Germany Was Not a Piece of Cake

Lessons for de-Baathification.

BY LESLIE S. LEBL

A GERMAN FRIEND born in 1941 once recounted that he had been so hungry as a small child that, left unsupervised in the pantry, he ate an entire jar of mustard. The conversation made a strong impression on me, in part because of his bitterness toward the occupying powers that had presided over such conditions. Certainly, it did not match my view of German reconstruction as fast, easy, and successful from the start. Yet that view seems to be the model against which our performance in Iraq is being measured.

But *was* German reconstruction easy? The historical record shows it was anything but.

German policy was fiercely contested during and after the end of World War II in Washington, with tremendous rifts at the cabinet level between Treasury Secretary Henry Morgenthau Jr. and Secretary of War Henry Stimson, as recounted most recently in *The Conquerors*, by Michael Beschloss. The fundamental question that split policymakers was the degree to which Germany should be punished for the war. Morgenthau argued that Germany should be dismembered, turned back into an agricultural country, its industry and thus its potential to wage war largely dismantled. Stimson opposed this, arguing that 30 million people would starve. Nor did he see virtue in splitting Germany into pieces. He believed that a disabled and chaotic Germany, which he felt would surely result from such a policy, would keep all of Europe from recovering from the war. This dispute was not fully resolved when the war ended.

Dan McElleney / Bettmann/Corbis

Lucius Clay (center) helping load food for Berlin, 1950

If U.S. policy was unclear in Washington, things were no better on the ground in Germany. A fascinating look at this process comes from *Decision in Germany*, the memoir of Gen. Lucius Clay, the head of the U.S. military government in Germany. Clay argues that Washington did not understand how chaotic the situation in Germany really was in 1945. Clay was indeed in a difficult spot; far from having a clear policy to communicate to both Germans and Americans, he was charged with implementing the relatively punitive directive (JCS-1067) that defined U.S. policy toward Germany. That top-secret directive, by the way, was not made public until October 1945—six months after the German surrender—a situation that would constitute a major public relations disaster were it to happen today.

Security and law-and-order problems were an immediate priority. As Clay describes it, the crime rate was high at the war's end, but all German police had to be vetted. They were disarmed until September 1945, when they were provided with light arms. And, because the Nazis had so corrupted the German justice system, U.S. military-government courts carried out various legal functions for several years in the American sector. Clay recounts a series of steps he took to improve this justice system over time, noting the difficulties of crafting a hybrid for a unique situation.

De-Nazification was highly controversial, both among the occupying forces and in the United States. In the American sector, where it was implemented the most rigorously, German tribunals worked under American supervision. Some 25 percent of the population was judged; some individuals were detained for almost three years before being brought to trial. At one point, Clay defended this process against pressure from a congressional committee calling for its quick termination. Finding the right balance

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that would allow true political reform, yet not punish unduly those who were only nominally Nazi or create large groups of disenfranchised, excluded, and potentially dangerous opponents of the occupying power was no easier then than it is likely to be now in Iraq.

Nor did the United States have a consistent military plan for Germany. Our first concern, after the German surrender, was to send as many troops as possible to the Far East to fight Japan, or to send them home. Certainly the rapid drawdown weakened our hand in dealing with the Soviet Union on the future of Germany.

During the first three years after the war, U.S. officials expended a great deal of effort trying to work together with the other occupying powers (Britain, France, and the Soviet Union). In retrospect, it is easy to say that the Soviets were never going to cooperate constructively with us in Germany. At the time, however, we were committed to working with them. As a result, senior American officials spent long hours in endless quadripartite meetings that produced little of value. To give just one example, in May 1946, Clay's experts presented him with a plan for currency reform that they considered urgent, given the damage done by raging inflation in Germany. We proceeded with currency reform only in June 1948, more than two years later, when we had decided to do so despite Soviet opposition.

But perhaps the clearest indication that the peace was far from "won" in the first two years was how Secretary of State George C. Marshall described the situation in Germany in a radio talk to Americans in April 1947: "The patient is sinking while the doctors deliberate." Only then did we fund the Marshall Plan.

The record in Germany suggests not that we knew what to do and did it efficiently, but that we succeeded only after struggling for some time over the right policy and then how to implement it. Success in Iraq will likely require the same process. ♦

Don't Write Off Hong Kong

Democracy there deserves Washington's support.

BY ELLEN BORK

THIS MONTH, Hong Kong has been swept up in the most dramatic events since its 1997 return to Chinese rule. On July 1, half a million people marched to protest new national security laws that would threaten rights of association, press, and religion. Next, the defection of a leading pro-Beijing politician from the government's camp set off a chain of political events. The enactment of the security legislation was postponed, and last Wednesday night two cabinet-level officials who have been targets of discontent resigned: Regina Ip, the secretary for security, known for her hostility to democracy, and Antony Leung, the financial secretary embroiled in a scandal over his purchase of a Lexus weeks before he raised car taxes.

Still, unless Hong Kong's people continue to press for democracy and the international community takes up their cause, Tung Chee-hwa, the extremely unpopular Beijing-appointed chief executive, will probably survive politically to implement the new laws on subversion, treason, and theft of state secrets. And if that happens, little will remain of this extraordinary moment of opportunity. But whatever the outcome, recent events have destroyed two myths concerning Hong Kong. The first is that Beijing is not deeply involved in its affairs. The second is that its people apathetically accept the undemocratic government imposed on them by Beijing. The collapse of these propositions requires an overhaul of U.S. policy toward Hong Kong. Before that can happen, Washington has to take Hong Kong as seriously as Beijing does.

Beijing behaves as though it has a lot at stake in Hong Kong. Enactment of the national security laws, required by Beijing in Article 23 of the Basic Law it drafted for Hong Kong, was kicked off last year with a directive from Chinese vice premier Qian Qichen. Furthermore, according to a scholar of the Chinese legal system, the content and form of the security proposals indicate they were drafted on the mainland. Chinese officials and state media have also revealed their deep involvement, as they have rejected as interference international calls for a transparent process and other steps toward democracy in Hong Kong.

Beijing sees a link between events in Hong Kong and Communist party control on the mainland, and not without reason. The march on July 1 was the largest political demonstration on Chinese territory since the Tiananmen Square protests of 1989. Concerned about the political impact on the rest of China, Beijing ordered the media and Internet portals not to report the march and censored CNN. Beijing's top leaders held an emergency meeting of the Politburo. Also, since the demonstrations, China has sent mainland officials, including intelligence officers, to assess the situation in Hong Kong. Ominously, on July 14, the *China Daily* denounced the protests as a "vehicle for subverting the political system."

Washington, on the other hand, treats Hong Kong as if it were a discrete matter, virtually unaffected by the mainland. Ever since the 1997 handover, the United States has

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