Germandom for the Germans in Poland.⁵⁹

Apparently, Jaffe's rejection of the utility of Poland's minority protection treaty had not persuaded his superiors in the Foreign Ministry.

The dissatisfaction in Germany over the treatment of Germans in Poland continued to affect economic relations between the two countries. As an internal Foreign Ministry document of April 1, 1921, explained, one of the reasons for placing an embargo on exports to Poland was its violation of several stipulations of the Versailles peace treaty, in particular the matters of options for citizenship, the transfer of German government property to Polish control and the protection of the German minority.⁶⁰ The memorandum then specified the goals to be reached through economic pressure. Regarding the protection of the German minority in Poland it listed the following:

1. guarantees for the rights of German churches and schools

⁵⁹ARK, Feuerbach, # 182, p. 495.

⁶⁰ADAP, A, IV, # 220, p. 459. The other reason was Poland's revocation of previous treaties on economic relations reached in October 1919.

2. revocation of the unjustified ban on German newspapers
3. guarantees against the unjustified arrests of the German sympathizers.⁶¹

The author called for a firm implementation of the sanctions in order to protect the German minority even if there were costs to some sectors of Germany's economy. In his opinion, Poland had long postponed the negotiations on these points in order to deprive Germany of this possible means of protecting the German minority. The German population in Poland, which had demanded the continuation of the policy of thwarting Poland's economic development, would not understand if the pursuit of its rights would be abandoned by the German government. Indeed, their hope for improvements in their condition would be completely destroyed. The resulting further emigration of Germans from the ceded territory would remove the possibility of sustaining and nurturing the German presence in even a small way.⁶²

The same stance was taken by the Commissioner in Danzig, Förster, who advocated the ongoing use of economic weapons in order to break down Poland's hostile approach toward Germany. In a report written in August 1921 Förster claimed that Poland had initially indicated its willingness to meet Germany's demands regarding the protection of German

⁶¹ADAP, A, IV, # 220, p. 460.

⁶²ADAP, A, IV, # 220, p. 462.

minorities but had later brusquely rejected this position. The same would happen again if Germany now made some economic concessions. Poland might make some promises regarding the protection of nationalities but then as soon as it would have regained its strength it would again bear down on the Germans. Förster had a larger goal for not easing the economic pressure on Poland: Germany must regain the West Prussian corridor. Only then would it be possible to have a good relationship with Poland. Germany should await, and not postpone with economic aid, the collapse of Poland. On the other hand it would not be politically adept to reject the Polish overtures out of hand. Rather these should be handled dilatorily and first it should be stressed that the precondition for any concession was a complete reversal in the treatment of Germans in the ceded territory and an effective guarantee against the return of vexatious measures against these.⁶³

The Polish constitution passed at this time, on March 17, 1921, did contain an article which held promise for the rights of the German minority:

Article 109: Every citizen has the right to retain his nationality and the use of his language as well as national identity. Special state laws assure the minorities in the Polish state of the full and free development of their national identity, with the aid of autonomous minority associations which have legal

⁶³ADAP, A, IV, # 114, p. 249.

public character.⁶⁴

CONCLUSION

At the time of the implementation of the Versailles Treaty, Germany and Poland were making some progress in regulating their respective concerns through agreements on a range of topics. A bilateral treaty on minority protection was imminent. Germany's Foreign Ministry was receiving advice on the specific provisions for such a treaty and the principle of reciprocity was identified.

Then Poland's war with Russia and the potential effect of economic pressure by Germany aroused hopes for the demise of Poland. Now there were voices pressing for measures intended to cause Poland's collapse and hoping to extract the German minority from Polish rule. The possibility of changed circumstances for the German minority distracted German diplomats from continuing negotiations on minority protection through the middle of 1920.

The Foreign Ministry responded to these pressures by insisting on linkage between negotiations on economic matters which would benefit Poland and human questions which would address the needs of the Germans in Poland and assuage their advocates in Germany. The hope of gaining political concessions from Poland in return for economic advantages

⁶⁴Erwin Hölzle, Die deutschen Ostgebiete zur Zeit der Weimar Republik (Köln / Graz: Böhlau Verlag, 1966), p. 98.

was a lasting sentiment in the Foreign Ministry.⁶⁵

Until mid-1920 frustrations at being excluded from the League of Nations and its dissatisfaction with the brevity of the minority protection treaty had prompted Germany's government to dismiss the treaty as a means of assuring the rights of Germans in Poland. Eventually, serious consideration was given to the tactic of utilizing the minority protection treaty as a basis for attacking Poland's treatment of Germans. However, implying its applicability to Germany and recognizing the League of Nations had to be avoided.

By the beginning of 1921 the Foreign Ministry had fully accepted reciprocity as a basis for negotiations with Poland on minority rights. Thus, another hurdle to a bilateral treaty was cleared, at least by the Foreign Ministry, if not by other components of Germany's government. However, now another looming issue, the future of Upper Silesia, provided a reason to delay negotiations.

⁶⁵In 1931 State Secretary Bülow confided this hope to Walter Koch, Germany's Minister to Prague, in a letter on the German-Austrian Customs Union. Bülow expected that the customs union would soon include Czechoslovakia and "then Poland with her unstable economic structures would be surrounded [and] . . . we should have her in a vice." See F. G. Stambrook, "The German-Austrian Customs Union Project of 1931: A Study of German Methods and Motives," in Journal of Central European Affairs 21 (1961), pp. 41, 43.

CHAPTER 10

POLAND:

FROM THE UPPER SILESIA PLEBISCITE TO THE GENEVA CONVENTION ON UPPER SILESIA

The event overshadowing all other matters in Polish - German relations was the plebiscite in Upper Silesia. This took place on March 20, 1921. At stake was the possession of a resource-rich and industrially developed region with a large portion of German inhabitants. The German government awaited the plebiscite in the expectation that it would clarify matters and permit the resolution of various issues in relation to Poland as well as confirm its control over Upper Silesia.

AWAITING THE RULING ON UPPER SILESIA

In the year preceding the plebiscite, the German cabinet struggled to devise a strategy for retaining the loyalty of the people of Upper Silesia. Despite strong protests from the Prussian government, it considered

offering Silesia the status of an autonomous province.¹ The matter was so sensitive that the Reich government had to deny this possibility publicly even though it was giving it serious consideration. Its declaration of September 10, 1920, stated that the Upper Silesians would be free to pursue their wishes for a federal state in accordance with the constitution.² However, according to the Foreign Minister's speech to the parliamentary committee for foreign affairs on October 21, 1920, this declaration seemingly did not satisfy the Upper Silesians. Consequently, the Reich government asserted that "if the Upper Silesians want autonomy then it should be provided to them."³ The Prussian government fell in line by promising that it would not openly oppose the legislation for Upper Silesia's autonomy.⁴

An intense campaign was waged by both German and Polish sides. To increase the prospects of an outcome favourable to Germany, the government promoted and facilitated the participation of Germans entitled to vote but residing elsewhere in Germany. As it turned out, sixty percent of the votes cast favoured remaining with Germany. However, contrary to German expectations, the Allied Powers decided

¹ARK, Müller, I, # 74, pp. 176-177; ARK, Feuerbach, # 64, p. 160.

²ARK, Feuerbach, # 65, pp. 160-161.

³ARK, Feuerbach, # 91, pp. 238-239.

⁴ARK, Feuerbach, # 92, pp. 240-241.

that Upper Silesia should be divided between the two vying states rather than be awarded entirely to the one preferred by the majority. The implementation of this decision was drastically complicated because the majority preferences within the districts did not yield a clear border between Polish and German areas.

The Supreme Council of the allies which had prescribed the plebiscite in the Versailles treaty and then supervised it was not able to agree on a division of the region. The matter was referred to the League of Nations which appointed a committee to come up with a decision. The League's committee took several months to make a recommendation and the Supreme Council's determination on the division of Upper Silesia was not made until fall.

In the meantime Germany made some moves to enhance the attractiveness of awarding all or most of the province to Germany rather than to Poland. For instance, the Reich government resolved to proceed toward the autonomy for Upper Silesia.⁵

On October 21, 1921, the German cabinet received the information that the Council of Ambassadors had accepted the ruling from the League of Nations on the partition of Upper Silesia and that it was imposing it. Poland was granted the greater portion of the territory, almost half of the population, and the bulk of the industry.

⁵ARK, Feuerbach, # 218, p. 608.

The decision conceded that:

As the various national groups were scattered but very much intermingled, any division of this region would lead to the result that significant minorities would remain on both sides of the border and that important regions of common interest would be torn apart. In view of these circumstances the decision taken includes measures which assure the continuation of the economic life as well as the protection of minorities in Upper Silesia in the interest of all.⁶

The foremost measure taken to assure the ongoing economic viability and the observance of minority rights in both parts of Upper Silesia was the instruction that the Polish and German governments each name a representative within eight days to negotiate these matters. As a basis for these negotiations, the Council declared the Polish minority protection treaty "to be applicable to those parts of Upper Silesia definitely recognized as part of Poland" and added that:

The principles of equity and the maintenance of the economic life of Upper Silesia demand that the German government should be bound to accept, at least for the transitional period of 15 years, dating from the definitive allocation of the territory, stipulations corresponding to Articles 1, 2, 7, 8, 9 (paragraphs 1 and 2), 10, 11, and 12 of the said Treaty, as regards those parts of Upper Silesia definitively recognized as part of Germany.⁷

The final stipulation was that the provisions of this new treaty "constitute obligations of international concern for Germany and Poland, and shall be placed under the guarantee

⁶ARK, Wirth, I, # 117, p. 332, n. 1.

⁷Kaeckenbeeck, pp. 563-564.

of the League of Nations."⁸ Thus the negotiation of a bilateral and reciprocal treaty on minority rights, albeit only for a portion of their territories, was imposed on, rather than initiated by, the two states.

After agonizing over its response to the ruling, Germany's cabinet resigned. In its notice of resignation to the president, the cabinet lamented that wide stretches of land and flourishing German cities, the greater portion of natural resources and four-fifths of the factories were to be separated from the German homeland. Furthermore a large portion of the population shifted to Poland was of German origin and German language and, contrary to the right to self-determination of nations and the clear result of the plebiscite, would fall under alien rule. The German nation would never overcome this loss which it had to accept without resistance.⁹ The requirement that the division of Upper Silesia should be implemented under terms to be negotiated between Poland and Germany did little to assuage the distress within the German government.

PREPARING FOR NEGOTIATIONS ON UPPER SILESIA

On October 26, 1921, the cabinet appointed Dr. Eugen Schiffer, a former Justice minister, to lead the German

⁸Kaeckenbeeck, p. 564.

⁹ARK, Wirth, I, # 120, p. 340.

negotiating team for the treaty on Upper Silesia.¹⁰ Later a team of experts with specific responsibilities was appointed. An official from the Interior Ministry, Hering, was assigned responsibility for nationality legalities and the protection of minorities.¹¹ The Polish delegation was led by Casimir Olszowski.

The initial stance for the negotiation of the convention on Upper Silesia was shaped by Ago von Maltzan, the expert for eastern Europe in the Foreign Ministry. In a memorandum distributed to Germany's foreign embassies, Maltzan disputed the legality of the Allied Powers' action of requiring Germany and Poland to agree upon a transitional treaty: "To the contrary, this stipulation assures both affected states the right to agree with each other, freely and uninfluenced by third parties, on matters requiring a resolution."¹² The delegate of the Prussian government to the negotiations reflected the same sentiment in an account published several years afterwards.¹³

Soon after his appointment as leader of the Upper Silesia negotiations, Schiffer began receiving requests that

¹⁰ARK, Wirth, I, # 124, pp. 344-345.

¹¹ARK, Wirth, I, # 159, pp. 446-447.

¹²ADAP, A, V, # 170, p. 346.

¹³H. Göppert, "Das deutsch-polnische Abkommen über Oberschlesien vom 15. Mai 1922 und seine Grundlagen" in Oberschlesien und der Genfer Schiedsspruch, ed. Dr. Schmeisser and H. Göppert (Breslau: Osteuropa-Institut / Berlin and Breslau: Hermann Sack, 1925), pp. 171-174.

the protection of German minorities in all of Poland be secured in the negotiations.¹⁴ Schiffer expressed his initial stance on this demand in a note to the Foreign Minister on November 28, 1921:

The protection of minorities will play a crucial role in the coming negotiations. At this opportunity I intend to prove on the basis of Polish administrative practice that the rights of our compatriots are trodden under foot, in order to make clear that only very specific provisions can guarantee the protection of our Upper Silesian compatriots who are now falling to Poland.¹⁵

The German cabinet, however, barely gave any attention to the course of negotiations. Schiffer reported for the first and only time to the cabinet on November 30. On this occasion he conceded that "in the consideration of the protection of minorities, the question of minority protection in Poznanian and West Prussia would surely surface" but did not propose to add these concerns in the current talks. The cabinet did not overrule his refusal to include the minority rights of Germans in the rest of Poland.¹⁶

¹⁴Petitions from the Ausschuss für Minderheitenschutz, November 6, 1921, and the Prussian Ministry of the Interior December 5, 1921, in PAAA, Deutscher Bevollmächtigter für die deutsch-polnischen Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1, November 4, 1921 - January 4, 1922 (R 24778).

¹⁵Letter to the Foreign Minister by Dr. E. Schiffer, November 28, 1921, in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778).

¹⁶ARK, Wirth, I, # 159, pp. 446-447.

Schiffer requested comprehensive documentation from the Foreign Ministry for him to prepare for the opening of negotiations. Dirksen responded by sending Schiffer copies of the booklet sponsored by the Foreign Ministry and published under the name of a fictitious author the previous year. This publication concluded with the assessment that the minority treaty with Poland had failed in all respects: instead "it had remained a sheet of paper."¹⁷ Dirksen promised to send a prognosis, based on the developments in Poznan and West Prussia, of the fate of Germans in Upper Silesia under Polish rule if binding guarantees would not be attained for them. Schiffer also received documentation from Dr. Carl Bruns, the spokesperson on the legalities of minority protection.¹⁸

The widespread expectation that Germany's negotiators on Upper Silesia should attain positive results for Germans elsewhere in Poland was reflected in an editorial in

Vorwärts on December 2, 1921:

We will be pressed to demand guarantees from the Polish government that the events of Poznan and Pomerania not be repeated in Upper Silesia. If the Polish government gives guarantees here then it must revise its views on its policy toward Germans in the other new

¹⁷H. H. Schrader, Der Minderheitenschutz in der Republik Polen (Berlin: [Auswärtiges Amt], 1920), p. 28. Copy in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778). See above p. 227.

¹⁸Letters to Dr. Schiffer by Herbert von Dirksen, November 30, 1921, and by Carl G. Bruns, November 20, 1921, in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778).

Polish areas as well. For it is impossible for Germany to regard the German minority in Poland in any other way than as a unity which is subject to one unified law of minority protection for whose maintenance better guarantees must be given than hitherto.¹⁹

The office of the plenipotentiary for the German-Polish negotiations on Upper Silesia was deluged with petitions on the rights to be sought for the German minority. One of these submissions was a memorandum dated December 8, 1921, from a legal counsel in Breslau by the name of Wolff. He had been requested to provide a summary based on the experience of the initial months of Polish occupation of Poznanian. Wolff made several demands:

1. the stipulations for protecting minority rights should not be subverted in the transition period by military rule
2. the right of Germans to travel freely should be upheld during the transition period
3. for the long-term, that is, the fifteen years set down by the ruling on Upper Silesia, both states should promise that the transfer of property would not be subjected to government interference
4. there should be no discrimination against business enterprises based on the nationality of the owner
5. the right to vote should be preserved regardless of

¹⁹Vorwärts, December 2, 1921, p. 1.

nationality.²⁰

The Deutscher Ostmarkenverein also pressed for a broad pursuit of rights for Germans in all of Poland. It had met on November 27 in Berlin and had passed a strongly worded resolution protesting against the decision to partition Upper Silesia, the repression of Germans in Poznanian and West Prussia, and the allegation of Germany's guilt for the war. The resolution also demanded that the German government use every means to make the lot of the Germans being delivered to Poland bearable by securing the rights promised for them.

The leadership of the Ostmarkenverein forwarded the resolution to the government along with a cover letter which made a demand not mentioned in the resolution. It lamented reports that Schiffer had stated that only the matters related to the decision from Geneva on Upper Silesia would be discussed. If this was the position of the German government then:

The last opportunity to make the situation of Germanism in the already ceded parts of Poznanian and West Prussia a subject of the negotiations and to secure the guarantees of the rights promised by the minority rights protection treaty to the Germans in Poland would be removed.

The association refuted the claim of the German government that it did not have the right to intervene in

²⁰Wolff, "Aufschrift," December 8, 1921, in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778).

internal Polish affairs and insisted that the plenipotentiary for the negotiations in Upper Silesia "be instructed to make the question of the protection of the German minorities in Poland an object of the negotiations."²¹

Schiffer rejected the appeal of the Ostmarkenverein in a letter dated December 17. He pointed out that all questions on which Poland and Germany could not agree would be subject to the arbitration of the chair appointed by the League. Hence he had to be cautious in broaching topics for negotiations. Furthermore the Poles would definitively and rightfully refuse to go beyond the points in the Supreme Council's decision on Upper Silesia. He defended himself by reporting that he had called upon the renowned expert, Dr. Carl G. Bruns, for information and advice and hence was well informed about the desires of the Germans in the ceded territories.²²

The Ostmarkenverein answered Schiffer on January 5, 1922, with an extensive challenge to his analysis. It could not see why the power granted to the chair should prevent the German government from presenting all German wishes.

²¹Letter to the Chancellor by the Deutscher Ostmarken Verein, November 29, 1921, transcript in PAAA, Verhandlungen über Oberschlesien, File 119, K. Minderheitenschutz, Band 2 (R 24779).

²²Letter to Ostmarkenverein by Dr. E. Schiffer, December 17, 1921, in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778).

Now that Germany was obligated to observe the stipulations of the Versailles treaty for minorities, it could exert itself to make the protection of Germans in Poznanian and West Prussia an object of negotiations. Germany should not accede to Poland's refusal to discuss this matter. Poland's refusal simply demonstrated that it was failing to meet the terms of the treaty and was therefore seeking to avoid negotiations on this issue. If Germany concluded an economic treaty voluntarily then its representatives had the right and the duty to expand the framework to meet the interests of the Germans in Poland, including those in Poznanian and West Prussia.²³

Several elements in the Prussian government supported Schiffer in his arguments against the wish of the Germans in Poland that "in the negotiations on the protection of minorities more precise agreements be attained with Poland on the consideration of the national minorities in the entire territories of both states." According to the Prussian Minister of Science, Art and Public Education, this desire was a delusion bound to fail in the face of Poland's consistent refusal to permit any complaints to the League of Nations by the German minority. Poland "would also hardly observe a special treaty on minority protection concluded with Germany." On the other hand, if Poland itself would

²³Letter to Dr. Schiffer by the Ostmarkenverein, January 5, 1922, in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778).

suggest such a treaty then Germany should not dismiss the idea in principle. Rather the German government should point out that in the fall of 1919, it had attempted for several weeks to achieve an agreement with Poland on school matters but then these talks had been broken off by the Poles. Indeed Germany had included an article in its constitution which granted considerable language rights to minorities in Germany (Article 113) and it had tried repeatedly to conclude such a treaty with Denmark. Though Germany had once been ready to reach minority protection treaties with its neighbouring states, now it was not desirable to burden the already difficult negotiations on the Upper Silesia situation with discussions pertaining to territory beyond the plebiscite area "and which therefore do not belong to the realm of negotiations circumscribed in the note of the Conference of Ambassadors."²⁴

A longer document titled "Germandom in Poland and the Upper Silesian Negotiations," and dated January 2, 1922, was also submitted to Schiffer's office.²⁵ The pivotal point in this brief was that Poland needed a favourable and

²⁴Letter to Foreign Minister by the Prussian Minister for Science, December 5, 1921, transcript in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778). The Minister of Justice for Prussia indicated his full agreement with his colleague in a note on December 23, 1921.

²⁵"Das Deutschtum in Polen und die oberschlesischen Verhandlungen," January 2, 1922, in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778).

comprehensive economic agreement with Germany so much that it would be ready to negotiate extensive minority rights for Germans in all of Poland concurrently with the negotiations on Upper Silesia. The other trump in Germany's hand could be the offer of a generous mutual treaty on the protection of respective national minorities. According to this paper, the clever playing of these two cards could lead to the resolution of all outstanding issues between Poland and Germany and "especially to a guarantee for the existence of the German minority in Poland."²⁶

The paper noted that with the decision on Upper Silesia a new phase had begun in the protection of minorities. Since Germany was forced to recognize reciprocity in minority protection and since the policies of both states had been placed under the guarantee of the League of Nations, the nationality conflicts between Germany and Poland were no longer purely internal or bilateral matters but would henceforth be under constant international scrutiny. As Poland would attempt to bring the struggle of Poles in Germany into the international limelight, there was only one option: Germany must supercede the Poles by developing its own generous minorities policy. The recommendation to the German government was that:

We offer the Polish government that we come to an understanding on the basis of a generous program for the mutual treatment of the national minorities in

²⁶"Deutschtum in Polen," p. 1.

Germany and Poland set up by ourselves.²⁷

Eleven reasons were presented why Germany should pursue a comprehensive reciprocal treaty on minority protection. The writer was confident that in the competition between the German and Polish national communities, Germandom would retain and even improve its standing, whether this related to schools, charitable institutions, language use, or religion. The final argument was as follows:

Germany is the state which has by far the largest number of compatriots abroad. Everywhere Germandom is fighting for the maintenance of its nationhood and the preservation of its minority rights in foreign states. It is an unavoidable necessity that Germany gets the moral leadership in the realm of minority politics into its hand.²⁸

With regard to the upcoming negotiations, the Polish government should be left in no doubt that Germany knew only of two possibilities:

Either to make a generous economic deal with Poland simultaneously with a generous regulation of the minority issue or instead to limit itself to the minimum demanded by the note of the Conference of Ambassadors.²⁹

The line of argumentation conformed to the positions taken by Dr. Carl G. Bruns in previous submissions. In any case, on February 9, 1922, Bruns forwarded a compilation of the wishes of the Germans in Poznanian and West Prussia along with a draft proposal for the responsibilities of the Mixed

²⁷"Deutschtum in Polen," pp. 4-5.

²⁸"Deutschtum in Polen," p. 10.

²⁹"Deutschtum in Polen," p. 11.

Commission.³⁰

A set of guidelines for the negotiations on minority protection was drafted within the Foreign Ministry.³¹ The fundamental instruction was that the negotiations should assure the implementation of the individual articles of Poland's minority protection treaty as cited in the decision imposed of the Supreme Council. However, while these principles should be expressed in the convention on Upper Silesia, it should not simply be a re-statement of the text of the previous treaty. Experience had shown that these were only general promises which the Polish government had thwarted by administrative measures.³²

Despite the calls to use this occasion to press for the entrenchment of minority rights for Germans throughout Poland, the guidelines projected only an indirect impact on the situation of the Germans in other parts of Poland:

Their minority rights are to be strengthened by reaching specific stipulations for Upper Silesia [which are] as extensive as possible [and] which correspond to the inner spirit of the minority protection treaty.³³

Regarding the Polish minority in German parts of Upper

³⁰Letter to Lewald, assistant to Dr. Schiffer, by Dr. Carl G. Bruns, February 9, 1922, in PAAA, Verhandlungen über Oberschlesien, File 118, K. Minderheitenschutz, Band 1 (R 24778).

³¹"Leitsätze für das Minderheitsschutzabkommen," undated, in PAAA, Verhandlungen über Oberschlesien, File 119, K. Minderheitenschutz, Band 2 (R 24779).

³²"Leitsätze," p. 3.

³³"Leitsätze," p.1.

Silesia, it was conceded that some improvements for the Poles would result from the negotiations.

Thus, in the words of the Belgian diplomat in charge of the drafting committee, Georges Kaeckenbeeck, Germany proposed a "veritable charter of minority rights, interpreting, defining, and amplifying the provisions of the minorities treaty, and demanding the extension of the local international supervision to the whole agreement, namely the language and school provisions."³⁴

This observer also recalled that the German delegation often repeated that without clear and comprehensive guarantees for the Germans, there would be large-scale emigration. The implied threat was that German management personnel and skilled workers would depart, leaving Poland with the land and the industries of Upper Silesia but few qualified workers to sustain its economic life.³⁵

Germany had its own strong interest in keeping as many Germans in Silesia as possible: to maintain the German population base which would legitimate the re-assertion of Germany's claim to all of Upper Silesia. Thus, a crucial goal for the German delegation was to secure the right of Germans to obtain Polish citizenship. If this right was attained, then it was hoped that Germans would be willing to make the "sacrifice" of becoming citizens of Poland for the

³⁴Kaeckenbeeck, p. 226.

³⁵Kaeckenbeeck, pp. 227-228.

sake of the fatherland. This was articulated by Prussia's representative to the talks:

Upper Silesia will only be retained for German culture if as many Germans as possible not only survive in that land, but attain the secure position which is only accorded to citizens. . . . Only the citizen is secure against expulsion. Only he can call upon the rights accorded to linguistic and religious minorities. Only as Polish citizens can Germans enter the municipal representative bodies, the parliament of the district of Upper Silesia and the parliament in Warsaw and there form a force together with their German brothers from Poznan and West Prussia and the other foreign components of Poland.³⁶

The German delegation was also acutely aware that everything which it obtained for the benefit of the German minority in the Polish zone would affect Germany's internal situation:

It believed that it had to make this sacrifice for a higher duty which Germany has toward Germandom in the former German land, the duty to sustain an invisible state of Germandom which rises above the pitifully mutilated political state.³⁷

NEGOTIATING THE GENEVA CONVENTION ON UPPER SILESIA

Despite its initial gloomy attitude toward the negotiations on the convention for Upper Silesia, Germany soon found that it could successfully assert its positions and pursue its goals. The negotiations began in Geneva on November 2, 1921, chaired by Felix Calonder, former President of the Swiss Confederation. At Germany's insistence the negotiations were moved to Upper Silesia for

³⁶Goeppert, p. 189.

³⁷Goeppert, p. 190.

sessions from December 9, 1921, until January 28, 1922.³⁸ There the negotiating teams formed several commissions to deal with various aspects of the convention. Minority rights were assigned to the eleventh Commission.³⁹ The negotiations resumed in Geneva on February 15. Here they lasted until early May.

As the negotiations proceeded the German diplomats became aware of several factors which gave them advantages over their Polish counterparts and that therefore their efforts could bring some benefits for their side. This realization overcame the initial irritation at being coerced to negotiate under the supervision of the League of Nations. Furthermore, Calonder was perceived to be a fair and correct chairperson. Under such a fair mediator Germany felt the legitimacy of its position would be recognized and not immediately dismissed simply because it was the defeated enemy.

Yet another advantage noticed by German participants was that their expertise and experience far exceeded those of the Poles who were novices in international negotiations. Thus the German negotiators were usually given the tasks of drafting the clauses of the convention. This role allowed them to retain the initiative in formulating the terms of

³⁸Recke, pp. 117-122; Goeppert, p. 180.

³⁹Kaeckenbeeck, p. 12.

the agreement.⁴⁰ It also placed an unwelcome task on the German diplomats as they had to expend efforts toward shaping conditions within Poland:

It was not only the protection of the national, ecclesiastical and linguistic minorities which lay on the hearts of the German delegation. It also had to place particular emphasis on shaping the legal conditions in the Polish zone.⁴¹

This broader duty originated from the mandate given by the Supreme Council to assure the economic viability of Upper Silesia across the new boundary. Additionally, German diplomats had to devote their efforts to formulating a legal basis for minority rights in Poland for the sake of protecting the German minority, because such a legal basis was not yet present in Polish legislation.

The German side soon discerned that the Allies lacked confidence in Poland and that the Council decision to impose negotiations on the two states was intended to prevent abuses by Poland.⁴² This awareness also gave German negotiators an advantage, even if only an intangible one.

All of these factors emboldened Germany to propose a very comprehensive set of minority rights. Its diplomats were resolved to gain as much as possible for their compatriots facing Polish rule. The minutes of the third meeting of the commission on minority protection on December

⁴⁰Goeppert, p. 180.

⁴¹Goeppert, p. 183.

⁴²Goeppert, p. 177.

12, 1921, in Beuthen, Upper Silesia, recorded the formal premise of Germany's intentions:

On the part of Germany, again it is highlighted that the minority protection treaty already applies to Poland and would also have been in force in the Upper Silesian part of Poland even without the special decision of the Conference of Ambassadors of October 20, 1921. Germany had been obligated by this decision to make appropriate agreements in the "stipulations correspondentes" with reference to the part of the plebiscite region remaining part of Germany for reasons of economic unity and the fairness of the obligations. These agreements do not need to be limited to the literal repetition of the treaty prescriptions already applicable in Poland but could take on more precise forms.⁴³

The German negotiators were aware that any concessions they could gain through the treaty for the Germans in the area now to be ceded to Poland would have to be matched by the same provisions for the Polish minority in the region to be retained by Germany. However, at stake was the goal of easing the conditions of the Germans in the Polish part of Upper Silesia so that as many as possible would remain there, attain Polish citizenship and thus maintain German interests. Indeed it was hoped that eventually Germany's claim to the territory could be re-asserted under more favourable international circumstances. This prompted the German delegation to pursue with special persistence the

⁴³"Dritte Sitzung der Kommission XI," December 12, 1921, in PAAA, Verhandlungen über Oberschlesien, File 106, Protokolle der Unterkommissionen I, IV, V, VII, VIII, IX, XI, XII (R 24766).

anchoring of the rights of minorities in a treaty.⁴⁴

The section on minority rights proved to be one of the most difficult aspects of the treaty. One area of lengthy dispute was the right of association. Germany insisted upon the inclusion of a provision for the freedom of minority associations in conformity with the liberal article in its own constitution (Article 124). Poland rejected this position as an intrusion upon its legislative sovereignty.⁴⁵ The German position prevailed and Article 78 of the Convention read as follows:

The fact that associations devote themselves to the interest of minorities as regards their language, culture, religion, ethnical character or social relations, cannot constitute a reason for prohibiting these associations, hindering their activities, or preventing them from acquiring legal status.⁴⁶

The extended talks on minority protection yielded a substantial body of provisions which formed Part III of the Convention. Preceding the section on minority rights was a detailed set of stipulations clarifying the entitlement to citizenship. Article 25 determined that German nationals residing in the Polish part of the plebiscite area on the date of the transfer to Poland acquired the right to Polish citizenship and lost German citizenship. The following clauses ensured this right to Polish citizenship in special

⁴⁴Goeppert, p. 189.

⁴⁵Kaeckenbeeck, pp. 374-379.

⁴⁶Kaeckenbeeck, p. 611.

cases such as temporary absences and set out the procedure for obtaining it.

In the preface to Part III, the principle of "equitable reciprocity" was indicated as the basis for the acceptance of the inscribed minority rights by Germany and Poland.⁴⁷ Then the pertinent articles of the minority protection treaty between the Allied Powers and Poland from June 1919 were incorporated into the Convention (Articles 64-72).

Article 74 set down a most significant principle:

The question whether a person does or does not belong to a racial, linguistic or religious minority, may not be verified or disputed by the authorities.⁴⁸

Thereby, the two parties accepted the "subjective" quality of nationality in contrast to the "objective" definition based on factors such as birth and language by which governments could claim or deny the nationality of citizens.

The Convention also covered civil and political rights (Articles 75-83), religion (84-96), private education (97-104), public elementary education, (105-114), vocational, secondary and higher education (115-130) and language use (131-146). Finally the rights to petition and methods of appeal were delineated.

The Convention on Upper Silesia was signed on May 15, 1922, in Geneva and thus was called the "Geneva Convention." The leader of Germany's delegation, Schiffer, described his

⁴⁷Kaeckenbeeck, p. 609.

⁴⁸Kaeckenbeeck, p. 610.

country's perspective on this occasion:

It was not . . . of our free will that we came to the Geneva negotiations; it was an obligation arising out of the decision of October 20, 1921, The idea that my signature, subject to the ratification by the Reichstag, is bringing us nearer to the day when a great part of Upper Silesia will be ceded, and thousands of loyal Germans will be torn from their fatherland, is heart-rending to us, and prevents us from feeling any real satisfaction, any true pleasure. Nonetheless, the importance of an historical event is essentially that it is not merely an end, but also a beginning.⁴⁹

With this final comment Schiffer was groping for hope -- hope that the comprehensive provisions for the protection of minorities and for the continuation of economic life in Upper Silesia as formulated in the Geneva Convention could be the beginning of a peaceful era and not only the end of Upper Silesia's attachment as an intact province to Germany.

On the occasion of the actual transfer of jurisdiction over eastern Upper Silesia to Poland, Schiffer explicitly noted some constructive possibilities for the German minority:

You will be separated from the German Reich; you will be received into the bonds of a different state, into the sovereignty of another state. The constitution and the laws of this land deserve your respect and obedience. But this treaty provides you with the possibility of continuing your German life without affecting your duties as citizens, not only in the economic realm but also in the cultural, national and philosophical realm.

In contrast to the negative attitude at the outset of the negotiations, Schiffer now presented a more positive

⁴⁹Kaeckenbeeck, pp. 21-22.

view. He alluded to the fairness of the chair of the negotiations: "We came to an agreement, not under the pressure of a third party, a stranger, a judge, before whom we had to bow down, but rather in a free decision which we take upon ourselves."⁵⁰

Goeppert, the representative of the Prussian government in these deliberations, summarized the success of the German negotiators as follows:

Despite the most persistent resistance of the Poles, who would have preferred to limit themselves to a plain repetition of the short statements of the treaty of June 1919 concluded with the Entente, which apparently are already inconvenient enough for their approach in Poznan and West Prussia, it was possible after long struggle, finally under pressure from Calonder, to set up a well thought through system of norms which permit the minorities to nurture their cultural, linguistic and religious interests in all aspects of life, and which will, insofar as is possible through treaties, protect our German minorities in east Upper Silesia from the heavy pressure to which the Polish citizens of German nationality or evangelical religion in West Prussia are subject.⁵¹

The Convention was approved by the German cabinet on May 17 and presented to the Reichstag on May 23. It was passed by the Reichstag on May 30, 1922, in an atmosphere of pathos and nationalism.⁵² The notices of ratification were exchanged at Oppeln in Upper Silesia on June 3.⁵³ The Council of the League of Nations placed the stipulations of

⁵⁰Vorwärts, May 30, 1922, p. 1.

⁵¹Goeppert, p. 190.

⁵²See above, pp. 1-4.

⁵³ARK, Wirth, II, # 274, p. 789.

the Convention under the same guarantee as it had the original minorities protection treaty for Poland.

MOVING ON OTHER GERMAN-POLISH ISSUES

Coinciding with the beginning of the negotiations toward the Convention on Upper Silesia, there was also movement on other aspects of German-Polish relations of crucial interest to the German minority. In the fall of 1921 the Foreign Ministry initiated an inclusive organization for the advocacy of Germans abroad. This would allow it to control, or at least monitor, the many different groups which often undertook actions which were contrary to the government's approach.⁵⁴ On another front, the Foreign Ministry had to dissuade the military from undertaking special measures to quell Polish agitation in East Prussia. The Foreign Ministry predicted that such actions would provoke similar measures against the German minority in the ceded territories and the outcome would be worse for Germany.⁵⁵ On November 18, 1921, the draft of an agreement with Poland on the implementation of citizenship options was approved by the German cabinet.⁵⁶

The shapers of Germany's foreign policy also had to

⁵⁴Krekeler, p. 34.

⁵⁵ADAP, A, VI, # 35, p. 72.

⁵⁶ARK, Wirth, II, # 146, p. 410. This treaty was not concluded until August 1924. See Fink, "Defender," p. 49.

review their prognosis for the future of Poland. Some had expected that Poland would soon collapse due to its internal weakness and, on this basis called for negotiation tactics which would increase pressure on Poland. The Foreign Ministry itself had come to the conclusion that it would be a mistake to count on the imminent demise of Poland. In a memorandum dated December 10, 1921, two positive roles of Poland for Germany were highlighted: as a market for German products and as a bridge to Russia. Therefore it would be in Germany's interest to strengthen Poland's agriculture and to make it open to German industrial products.⁵⁷ This implied continuing constructive diplomatic relations with its neighbour.

Several weeks later Dirksen reported that a director in the Polish Foreign Ministry, Kazimierz Olszowski, had mentioned his government's intention to resume the general German-Polish negotiations as soon as the negotiations on Upper Silesia were concluded. Dirksen asserted that it was also in Germany's interest that these talks be resumed.⁵⁸ In a follow-up note he indicated that these talks, though they were labelled as economic negotiations, encompassed all outstanding issues between Poland and Germany. These had been dealt with in Paris in 1919 as well as in Poznan in April 1920. A separation into economic and non-economic

⁵⁷ADAP, A, V, # 217, pp. 437-439.

⁵⁸ADAP, A, V, # 226, p. 454.

topics would be ineffectual.⁵⁹ Thus there was the prospect of renewed attention to a bilateral treaty on minority rights. Dirksen also reported that the Upper Silesian negotiations were going so well in the opinion of the Poles that the Polish Foreign Ministry was much more flexible in its dealings on German matters.⁶⁰

In January the new Polish Foreign Minister presented Poland's two fundamental demands of Germany: the full implementation of the Versailles Treaty and the acceptance of Poland's alliance with France. Haniel responded from Berlin on February 1, 1922, by stating that Germany had enough realism to know that the alliance with France was the basis of Poland's foreign relations. He also expressed Germany's demand that "Poland meet its obligations, namely with reference to German minorities."⁶¹

As the negotiations on the convention for Upper Silesia wound down, Germany was fending off the Poles who were anxious to resume the comprehensive negotiations. On May 8, one week before the signing of the Geneva Convention, the Polish Foreign Minister Konstanty Skirmut met Dirksen at the Genoa Conference and pressed for an early beginning of general negotiations between their countries after the conclusion of the convention on Upper Silesia. Dirksen

⁵⁹ADAP, A, V, # 226, p. 455, n. 3.

⁶⁰Goeppert, p. 154.

⁶¹ADAP, A, V, # 264, p. 551.

again referred the Minister to the "severe complaints which would be presented on the part of Germany against the treatment of the German minorities in Poland which could dampen the atmosphere."⁶²

However, even after the mutually acceptable conclusion of the Convention on Upper Silesia, progress on a general treaty with Poland, one which would include general provisions for the German minority, was stymied. The discussions did begin in the following month and Dirksen again emphasized to his counterpart the importance of "decent treatment of the German minority" for "the satisfactory resolution of the mutual relationships."⁶³ However, his several appeals were all rejected by the Poles who were not willing to include this issue in the preliminary negotiations. Thus Dirksen had to acknowledge that the initial agreement on general German-Polish relations had one deficiency, namely "that we could not negotiate anything for the Germans in Poznanian." Dirksen noted that his position was made difficult by Prussia's policy on the treatment of the Polish minority.⁶⁴

CONCLUSION

Germany was quite distressed by most aspects of the

⁶²ADAP, A, VI, # 96, p. 199.

⁶³ADAP, A, VI, # 157, p. 325.

⁶⁴ADAP, A, VI, # 157, p. 324.

decision on Upper Silesia: the delay after the plebiscite, the loss of the eastern portion to Poland and the instruction to negotiate terms of the partition. After recovering from the shock, its diplomats formulated a realistic goal and an effective strategy for their task. A comprehensive set of rights were to be secured for the Germans in the part of Upper Silesia shifting to Poland. In the process Poland was to be exposed as an oppressor of national minorities.

Germany now accepted reciprocity in a minority protection treaty, albeit only for a fraction of its territory. The German architects of the Geneva Convention made as much of overcoming the domestic resistance against reciprocity as they did of obtaining comprehensive rights from Poland.

Despite strong demands, Germany would not attempt to broaden the negotiations on Upper Silesia to include minority rights for Germans in all of Poland. Again, a broad-scale bilateral treaty with Poland was not pursued though the opportunity presented itself. While German officials were ready to point to the oppression of the German minority in Poznan and West Prussia in order to strengthen their case for the rights of Germans in Upper Silesia, they were unwilling to pursue practical improvements for them in this encounter.

In any case, the negotiations yielded a full range of

rights for the minorities in both parts of Upper Silesia. A significant element in the Geneva Convention was the mutual acceptance of the principle of the subjective nature of national identity. This was a step beyond the definition found in the constitution of the Weimar Republic.

After the signing of the Geneva Convention, Germany and Poland returned to the project of a general treaty. Germany again sought to include provisions for the German minority in Poland but was again disappointed. Nevertheless, it proceeded with the negotiations because of the economic importance of good relations with Poland.

CHAPTER 11

CONCLUSION

The protection of German minorities in Eastern Europe had always contended with other goals of the German Reich, and as the preceding survey has shown, it was often subordinated to one or more of these. However, in the negotiation of the Geneva Convention on Upper Silesia, the protection of the rights of the German minority came to the fore. In this case, substantial and extensive rights were pursued and secured by German diplomats. How was the balance of goals different in this case?

THE GOALS OF MINORITY PROTECTION

The stated goal of Germany's diplomatic advocacy for the Germans in Eastern Europe in the years 1918 to 1922 was to attain rights which would enhance the quality of life for German minorities. Certainly, this was also the foremost goal in Germany's negotiation with Poland on minority rights for its citizens affected by the partition of Upper Silesia. Indeed, the Foreign Ministry was quick to decide to pursue an extensive set of rights and to set down quite specific provisions in the Convention.

Germany's diplomacy on minority protection also served several goals of the new republic which were not placed in forefront. The German government wanted a Germanic population to remain in the new states of Eastern Europe in order to sustain a basis for (re-)claiming territory for Germany, especially in Poland, for facilitating commercial opportunities, and for promoting policies favourable to Germany. It was also anxious to minimize the population pressure within Germany by reducing the immigration of Germans from neighbouring states.

Thus Germany had state interests which would be enhanced by any provisions which made remaining in their country of residence more possible and attractive for Germans. Securing rights for the German population of eastern Upper Silesia was also in line with these purposes of the German state. This was an additional incentive for the diplomats negotiating with Poland.

THE IRRELEVANCE OF PRIOR FOREIGN POLICY GOALS

As in the pre-war period and during the First World War, the protection of German minorities was also subordinated to the higher ranking international goals of the German state in the first years of the Weimar era. The German government, and especially its Foreign Ministry, was so overwhelmed by more immediate and more immense domestic and international problems that it could hardly attend to

the plight of the Auslandsdeutsche.

These priorities included several foreign policy goals which overtly countered the advocacy for Germans abroad: stabilizing the political conditions in the new states, resisting any loss of Germany's territory to Poland, establishing normal relations, attaining regional influence, and (re-)gaining access to markets such as in Czechoslovakia, Russia and Romania. However, none of these issues were at stake in the case of Upper Silesia's partition.

While there was some urgency in providing both parts of Upper Silesia with viable terms for their economic and social development, the situation was far less volatile than any which had existed in territories under the control of Germany or Austria at the end of the war. At that time the dread of Bolshevik forces gaining influence in Latvia, Estonia and Czechoslovakia had prompted Germany's officials to recognize new national governments while foregoing guarantees for the German populations there. In Upper Silesia, as in the rest of Europe, there was sufficient peace and order established by the Allies, that Germany did not need to fear a collapse with negative consequences for Germans.

Germany found the transfer of eastern Upper Silesia to Poland as difficult to accept as the previous cessions of Posen and West Prussia. However, there was absolutely no

possibility or hope of preventing this loss. Thus, neither the contemplation of desperate diplomatic or military strategies, nor the articulation of passionate protests, delayed or obscured the task of negotiating provisions for the rights of Germans about to be transferred to Poland. In contrast to Germany's response to the first territorial cessions to Poland, now the Foreign Ministry expended its energy in articulating the rights to be attained for this new German minority and in negotiating on its behalf.

In relation to most of the states of Eastern Europe, and notably to Russia, Germany's eagerness to form commercial ties had demoted its readiness to press for guarantees for the fair treatment of Germans. Most strikingly, Bolshevik control of Russia, with its predictable consequences for the propertied German settlers, was readily accepted. A stance of non-intervention, also with respect to Germans in Russia, was adopted. However, Germany's commercial ties to Poland were not jeopardized by advocating the rights of the Germans in eastern Upper Silesia. Indeed, even as the Upper Silesia question suspended the regulation of other bilateral issues, Poland repeatedly signalled its desire to resume talks affecting trade between the two countries as soon as possible.

Overall, the advocacy of rights for the German minority in Upper Silesia was not subverted by higher ranking foreign policy goals. Due to the international situation in general

and the resolute imposition of the ruling on Upper Silesia by the Allied Powers, the pursuit of goals which could detract from the protection of Germans was either impossible or irrelevant in relation to Upper Silesia.

THE COMPATIBILITY WITH PRIOR TACTICS

On the other hand, several aspects of the Upper Silesia negotiations conformed to the tactics previously employed by Germany for the protection of the German minorities in eastern Europe: the quest for a bilateral treaty with Poland, the linkage to commercial agreements and the direct negotiation of minority rights.

Since the end of the war Germany had sought a bilateral treaty with Poland which would cover minority rights. As Germany would have been the dominant party, such a treaty might have avoided the more drastic losses imposed by the Allies in the peace treaty of Versailles. It might also have secured more rights for the German minority and have obligated Poland directly to Germany for their observance. Furthermore, Germany was not only enraged by the cessions to Poland stipulated by the Versailles Treaty; it was also dissatisfied with the vague provisions of the treaty between the Allied Powers and Poland on minority protection. Germany wanted a treaty with direct mutual obligations between Poland and itself.

Hitherto the pursuit of a bilateral treaty covering

minority protection with Poland had been thwarted by Poland's refusal and France's intervention as well as by resistance within Germany. For Upper Silesia such a treaty was mandated by the Allies and Germany's diplomats could devote themselves to the goal, even if only for a portion of Poland's territory. To those who pressed for an agreement covering all of Poland, they suggested that the model terms negotiated for Upper Silesia would exert pressure for their broader application in the rest of Poland.

Another tactic for attaining minority protection for Germans in Poland had been linking the conclusion of economic agreements beneficial to Poland with commitments by Poland to the just treatment of the German minority. This linkage had been resisted by Poland as well as by some elements in the German government. The prospect of negotiating terms which would facilitate the future prosperity of a state receiving German land and people, even if for the sake of the German population being transferred, caused anguish for Germany's diplomats and policy makers.

Thus, Germany's diplomats had not been able to implement a linkage of commercial agreements and minority protection. Now the instructions from the Allies bound these together. The treaty on the partition of Upper Silesia was supposed to include terms which assured the economic well-being as well as the social peace of this region. The commercial issues and minority protection were

to be negotiated simultaneously and imbedded in one Convention.

The negotiations on Upper Silesia also permitted the full advantage of direct negotiation by Germany itself for the conditions of the German minority. Germany's exclusion from the Peace Conference in Paris had deprived it of the possibility of participating in the drafting of the several minority protection treaties for the "new states" in eastern Europe. Nor was it appropriate for Germany to negotiate with Czechoslovakia for minority rights. Here the prerogative lay with Austria or with the Germans in Bohemia themselves. German diplomats had been constantly frustrated and critical of the approach of the leaders of the German minority. In the case of Russia the absence of diplomatic relations precluded virtually all dealings. For Upper Silesia the Foreign Ministry took full advantage of the opportunity of direct negotiations with a state containing a significant German population.

The parameters of the negotiations on the future of Upper Silesia were compatible with these crucial elements of Weimar Germany's strategy for the protection of German minorities.

THE CONVERGENCE OF POLITICAL CONCERNS

A unique feature of the Geneva Convention was that the nationalist and the internationalist concerns of German

politicians converged. The negotiations provided German nationalists with an occasion for exposing Poland's treatment of Germans as cruel and inept, as well as an opportunity to act upon their vision of a German nation which transcended state borders. However by setting down the precise nature of the rights of the German minority, constraints were placed on such nationalist fervour and a legal channel was provided for these sentiments.

In this respect, the Convention took on some of the constructive suggestions of the independent socialists, in particular, the inviolability of the individual's choice of nationality and the entrenchment of a broad range of rights. Admittedly, this convergence of internationalist and nationalist goals was facilitated by the resolve of the Allies that Germany reach an accord with Poland. The conclusion of a convention with Poland, as determined by the Allies, could only be possible on the basis of reciprocity and this principle placed a constraint on the demands of the nationalists.

Thus, both camps, though fatally hostile toward one another, could support the negotiation of minority rights for Germans in Upper Silesia.

THE CONFLUENCE WITH NEW TRENDS

The dynamic which contributed most to the Foreign Ministry's constructive approach toward the negotiation of

the Geneva Convention was the confluence of several new directions being explored in the initial period of Weimar Germany's foreign policy: reciprocity in minority rights, concluding bilateral treaties to handle conflicts, and cooperation with the League of Nations.

The one factor which had hindered advocacy for Germans abroad in the immediate post-war years and which also had to be overcome on the way to the Geneva Convention was the apprehension, especially in Prussia, about the effect of increased minority rights on Germany's internal life. This domestic goal had obstructed the negotiation of minority protection on the basis of reciprocity. However, in the Geneva Convention, this concern was subordinated to goal of protecting the Germans being transferred to Poland.

The intentions of the treaty which the Allies instructed Germany and Poland to negotiate could only be realized if both countries were ready to accept reciprocity as a principle. Clearly, each party had to be willing to provide to the minority within its borders the rights which it demanded for its nationals in the other's territory. This prerequisite confirmed the position of those German officials who had previously called for reciprocity and overrode the objections of those whose primary concern was Germany's internal homogeneity.

However, the apprehensions about expanding the rights of the Polish and other minorities within Germany were eased

by the limitation of the application of reciprocity to Upper Silesia. The appeals to broaden the negotiations to attain greater rights for Germans in other parts of Poland were refused, with the formal reason that this would not be permitted by the other parties in the negotiations but the underlying reason was the reluctance to granting similar rights to minorities within Germany. The stipulation of the Allies that the negotiations focus on Upper Silesia conformed to the preferences of those politicians and officials who feared an expansion of the rights of non-Germans.

Nevertheless, need for reciprocity in Upper Silesia and the acceptance of this principle by Germany was in line with a trend within the Foreign Ministry which continued for the next several years. This approach foundered on internal resistance, especially by Prussia, to any steps toward granting cultural autonomy to minorities within Germany.¹

The negotiation of the Geneva Convention also coincided with a commitment to resolve international conflicts by peaceful negotiation. In December 1921, coincidental with the start of the talks on Upper Silesia, Germany concluded a treaty with Switzerland on the arbitration of disputes. Promoting the resolution of international disputes by mediation was declared to be one of Germany's "most important duties in foreign policy."² Given its military

¹See Fink, "Weimar Republic," pp. 53-63.

²Krüger, Aussenpolitik, p. 21.

weakness and, until 1924, internal turmoil, this was also a realistic position for the new republic.

A comment by the Foreign Ministry which accompanied the presentation of the draft treaty with Switzerland to the cabinet on September 21, 1921, cast more light on this pursuit of mediation treaties:

The wish . . . to establish a lasting order for peace among states, can admittedly only be realized through an understanding which embraces all states of the world. At this time, such a general understanding does not lie within the realm of possibility. In any case, the government of the Reich can only pursue its goal by concluding special agreements with individual foreign governments which approach her with the same view.³

Here the potential of the League of Nations for establishing lasting peace was implicitly dismissed and the conclusion of a series of bilateral treaties which ignored the League was advocated. In several respects the Geneva Convention with Poland could fit into this pattern of separate treaties obligating other states to Germany.

At the end of 1922 the Foreign Ministry received a further encouragement for diplomacy on the protection of national minorities. Notably this appeal drew inspiration from the treaty concluded with Soviet Russia at the same time as the signing of the Geneva Convention, a bilateral agreement which surprised and circumvented the other states of Europe. The memorandum was critical of Germany's fearful preoccupation with the reparations issue and chided the

³ARK, Wirth, I, # 78, pp. 220-221, n. 4.

government for not making more effective use of the weapons provided by the opponent: the freedom of nationalities ["Völkerfreiheit"] and the right to self-determination, in the interest of Germandom in the east. After the Rapallo Treaty, the first independent move in Germany's foreign policy, should follow "advocacy for the protection of minorities with all the means of foreign policy."⁴

In 1924 the Foreign Ministry sought a bilateral treaty on cultural autonomy with Denmark but failed due to Prussia's rejection of the potential reciprocity.⁵ The exploration of bilateral treaties on minority rights involving reciprocity culminated in October 1924, when Germany's Foreign Minister, Gustav Stresemann, surveyed Germany's envoys in eastern Europe. Stresemann inquired how these states would respond if Germany would permit cultural autonomy for the minority nationalities within Germany and thereby establish a basis for reciprocal minority rights. Would these states be open to bilateral treaties which would enhance the conditions of the German minorities? The move toward reciprocity was halted by the responses. None of the envoys were of the opinion that the governments in the countries in which they were posted would be willing to

⁴"Eintreten Deutschlands für den Schutz der Minderheiten," by Carl G. Bruns(?), undated in PAAA, Abteilung VI.A., *Deutschtum im Ausland*, Band 3, *Schutz der Minderheiten*, 1922-1923 (R 60403) [K 1768 / 433684-433685]. Cf. Pieper, p. 75.

⁵Fink, "Weimar Republic," pp. 58-60.

conclude a treaty with Germany on the protection of national minorities based on the principle of reciprocity.⁶

Another possible route for securing the fair treatment of Germans abroad was the League of Nations. However, until the negotiations on Upper Silesia, Germany was most reluctant to recognize the role of the League of Nations in the protection of national minorities even though the treaties on minority protection had been placed under the guarantee of the League. In its consternation at being excluded from the League, it took several years and some debate before Germany's officials decided that Germany could formally refer to Poland's treaty on the protection of minority rights in its protests about the treatment of Germans in Poland. Even then caution was practised to avoid any appearance of formal relations between Germany and the League. Thus a broader international concern had inhibited the diplomatic efforts on behalf of Germans abroad.

Initially, Germany was also displeased that the negotiations on the separation of Upper Silesia were to be conducted under the supervision of the League of Nations. As it had no choice, Germany relented on a position which had hitherto constrained its advocacy for German minorities. Then the German representatives soon discovered that the chairperson appointed by the League was a fair arbiter and that he fostered rather than prevented negotiations toward

⁶Schott, pp. 143-144, 291.

an adequate protection for the German minority. They also inferred that their view of the Poles as a people with an inferior culture and immature statecraft was shared by the supervisors of the negotiations. Bolstered by these perceptions, Germany's negotiators were able to conclude a convention which was unprecedented in the comprehensiveness of its coverage of minority rights.

Germany's satisfaction with the negotiations under League auspices was reflected in its consent to placing the Geneva Convention under the guarantee of the League. The positive association with the League in the matter of protecting German minorities eventually provided one reason for seeking membership in it. In September 1922 Germany sent observers to Geneva for the debate on minority protection at the League's assembly.⁷ The Foreign Minister who engineered Germany's entry into the League, Gustav Stresemann, offered the following rationale for this move:

One thing that speaks for our entry into the League of Nations and the Council of the League is that the protection of minorities is entrusted to the League. . . . Ten to twelve million Germans outside our borders have a decided interest in that we are not only occasionally drawn in as an attorney for their affairs but that we also belong to the corps of judges.⁸

These three trends, however vagrant, toward reciprocal minority rights, international mediation and the League of Nations, coincided with the negotiations on the partition of

⁷Fink, "Weimar Republic," pp. 41, 63-76.

⁸Quoted in Viefhaus, p. 198.

Upper Silesia and influenced Germany to take a constructive approach in them. Their timely confluence, the possibility of employing preferred tactics and the diminution of higher goals made it possible for Germany's negotiators to pursue successfully the comprehensive protection of rights for one German minority in eastern Europe. The outcome was the Geneva Convention on Upper Silesia of May 15, 1922.

Speculation about Germany's ulterior motives for the attainment of generous rights for the Germans in Polish Upper Silesia would be inconclusive. Setting such speculation aside, it can be stated that the Geneva Convention was the most positive result of Germany's diplomacy for German minorities by the standards applied in the debates on the continuity of Weimar Germany's foreign policy. This being the case, it can be inferred that a positive redirection of Germany's foreign policy, even in a secondary issue, required a coincidence of strength in favourable factors, internal or external, with weakness in contrary ones. The constructive elements within Germany were too dependent on external forces for creating an environment conducive for moving Germany's foreign policy in a new positive direction. Otherwise, the Geneva Convention on Upper Silesia would have been the precedent for similar concords instead of remaining a unique accomplishment for Germany's Foreign Ministry.

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