

## THE FIGHT FOR THE FILES: CAPTURED GERMAN RECORDS AFTER WORLD WAR II

Panel at the German Studies Association, San Diego, California, October 3–6, 2002. Co-sponsored by the German Historical Institute, Washington, D.C., and the German Historical Institute, Paris. Moderator: Christof Mauch, GHI, Washington. Panelists: Stefan Martens (GHI, Paris), Astrid M. Eckert (Free University Berlin/GHI, Washington), Annette Weinke, (University of Potsdam). Commentator: Gerhard L. Weinberg (University of North Carolina, Chapel Hill).

At this year's GSA conference in San Diego, the GHI Washington and the GHI Paris co-sponsored a panel for the first time, which will hopefully be the beginning of a fruitful cooperation between these two Institutes. The panel explored three different aspects of the postwar history of captured German records by turning the records from sources of information for the writing of history—as historians usually think about them—into objects of study with a history in their own right. The focus on the “biographies” of the records and archives revealed them as highly contested commodities in the struggle for political, military, and technical intelligence, and for precedents in the writing of history.

When Allied troops advanced into Germany, they captured a large number of German records. The historical records of the German Foreign Office dating back to 1867 were seized by American and British troops in April 1945. American GIs also captured approximately ten million Nazi Party membership cards that would later become part of the Berlin Document Center. The British seized the papers of the German Navy; the Americans shipped countless German military records to the United States. Whereas the Americans and British were as prepared for the capture of essential records as circumstances during the advance permitted, the French lacked the necessary information to secure a major acquisition. Meanwhile, the extent and character of records and archives captured by Soviet troops remained unknown to the Western Allies during the early occupational period. On all sides, the documents were put to immediate use. They were a priceless source of operational intelligence while the war lasted and provided crucial evidence for the trial of major war criminals and the subsequent proceedings in Nuremberg. At the same time, the Allies were fully aware of the unique historical value of the papers. In 1946, this awareness led to the decision to publish the most important papers from the German Foreign Office (*Auswärtiges Amt*) and the Reich Chancery in the Anglo-American edition *Documents on German Foreign Policy* (the French joined the project in spring 1947). Unforeseen, however,

was the role Nazi records would play in the ideological conflict (*Systemkonflikt*) between the two Germanies. The destabilizing potential of these records for the political elite of the Federal Republic was aptly exploited by the GDR government in pointed propaganda campaigns.

Stefan Martens, deputy director of the GHI Paris, filled a gap in our knowledge on the postwar fate of German records in France after the withdrawal of occupational authorities and Wehrmacht troops. His paper "Akten als Element der Vergangenheitsbewältigung. Das Schicksal deutscher Akten nach dem Zweiten Weltkrieg in Frankreich," was based on the recent joint effort by the German Historical Institute in Paris, the Federal Archives (*Bundesarchiv*), and the Archives Nationales to give an overview on German sources in French archives and material on the occupation of France and Belgium in German archives.<sup>1</sup> According to Martens, the origins of French interests in German archives are to be found in the nascent planning for postwar war crime trials which, in the French case, meant primarily the trial of native collaborators. To that end, the records of the German occupational authorities, especially the *Militärbefehlshaber Frankreich* (MBF), were indispensable. Yet whereas the British and Americans entered the Reich well prepared for the document hunt—Supreme Headquarters Allied Expeditionary Forces (SHAEF) had assigned special Target Forces—the French could not keep up the pace. Thus, the most prominent military and political records, including parts of MBF, found their way into document centers under Anglo-American jurisdiction.

Counting on their recently acquired status as an occupying power, the French government attempted to gain access to the Ministerial Collecting Center in Fürstentagen near Kassel and, later, to the Ministerial Document Branch in Berlin-Tempelhof. British and American diplomats, however, were anxious to defer French use of the archives. It was not until October 1945 that a French delegation was allowed to set foot into the document centers—only to be overwhelmed by the tremendous quantity of largely disorganized paper. The hunt for the records of *Militärbefehlshaber Frankreich* led to a partial success when, in April 1946, the Americans sent several boxes of records to Paris. However, as the French quickly realized, the Americans had held these records for several months without informing them, and they made no attempt to deliver any further material relating to the German occupation of France. This and similar incidents nurtured the French suspicion of being deliberately excluded from the document hunt. In his commentary, Gerhard L. Weinberg pointed out, however, that what might have looked like a conspiracy to the "very touchy and suspicious French government" could just as well have been due to the chaotic circumstances during the immediate postwar period. Regardless of the actual source of political sensitivity, the

*perception* of being excluded had consequences at a later date: In 1952, when the Federal Government demanded the return of the captured records, the French High Commissioner, André François-Poncet, blocked the request for the duration by declaring the records to be war booty. The French government thus attempted to finally have a say in the document business.

Astrid M. Eckert shifted the focus from the French to the British. The paper—derived from a recently submitted dissertation<sup>2</sup>—examined the negotiations for the return of the captured German records from the British perspective. Whereas we are partly informed on how the various branches of the U. S. Government dealt with the captured records,<sup>3</sup> the policies pursued in London have only been examined in connection with the most prominent case, the so-called Windsor File.<sup>4</sup> Based on wartime agreements, however, the British were an equal partner in determining the whereabouts of the seized archives and records. The paper focused on the fate of the German diplomatic files that were being edited in England for the projected multivolume publication *Documents on German Foreign Policy*.

The seized records and archives became a bone of contention once a West German government was formed and could reassert itself again. In one of its very first resolutions, in October 1949, the *Deutsche Bundestag* demanded the return of all captured records and archives. The West German press, in sometimes nationalistic tones, joined in and held that the Allies had captured and “carried away” German national history. The demand from Bonn caught the Foreign Office in the process of redefining its policy towards the former foe. The British diplomats soon wanted to accommodate the Federal Government and advocated a return of the diplomatic records in order to remove a possible irritant in the changing Anglo-German relations. This was met by strong resistance from some British historians who feared the Germans would tamper with the returning files to alter the historical record for political purposes. The protest was vigorous enough to successfully preclude an early solution. The British diplomats thus found themselves in a position where—in order to satisfy the historians—they offended their American partners who favored a return, as well as the Germans whose cooperation was being sought on larger political issues. It was Churchill’s personal interest in the return issue, Eckert argued, that weakened the Foreign Office’s stand and gave the historians the leverage to block the negotiations for at least two years. As Gerhard Weinberg added, the British historians were thus taking a position on the return issue that was exactly opposite to that of American scholars. Whereas the British urged delay, the Americans pushed for rapid action. Absent from Eckert’s presentation was a discussion of the British sensitivity about the German naval archives, especially

records on submarine warfare. Gerhard Weinberg pointed to the centrality of these documents to *any* British return policies.

Finally, the paper “Of Confrontation and Cooperation: The German-German Conflict over the Use of East-bloc Nazi Files as Documentary Evidence in the Criminal Investigations against the Nazi Perpetrators” by Annette Weinke gave a fascinating account of the closely interrelated judicial *Vergangenheitsbewältigung*, the systemic competition between the two German states, and their respective foreign policy. She put to work the paradigm devised by Christoph Klessmann that views the history of the two Germanies as a “parallel history of two separate German states, asymmetrically interwoven with each other” (*asymmetrisch miteinander verflochtene Teilungsgeschichte*).<sup>5</sup>

With the Hallstein Doctrine well entrenched, the SED regime attempted to undermine the Federal Republic’s stubborn insistence that it represented the only legitimate German state. For that purpose, it conducted various “anti-fascist” propaganda campaigns, targeting the West German elite as a bunch of Nazi revanchists. The logistical basis for this propaganda offensive lay in the East bloc’s large store of German documents from the Nazi era. Much of the Third Reich’s meticulous paperwork had survived and was warehoused at the East German party and state archives, or in the archives of the East bloc allies, especially Poland and Czechoslovakia. After the Allied War Crimes trials, the files had been ignored for many years. One of the most effective East German propaganda campaigns began in 1957 and was known as the attack on “Hitler’s Blood Judges.” By chance or design, East Germany’s “anti-fascist” agitation was well-timed. It happened to begin just when West German attitudes with regard to the Nazi past were changing. One result of this change in West German attitudes was that the Federal Republic’s political and law enforcement authorities began, at the end of the 1950s, to show—or at least pretended to show—greater interest in obtaining the archival evidence of Nazi crimes available in the East bloc in order to enable the state attorneys to bring charges against former Nazi judges and prosecutors.

Weinke convincingly argued that, in the long run, the East German “anti-fascist” campaigns—unsettling as they at first proved to be for the West—backfired and became at least as unsettling for the GDR as they were for FRG: The increased interest in Nazi crimes was drawing attention to alleged Nazi perpetrators who were still living unmolested in East Germany. Even worse for the SED was the fact that West German authorities, foremost the Zentralstelle in Ludwigsburg, established informal contacts with the Polish government that blossomed into a formal working relationship. As Weinberg added in his commentary, this relationship threatened to lead to the discovery of “embarrassing documents about

individuals in the GDR" by West German authorities—a situation to be avoided at all costs. By the middle of the 1960s, then, the constellation between the two German states on the field of *Vergangenheitspolitik* had dramatically changed. In the late 1950s, the GDR had forced the Nazi documents on West Germany. Now, a few years later, the GDR was actively trying to prevent West German prosecutors from gaining access to the Nazi files in Polish archives.

In his concluding remarks, Gerhard Weinberg drew attention to the fact that the fight for the files at the time as well as current negotiations about the return and restitution of records from the war period contained a remarkable element of short-sightedness. Like other countries at war, German agencies generally used the poorest paper possible; all nations preferred to use their resources for the urgent requirements of the moment. This means in practice that the paper is deteriorating, and those who hold it will before long have little but crumbling and illegible scraps. It is for this reason essential, Weinberg urged, that the records be micro-filmed, wherever they are. Over time, physical possession of the paper records of the first half of the twentieth century will become less and less significant. There is a window of opportunity now, Weinberg said, for a general exchange of films, but that window will close as the originals fall apart.

Astrid M. Eckert

## Notes

<sup>1</sup> Stefan Martens, "Frankreich und Belgien unter deutscher Besatzung und das Schicksal der deutschen Akten nach dem Zweiten Weltkrieg," in *Frankreich und Belgien unter deutscher Besatzung 1940–1944. Die Bestände des Bundesarchiv-Militärarchiv Freiburg*, Stefan Martens with the aid of Sebastian Remus, ed. (Stuttgart: Thorbecke, 2002). See also: *La France et la Belgique sous l'occupation allemande 1940–1944. Les fonds allemands conservés aux Centre historique des Archives nationales. Inventaire de la sous-série AJ40*. Inventory revised by Guy Beaujouan, Anne-Marie Bourgoin, Pierre Cézard, Marie-Thérèse Chabard, Élisabeth Dunan, Jean-Daniel Pariset, Christian Wilsdorf, review by Christine Douyère-Demeulenaere with the collaboration of Michèle Conchon. Introduction by Stefan Martens and Andreas Nielsen. (Paris: Archives nationales, forthcoming winter 2002). Wolfgang Hans Stein, *Inventar von Quellen zur deutschen Geschichte in Pariser Archiven und Bibliotheken*. Instrumenta 5. (Stuttgart: Thorbecke, 2002).

<sup>2</sup> Astrid M. Eckert, "Der Kampf um die Akten. Die Rückgabeverhandlungen um beschlagnahmtes deutsches Archivgut, 1944–1958" (Phil. Diss. FU Berlin, September 2002).

<sup>3</sup> Robert Wolfe, ed., *Captured German and Related Records. A National Archives Conference* (Athens, OH: Ohio UP, 1974).

<sup>4</sup> Paul R. Sweet, "Der Versuch amtlicher Einflußnahme auf die Edition der 'Documents on German Foreign Policy, 1933–1941,' in *Vierteljahrshäfte für Zeitgeschichte* 39 (1991): 265–303; Sweet, "The Windsor File," in *Historian* 59:2 (1997): 263–279.

<sup>5</sup> See Weinke's recently published book: *Die Verfolgung von NS-Tätern im geteilten Deutschland. Vergangenheitsbewältigung 1949–1968 oder: Eine deutsch-deutsche Beziehungsgeschichte im Kalten Krieg* (Paderborn: Schöningh, 2002).