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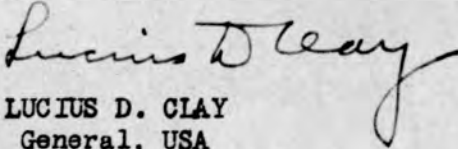
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PREFACE

The study of fraternization with the Germans in World War II was initiated in the Historical Division of European Theater Headquarters with a letter which went out to the troops in December 1945 requesting special reports on relations with the German population. A large portion of the vast United States force which had played such a decisive role in the defeat of Germany was still present in the Theater. The letter inspired a large number of special reports on fraternization, many of them from units down to company size that had participated in the campaign and the occupation, and most of them written by officers and enlisted men who had lived through the events that they recounted. Without this grand inquest on fraternization, the following pages would have contained a much less complete history of the subject. The special reports on fraternization were indexed and, along with the many other documents collected in the course of this study, have become a part of the archives of the Office of the Chief Historian, European Command.

The writer of this study was also fortunate in having been assigned to it at a time when the papers of Supreme Headquarters, Allied

Expeditionary Force, were still available at Frankfurt, Germany, in the CALA collection of documents. In addition to these sources and the many interviews and observations made in the field by the staff that collaborated in the project, this study is based upon a thorough examination of the files of the G-1 Division, Adjutant General, Judge Advocate, Inspector General, and Office of the Chief Historian, European Command.

J.R.S.

Chapter I

THE POLICY OF NONFRATERNIZATION BEFORE V-E DAY

1. Controversial Aspects of the Fraternization Problem.

No phase of the occupation of Germany in World War II has been the source of more controversy than the policy of nonfraternization. Announced officially on 12 September 1944, the day after Allied troops first penetrated German territory on the Western Front, the policy of nonfraternization remained in effect without modification until 8 June 1945, and with certain modifications until 1 October 1945. During that period it was a favorite subject of conversation wherever Americans gathered in the European Theater of Operations. It was heatedly justified by the proponents of a "hard peace," and severely criticized by those who saw possibilities for the early regeneration of the Germans. Even those who accepted the principle of nonfraternization recognized that it was not working in practice. The policy of nonfraternization was hailed as another "noble experiment" like prohibition, doomed to failure because of conflicts with the settled habits and the

traits of character of the vast majority of Americans. The violations of the Supreme Commander's orders against friendly relations with the German people were the subject of many news dispatches to the United States, and the whole matter of fraternization occupied much space both in the soldier press in Europe and in the newspapers at home. Even in 1947, the controversy over fraternization had by no means died out. Echoes of the argument were still heard on both sides of the Atlantic. Fraternization was not a dead issue, and it probably cannot be downed as long as the occupation of Germany continues. The basic rule forbidding fraternization with the enemy has never been repealed by the War Department. It ¹ has been modified by orders of the Theater Commander, but at the end of 1946 one important kind of friendly relations with a conquered people--the billeting of personnel in German homes--was still prohibited, and marriages between Americans and Germans were authorized only under carefully specified conditions. Ever since the abandonment on 1 October 1945 of the policy of nonfraternization, except as respects billeting and marriages, many questions of a practical nature have arisen in the social relations between Americans and Germans. The pattern of conduct was not yet fixed at the end of the period covered by this study.

2. Experience from World War I.

a. During the occupation of the Rhineland after World War I, the general orders of both the United States and the British armies

prohibited friendly relations between the troops and the German population.² However, no attempt was made by the United States Army to explain to the troops the necessity for the avoidance of social contacts, and no directive was issued to detail the kind of conduct which was prohibited.³ One result was a great variation in the antifraternization measures taken in different units and localities.⁴ While the documentary evidence at hand is fragmentary, it is common knowledge that the ban on friendly relations was a more or less complete failure. The American troops found the civil population friendly, cooperative, and hospitable. Social intercourse was general, though concealed from public view.⁵ Marriages between American men and German women were permitted when pregnancy could be proved.⁶ Some disorders occurred as a result of public disapproval of the association of German girls with American soldiers.⁷ The nonfraternization ban was considered lifted upon the ratification of the peace treaty by Germany on 10 January 1920.⁸

b. The view has often been expressed that the unsatisfactory experience with a nonfraternization rule after World War I should have been enough to discourage the attempt to enforce a similar policy in a second occupation.⁹ On the other hand, the experience in the occupation of 1918-1923 must have been a strong factor in the adoption of the policy of nonfraternization in World War II. Persons who remembered the friendly mingling of Americans and Germans in the earlier period must have realized that the same thing was likely to happen again unless rigid preventive measures could be devised and carried into effect.

c. Among other reasons for the general violation of the non-fraternization rule in World War I are the friendly nature of the average American soldier and the cultural heritage common to many Americans and Germans. There is a general agreement, however, that one of the main reasons for the breakdown of enforcement was the billeting of American personnel with German families.¹⁰ The conviction that social intercourses could not be prevented if officers and soldiers were allowed to live in German homes was so strong that all persons concerned with the drafting of the nonfraternization policy in World War II were agreed that billeting in German homes should be prohibited.¹¹ No doubt another factor in the unanimity of opinion on this subject was the realization that billeting, if it did not result in friendly relations between soldiers and civilians, could have the opposite effect and could increase the fanatical resistance which was expected after World War II.

3. Origin of the Nonfraternization Policy in World War II.

a. The origin of the nonfraternization policy in World War II is obscure. It has been attributed to former Secretary of the Treasury Henry Morgenthau, in his capacity of chief adviser to the late President Franklin D. Roosevelt at the time of the second Quebec Conference in September 1944.¹² However, the "Morgenthau Plan" for dealing with Germany made no mention of fraternization, and the writings of Secretary Morgenthau reveal that he considered American soldiers unfitted for

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occupational duties and advocated their complete withdrawal. It has also been alleged that a policy of nonfraternization was decided upon at the second Quebec Conference by President Roosevelt and Prime Minister Churchill;¹⁴ but the policy had apparently been adopted before that conference. It is impossible to identify any one individual, or small group of individuals, who decided that there should be a nonfraternization policy. This much, is clear: the decision was reached on a governmental level and was communicated to the Supreme Commander in the European Theater through War Department channels. The principle of nonfraternization was not formulated in the European Theater, and the Supreme Commander was not responsible for its adoption.

b. The first official statement of the principle of nonfraternization in effect a command to the Supreme Commander, was made in the "Directive for Military Government in Germany Prior to Defeat or Surrender," also known as CCS 551. This document stated: "You will strongly discourage fraternization between Allied troops and the German officials and population."¹⁵ This directive was adopted by the Combined Civil Affairs Committee and communicated to the Combined Chiefs of Staff on 17 April 1944.¹⁶ It was approved by the latter and communicated to the Supreme Commander in the European Theater by a letter of 28 April 1944.¹⁷ The principle of nonfraternization, expressed in the same words, was carried over into the later basic directives on the military government of Germany,¹⁸ and was embodied, together with some elaboration as to the kinds of conduct permitted

and prohibited, in the Pocket Guide to Germany, prepared in the War Department and delivered in quantity to Supreme Headquarters, Allied Expeditionary Force, in June 1944.

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4. Formulation of the Policy of Nonfraternization.

a. While the order requiring a policy of nonfraternization was not received in the European Theater until May 1944, it was taken for granted for some time preceding that date, both by the British War Office and certain highly placed American officers, that there would be a nonfraternization policy. Discussions looking towards the drafting of a policy to be common to both the United States and British forces were initiated late in 1943, before the establishment of Supreme Headquarters, Allied Expeditionary Force. The chief participants in these informal discussions were Maj.Gen. R. W. Barker, then Deputy Chief of Staff, Supreme Allied Commander, and subsequently Assistant Chief of Staff, G-1, both in Supreme Headquarters, Allied Expeditionary Force, and Headquarters, European Theater of Operations, United States Army; William Phillips, American Political Adviser to the Chief of Staff, Supreme Allied Commander; Charles Pecks of the British Foreign Office; and various officers of the British War Office. These discussions ultimately culminated in the preparation, in the G-1 Division, Supreme Headquarters, Allied Expeditionary Force, of the directive on nonfraternization which was issued on 12 September 1944 as the official policy.

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b. In the meantime, consultations looking towards the drafting of a nonfraternization policy had been initiated in three other agencies: the G-2 Division of Supreme Headquarters, Allied Expeditionary Force; the Civil Affairs Division of the War Department; and the Morale Services Division of the War Department. The discussions in the G-2 Division of Supreme Headquarters, Allied Expeditionary Force, appear to have been the earliest official moves in the European Theater to draft a nonfraternization policy. They were initiated in January 1944 at the suggestion of the Director of Military Intelligence of the British War Office.²² The G-2 Division, Supreme Headquarters, Allied Expeditionary Force, prepared various studies on the subject, including a review of the experience with nonfraternization in World War I. On 3 April 1944, the Assistant Chief of Staff, G-2, Supreme Headquarters, Allied Expeditionary Force, discussed the matter in a staff conference, and it was decided by the Chief of Staff that the matter was primarily a concern of the G-1 Division. The G-2 Division, accordingly, communicated the results of its labors to the G-1 Division.

c. The discussions in the Civil Affairs Division of the War Department appear to have been undertaken in earnest only after the transmission of the first basic directive on military government in Germany at the end of April 1944.²³ The principle result was a tentative draft of policy which undoubtedly had great influence in the final stages of formulating the directive on fraternization,

particularly with reference to two important principles: first, that there should be vigorous efforts to explain to the troops the reasons for the nonfraternization order; and, secondly, that the troops should be distracted from fraternization by a recreational and educational program. This draft was communicated in July 1944 to the G-5 Division, Supreme Headquarters, Allied Expeditionary Force, and forwarded in turn to the G-1 Division of the same headquarters.

d. The activities of the Morale Services Division of the War Department resulted in the writing and publication of the Pocket Guide to Germany. The work in the Morale Services Division must have been begun early in the spring of 1944, as the Pocket Guide to Germany was delivered in the European Theater in June. The brief statement of a nonfraternization policy contained in it was couched in such general terms that there is no reason to believe that it had any great influence in the formulation of the directive.

e. Thus, by July 1944 the G-1 Division, Supreme Headquarters, Allied Expeditionary Force, had at hand the results of the preliminary drafting in all the other agencies which had concerned themselves with the problem, and it had been charged with the responsibility for the formulation of a policy on nonfraternization. The arrival of the first basic directive on the military government of Germany had already been taken by the G-1 Division as a signal for the intensification of its efforts in this matter. ²⁴ In the summer of 1944, however, the G-1 Division was occupied with the preparation of another manuscript.

which was published as the Handbook for Unit Commanders (Germany).²⁵
This handbook contained a brief statement of a nonfraternization policy which anticipated some of the features of the directive. The officers immediately responsible for the writing of this handbook were Maj. Gen. R. W. Barker and Lt. Col. Carl Bushman, the latter an attorney by profession.²⁶ When the handbook was finished, the same drafting team began intensive work on the nonfraternization directive.²⁷ Their draft bears the date 18 August 1944.

f. The G-1 Draft for a directive on nonfraternization was concurred in by the other general staff divisions and the American and British political advisers,²⁸ and was approved by the Deputy Chief of Staff. The Chief of Staff, however, took the view that the draft was too elaborate and would tend to bind the hands of the field commanders. In these circumstances, the draft was taken directly to the Supreme Commander, who accepted the principle that there should be a fairly long directive stating the policy of fraternization, and approved the G-1 draft as it then stood. In view of the urgency arising from the imminence of the entry of Allied troops into Germany, the Assistant Chief of Staff, G-1, Supreme Headquarters, Allied Expeditionary Force, carried the draft personally to the principal British commanders,²⁹ and obtained the approval of all of them. During the processing to obtain the approval of all concerned, the G-1 draft suffered only minor changes.³⁰

5. Scope of Application of the Policy of Nonfraternization.

The original letter of 12 September 1944, transmitting the directive, was addressed to the commanding generals of all major commands. As soon as the 6th Army Group came under the command of the Supreme Commander, the directive on nonfraternization was communicated to its commander. The ban on fraternization was thus in effect among all the ground, air, and naval forces of the United States, Great Britain, and France, insofar as they were under the Supreme Commander and in contact with the Germans. The policy carried over after the unconditional surrender of Germany and was established in both the United States and the British Zones of occupation, but, it appears that no orders on this subject were ever issued by French authorities. Therefore, the only French elements affected by the ban were those under Supreme Headquarters, Allied Expeditionary Force. No policy of nonfraternization was established in the French zone. When contact was established with the Soviet forces, it was found that they too had a policy of nonfraternization, although it appears that, as in the French army, no orders prescribing conduct were ever issued.

6. Reasons for the Policy of Nonfraternization as Revealed in the

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Basic Documents.

a. The policy of nonfraternization was primarily a security
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measure. Its adoption was influenced to a great extent by the belief, generally held in the Allied countries and forces before any large part

of Germany had been conquered, that there would be a strong resistance movement in Germany. Moreover, it seemed probable in 1944 that large areas of Germany might be occupied while fighting continued on both the Eastern and Western Fronts. Preparations had to be made to combat threats to security, and the prohibition of friendly contacts with the German population was a logical measure. The policy of nonfraternization had two security aspects. It was, first, a counterintelligence measure to prevent leakage of information. The officers concerned with the elaboration of the policy had in mind the traditional woman spy who, by wiles and stratagems, would extract bits of information from soldiers in their leisure hours. Nonfraternization was also a device to protect the lives of individuals. Soldiers visiting homes and wandering into isolated places in a hostile country would be liable to attacks. The success of resistance groups in countries occupied by the Germans in luring German soldiers to their deaths by exploiting their desire to fraternize was well known in Allied forces and suggested a need for insurance to prevent Allied personnel from falling into similar traps. ³³ The policy of nonfraternization was formulated at a time when the following possibilities were foreseen: large remnants of the German army would retire into the National Redoubt for a last-ditch fight; there would be a fanatical resistance movement, strengthened by experience gained from patriotic networks operating against German occupation forces; the civil population would display ³⁴ a truculent, hostile attitude.

b. The policy of nonfraternization was intended also to prevent the Germans from influencing the minds of the soldiers. ³⁵ It was conceived as insurance against a German campaign of propaganda designed to divest the German nation of war guilt, to prepare the way for a resurgence of power, and to defeat the purposes of the occupation. The proponents of the policy believed that the Allied, and especially the American, soldier was not sufficiently insulated against the blandishments of German propaganda based upon submission and conciliation, such as had been encountered after World War I.

c. Necessity for prohibition of friendly relations with the defeated people in order to command respect for the Allied armies and their individual members was officially advanced as a third reason for the policy of nonfraternization. ³⁶ It was believed that an aloof attitude would impress a people imbued with militarism and a respect for uniforms and that the tasks of the occupation would thereby be made easier. It was believed further that the morale of the army would be improved reciprocally.

d. A fourth object of the nonfraternization policy was to make the Germans realize that they were completely defeated and that their conduct and aggressions had earned for them the distrust of other peoples. ³⁷

e. A fifth reason advanced for adoption of unfriendly attitude toward the Germans was said to be the desire to impress upon them the superiority of the Allied armies. ³⁸

f. Finally, nonfraternization was urged upon the troops as a means of avoiding unfavorable reactions of public opinion at home. ³⁹

7. Other Reasons for the Policy of Nonfraternization.

a. The official reasons for nonfraternization as formulated in the basic documents were repeated in subsequent pronouncements. They were not substantially elaborated, nor were any new reasons advanced. The campaign for the orientation and education of the soldier played upon the same themes.

b. About the only additional reason advanced in nonofficial sources as a possible explanation for the adoption of the policy of nonfraternization is that it may have been considered a means of keeping alive the soldier's combative spirit while the campaign was in progress, and of preventing a weakening of the will to fight in those units which were to be redeployed to engage in the Pacific war. ⁴⁰ Several of the official reasons have been summarized unofficially by the statement that nonfraternization was intended "to drive home the lesson that we mean to teach the Germans this time." ⁴¹

c. Speculation on the reasons for nonfraternization usually takes the form of assertions that it reflected a fear and uncertainty, shared by our high command, the governments of the Allied nations, and by the people behind them, that the Anglo-American soldier was not conditioned for contact with the German population and for duty in a military occupation. Our troops, it is said, could not be trusted to

adopt a correct attitude toward a conquered people; hence it was necessary to prescribe rigid rules of conduct to protect the soldier against his own weaknesses. This point of view has been best expressed by former Secretary of the Treasury Morgenthau, and leads quite logically to his opinion that non-European troops should be relieved as soon as possible from duty in the forces of occupation. ⁴²

8. Promulgation of the Policy of Nonfraternization.

a. The policy of nonfraternization was officially announced by General Eisenhower's letter of 12 September 1944 which communicated the basic directive to all major commands. In the Communications Zone, ⁴³ the directive was distributed down to companies and comparable units. It was felt, however, that the distribution of the directive was not sufficient to inform the individual soldier of what was expected of him. The need for specific orders to the troops was suggested by ⁴⁴ the War Department at an early stage in the formulation of policy. The Department offered as a partial solution to this problem the distribution to each individual of the booklet entitled Pocket Guide to Germany. It was decided in Supreme Headquarters, Allied Expeditionary Force, that this booklet should not be distributed to the troops until they were about to enter Germany. ⁴⁵ When issued, each copy of the Pocket Guide to Germany carried a sticker on its cover designed to point up the orders against fraternisation and to correct the impression given in the booklet that Allied soldiers might converse

with Germans under certain circumstances concerning broad problems of the war and peace. This impression was strengthened by the inclusion in the Pocket Guide of a brief guide to conversational German, which would have been of use principally to those bent upon violating the policy of nonfraternization. Because of this, thousands of copies of this booklet issued to the First United States Army--the first major force to enter Germany from the west--were withdrawn with the approval of General Eisenhower.⁴⁶ The Pocket Guide was, however, issued later in great numbers to the troops.

b. Soon after the issuance of the basic directive, the G-1 Division of the 12th Army Group was given the task of preparing a set of specific orders to the troops.⁴⁷ These orders, completed in December 1944, took the form of "Special Orders for German-American Relations," and were printed in a little folder similar to those used to assist the soldier in learning his general orders. These "Battle Orders," as they were sometimes called, were distributed to personnel at or near the front in January 1945.⁴⁸ Later, the little folder was distributed at replacement depots and to all units arriving in the Theater. Soldiers were instructed to carry the folder at all times inside the helmet liner. The folder distributed in the 6th Army Group and the Communications Zone followed the text produced in the 12th Army Group, except that in each instance the covering letter printed on the first page was drafted to meet the needs of the command and was signed by the respective commanding general.

9. Details of the Policy of Nonfraternization.

a. The subject of the basic directive on nonfraternization was changed from "Conduct of Allied Troops and German Characteristics in Defeat" in the original draft to "Policy on Relations between Allied Occupying Forces and Inhabitants of Germany" in the final form. It opened with a section headed "German Attitude and Propaganda," which carried out the idea of German characteristics in defeat as suggested in the original title. This passage stated the fears, prevalent at the time, that determined resistance and studied propaganda would be met with in the German civil population. The directive stressed high standards of conduct to be aimed at in Germany and severely condemned all conduct likely to inspire disrespect for the forces, such as acts of violence, looting, and excessive drunkenness.

b. The directive contained the following definition of nonfraternization:

"Nonfraternization is the avoidance of mingling with Germans upon terms of friendliness, familiarity, or intimacy, whether individually or in groups, in official or unofficial dealings. However, nonfraternization does not demand rough, undignified, or aggressive conduct, nor the insolent overbearance which has characterized Nazi leadership." 49

c. The policy on official contacts was that a firm and correct attitude should be maintained at all times. The directive made it clear that official dealings incidental to the military occupation should not be used as an excuse for the development of friendly relations. Allied authorities were instructed to maintain at all times a position

of superiority over the German administration.

d. The following actions were specifically prohibited:

- (1) Entertaining Germans
- (2) Billeting of Allied personnel with German families
- (3) Marriage with Germans or other enemies
- (4) Visiting German homes
- (5) Drinking with Germans
- (6) Shaking hands with Germans
- (7) Playing games or engaging in sports with Germans
- (8) Giving or accepting gifts
- (9) Attending German dances or other social events
- (10) Accompanying Germans in the street or into places of entertainment (except on official business)
- (11) Conversing or arguing with Germans, especially on politics or the future of Germany.

e. Attendance at German church services was not prohibited, but separate seating was to be made available for Allied troops when they attended German churches.

f. The directive required the orientation of troops on the conduct expected of them and contained a passage on "Training and Recreation." The title in the original draft, "Compensation for Nonfraternization," was more descriptive. In this passage, the apprehensions of the command as to the difficulties of enforcing the order were reflected. It was realized that substitutes for friendly relations with the civil population would have to be provided in the

form of an educational and recreational program and a liberal policy of leaves and furloughs.

10. Attitudes of the German People.

The policy of nonfraternization was put to the test early.

On 11 September 1944, elements of the First United States Army crossed into Germany, at a point east of Hinsfeld, Lamsburg.⁵⁰ Two days later, other elements crossed the Belgian frontier and the battle of Aachen began. At first it seemed that German policy was to evacuate civilians behind their own lines,⁵¹ and General Eisenhower warned German civilians to stay out of the way of the advancing Allied armies. Although about 12,000 Germans remained in Aachen, relatively few were found in the badly damaged towns captured by the Third and Seventh United States Armies in the same period.⁵² After the break-through at the Roer River on 23 February 1945, and later in the rapid advances beginning in the middle of March,⁵³ many German civilians were encountered. Except for isolated cases of sniping, the Allied forces encountered no opposition from the resident population. Instead of being met with the expected active resistance from civilians, the troops were welcomed in many places as liberators. The few instances which were reported of civilians fighting at the side of the defending soldiers occurred a good deal later, when the German war machine was nearing collapse.⁵⁴

11. Early Violations of the Policy of Nonfraternization.

a. When German civilians were first encountered within their

national borders, the orders of the Supreme Commander against fraternization had not yet been distributed to the field forces. ⁵⁵ The situation was covered, however, by the issuance within the First United States Army of its own directive on nonfraternization. This directive, issued on 15 September 1944, applied not only to German but also to Belgian civilians, with whom the personnel of the First Army were forbidden to associate until 15 October 1944, when certain ⁵⁶ leave centers were established.

b. American troops had hardly entered Germany when press reports and news photographs began to reveal instances of fraternization with the civil population. The children of Rötgen, the first German town captured, were pictured as emerging from the ruins to demand—⁵⁷ and receive—gifts of gum and candy from American soldiers. Reports of fraternization reached Supreme Headquarters, Allied Expeditionary Force, and General Eisenhower wired: "This must be nipped in the bud ⁵⁸ immediately." At the same time, higher echelons of the War Department and even President Roosevelt were represented as being deeply disturbed over the tendency to mingle on friendly terms with German civilians, and also over news photographs published at the time which showed a ⁵⁹ failure to adopt a stern attitude towards German prisoners of war. Tight censorship was promptly imposed upon all pictures showing fraternization and upon news stories playing up the friendly acts of Americans, ⁶⁰ and commanders were ordered to take disciplinary action. In a press conference soon after these events, General Eisenhower commented upon

the apparently friendly attitude of the Germans and reiterated his determination that there should be no fraternization. ⁶¹

c. A representative of Stars and Stripes, posing as an ordinary enlisted man, made a confidential report upon fraternization in and around Aachen in October 1944, when the battle for that city was still raging. ⁶² This observer reported instances of kindness to German children, and commented at length upon the consideration shown to refugees in the way of housing, transportation, and food. He found that rumors were rife among the troops concerning the coddling of German prisoners of war in enclosures in the United States, and of friendly courtesies between high-ranking American and German officers. The perplexities of the American soldier on finding that the enemy whom he had been taught to hate and fear was a people with a culture and living habits so much like his own had already become evident. Some of the results of these observations at the front were published in an editorial entitled, "Don't Get Chummy with Jerry." ⁶³

12. Orientation of Troops in the Policy of Nonfraternization.

In October 1944 a keen observer said: "If ever there was an order that had to be explained, the nonfraternization order is it." ⁶⁴

To explain the policy almost every modern device of publicity was contemplated. In October 1944 the War Department considered a scheme to encourage the writing of letters from home on nonfraternization. ⁶⁵

It was planned to acquaint the American public with the characteristics

of the German people and to encourage a campaign of letter writing designed to make the soldier conscious of public opinion at home. There is no evidence that this scheme was ever put into effect. In the European Theater, it was proposed that special motion picture trailers be constructed and used to convince the soldier of the necessity of nonfraternization. ⁶⁶ Apparently no such trailers were ever put into use. In the period preceding V-E Day, the army relied upon more orthodox methods of publicity, using especially the media of the soldier press, the motion picture, and the radio.

a. Much space was given to nonfraternization in the soldier ⁶⁷ press. The Stars and Stripes published numerous articles and editorials tending generally to support the policy of the Supreme Commander. The magazine Yank also published articles in the same vein, and the weekly supplement of Stars and Stripes, known as War Week, devoted its whole issue of 4 November 1944 to the campaign. Numerous issues of Army Talks were devoted to articles designed to present the German people in the light of their history and to warn the soldier against mingling with them on friendly terms.

b. The film "Your Job in Germany," produced by the War Department, was distributed in the European Theater and shown widely, ⁶⁸ beginning in January 1945. This film was a pieturization of German history, playing upon the military tradition and the contrast with the peaceful and industrious home life of the average German. All personnel in the European Theater were required to view this film.

c. The Allied Forces Network was used extensively for propaganda on nonfraternization after the beginning of the rapid advance into German territory in the spring of 1945. This propaganda took the form, for the most part, of spot announcements squeezed in between the programs of entertainment. Some of these were of the slogan type, like "Soldiers wise don't fraternize." That the persons responsible for this program did not hesitate to exaggerate for the propagandist effect, the following examples among the seventy-four spot announcements used in this campaign indicate:

Pretty German girls can sabotage an Allied victory. Don't fall for that booby trap. Steer clear of all German civilians. Don't fraternize!

A tap-tapping of heels, a German girl walking by-- pretty to look at. Her smile is nice too. Don't play Samson to her Delilah...she'd like to cut your hair off--off at the neck. Don't fraternize.

In heart, body and spirit...every German is Hitler! Hitler is the single man who stands for the beliefs of Germans...Don't make friends with Hitler. Don't fraternize!

If, in a German town, you bow to a pretty girl, or pat a blond child...you bow to Hitler and his reign of blood...you caress the ideology that means death and persecution. Don't fraternize!

13. Fraternization with German Military Personnel.

a. The basic directive on the policy of nonfraternization contained no specific rules on conduct with reference to German prisoners of war. Although the directive applied to "Germans" and referred here and there to military personnel, and thus was undoubtedly

intended to prohibit fraternization with German prisoners of war or other military personnel, it gave little guidance for the day-by-day relations with the ever growing number of German prisoners of war.

b. Soon after the entry of our armies into Germany, instances of fraternization with prisoners of war came to the attention of Theater Headquarters. In particular, the question was raised of whether American personnel might acquire, as war souvenirs, articles in the possession of prisoners of war which could not be taken from them under the terms of the Geneva Convention. A Theater directive of 9 November 1944 forbade the selling or bartering of articles between American and German military personnel and made it clear that the ban on fraternization covered military as well as civilian personnel.⁷¹ The ban on selling and bartering between American and German military personnel was in clear violation of the existing War Department regulations.⁷² Accordingly, a directive was issued on 5 February 1945 bringing the Theater rule into line with the War Department policy, thus permitting the acquisition of souvenirs from German prisoners of war, but enjoining all commanders to see to it that this practice did not circumvent the policy of nonfraternization.⁷³

14. Charges of Violations by Military Government.

Charges were made that the chief violators of the orders on nonfraternization, in the period when the Allied forces had only a toehold in German territory, were the members of the military government

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detachments. It was charged that military government officials were
too solicitous in housing and feeding German refugees; ⁷⁵ and that the
military government detachments in newly captured towns first took the
best in billets and then promptly engaged the most attractive German
girls as office help and domestic servants. ⁷⁶ That there was some
basis for these and similar charges is shown in communications sent
to military government staffs in the field. In one of these it was
⁷⁷
said:

Reports from the field indicate the military government
detachments and G-5 staffs of subordinate formations are
inclined to try to do too much to relieve the problems
of the German people. There seems to be a disposition
to approach the administration of Germany with the idea
that it is our job to make Germany a "happy land" again.
It is essential that all military government personnel
be disabused of this concept.

The tendency towards a lenient attitude on the part of officers of
military government was explained on the grounds that they had
received their training before the policy of the United States and
British governments, as embodied in CCS 551, had been made known. ⁷⁸

15. Observance of the Orders on Nonfraternization up to V-E Day.

a. As the Allied armies swept forward in Germany after the
crossing of the Ruer River in February and of the Rhine River in
March 1945, the opportunities for fraternization became much greater.
Yet it is generally granted that, up to V-E Day, the policy of non-
fraternization was well observed, and that violations were on a
comparatively small scale and not especially serious in nature. There

were two important reasons for this: first, a general acceptance by the troops of the need for avoiding contact with the German population for security reasons;⁷⁹ second, the rapid movement of units, which left little leisure time and allowed little opportunity for the development of local contacts. Fraternization was more common among rear echelon and headquarters troops and in units which were assigned to the occupation of the Rhineland.⁸⁰

b. There is little available documentary evidence to show in any precise way the extent and nature of the violations of the orders on nonfraternization before V-E Day. However, there were violations in the First United States Army which were serious enough to result in courts martial and fines as early as November 1944.⁸¹ The first courts martial for fraternization in the Third United States Army occurred in April 1945. The Provost Marshal of the Third United States Army received two delinquency reports for fraternization in March, ninety-three in April, and twenty-six in the week ending 8 May 1945.⁸² A summation of the views of war correspondents with the armies in Germany in April 1945 revealed that fraternization was not regarded by them as a serious problem.⁸³ The violations which occurred were mostly cases of men seeking the company of women or visiting German homes. Experience during the campaign had clearly revealed that the rule of nonfraternization would be difficult to enforce. The cessation of hostilities, with an increase in the leisure time available to the troops, brought fraternization into the foreground as one of the major problems of the occupying forces.

Chapter II

NONFRATERNIZATION FROM V-E DAY TO 30 SEPTEMBER 1945

ATTITUDES OF THE TROOPS

16. Intensified Efforts to Orient Troops.

After the capitulation of the German armies, efforts to orient the troops in the policy of nonfraternization were intensified. Articles in the soldier press became more frequent and the spot announcements on the radio a continuous barrage. A poster campaign was instituted. It was said that a quarter of a million antifraternization posters were distributed within the armed forces. Posters drawing an analogy between the hand of the German raised in the Nazi salute and the same hand extended in friendship and others playing upon the "fraulein" theme and the dangers of venereal disease were posted in all gathering places, such as billets and messes, and were even displayed on the streets of German cities. In the period

Immediately following V-E Day, the first adverse reactions to the campaign of propaganda began to show themselves. The battle-hardened veteran began to resent the constant repetition of the nonfraternization slogans and to be mildly amused by the radio campaign, which seemed so much like the "commercials" of the home networks. Some observers believed that the campaign of orientation defeated its own purpose by failing to make an appeal to the intelligence of the soldiers. Some found in the shortcomings of the program of orientation the main reason for the difficulty in enforcing the nonfraternization policy. Mistakes were no doubt made; but it is likely that, under the conditions which existed after the close of the campaign in Germany, no amount of orientation or propaganda could have convinced the troops of the soundness of the policy of nonfraternization.

17. Change in Attitude of Troops after V-E Day.

The evidence is overwhelming that the vast majority of Americans in the European Theater were convinced of the necessity for the policy of nonfraternization as long as the campaign continued. To most persons it was simply a matter of security of the individual and of the organization of which he was a member. With the end of the campaign, there was a fundamental and rapid change in the attitude of the troops. A number of reasons may be advanced to explain the change of opinion.

a. First among the reasons for the change of soldier opinion toward fraternization was the reaction from battle conditions. The

let-down from the strain of wartime effort left the soldier with a desire to have his fling and to seek entertainment during his newly found leisure. He attempted to recapture something of peacetime conditions. It was inevitable that the urge to escape from battle conditions would lead the soldier to seek the company of members of the resident civil population.

b. The soldier was also moved by curiosity--a desire to become acquainted with the customs and manner of thinking of the people in the defeated country. ⁴ During the war, large numbers of Americans found themselves for the first time in foreign lands, where they mingled freely and on friendly terms with the inhabitants of the countries through which they passed in the march toward Germany. Upon arrival there and the cessation of fighting, the same curiosity which had moved the American soldier to observe the people in the streets, in the bars, and in their homes in other foreign lands now moved them to play the tourist in Germany. Their curiosity was reinforced by the first impression that the German people have many customs and standards in common with Americans. Thus, many Americans felt themselves to be more at home in Germany than in the other European countries visited in the course of their military service. Observation of how the Germans lived, worked, ate, and thought led the typical American soldier to make many comparisons which were adverse to the people of other European countries through which he had passed. The evidences of material comforts and cleanliness had a

profound effect upon the average American soldier.

c. Another motive which led the American soldier to change his mind about fraternization and to seek contacts with Germans was his desire to obtain certain material benefits. The propensities of the American soldier for souvenir hunting are well known. After the cessation of hostilities, he found that his cigarettes and chocolate bars could be bartered in Germany for valuable cameras, jewelry, and works of art. There was, of course, in this relationship the foundation of an extensive black market. No doubt many of the early contacts between American and German personnel were of this kind. Many, however, were of a more innocent nature, although motivated, nevertheless, by a desire to obtain some material benefit. German handicraftsmen were sought to repair boots or to make souvenir articles. German children were contacted to serve as messengers for the arrangement of personal services such as the washing and mending of clothes. As one American soldier observed, fraternization appeared to be the best solution of the laundry problem.⁵

d. The American soldier felt that he was being discriminated against in not being allowed to seek his pleasures where he might find them. He observed that the German Army, when it was serving as forces of occupation in conquered countries, had no rule of nonfraternization. He observed also that the Allied armies did not enforce a rule of nonfraternization in Italy or in any of the European countries liberated from German domination. It was difficult for the soldier,

now released from the demands of combat, to see a difference with reference to the German people. To a soldier seeking entertainment in his off-duty hours the rule of nonfraternization seemed to be an arbitrary interference with his liberty of action, such as had not been imposed upon him before his entrance into Germany nor within the German Army when operating in other countries.

e. There is also evidence to show that the average American soldier was convinced that his freedom of action was much more restricted than was the case with members of the British, French, and Russian armies of occupation in Germany. Whatever may have been the facts about the existence or nonexistence of rules against fraternization in these other armies, many American soldiers were convinced that no such rules existed, or if they existed, that they were enforced with such laxness.⁶ Thus, the American soldier felt a certain jealousy toward his comrades in the other Allied armies, who, he believed, enjoyed greater freedom in their off-duty hours.

f. There was also within the United States Army some knowledge of the fraternization between United States troops and the German civil population of the Rhineland after World War I.⁷ The typical soldier was not convinced that the circumstances were substantially different in World War II, and he therefore began to feel that fraternization could be permitted as it had been after the previous war.

g. The program of redeployment of United States troops to the Pacific area had its effect upon the thinking of soldiers with

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reference to fraternization. The personnel of units marked for direct shipment to the Pacific area were inclined to seek whatever possibilities of entertainment offered themselves. A soldier who had just finished one campaign and who knew that he was about to commence another usually had thoughts of seeking the company of women and the release that alcohol can give. It was not surprising that soldiers in these circumstances should seek to satisfy their desires within the resident civil population. Moreover, the redeployment program meant that large numbers of soldiers had many idle hours to pass as they marked time before their long voyages either to the Pacific area or the United States. Resentment grew among them when they could not occupy their idle time by seeking entertainment such as would have been open to them if they had been stationed on an army post in the United States.

h. All of the above mentioned explanations of the changing attitudes of the troops towards fraternization may be said to represent the soldier's positive reactions to existing conditions. There is, however, one other factor which occupies such space in the writing relating to this subject. It is the temptations which allegedly were placed before the American soldier by German women. Many persons commenting upon the fraternisation problem in the period immediately following V-E Day go so far as to say that the moral standards of German girls and women were low or nonexistent. The effects of Nazi propaganda in encouraging illicit sexual relations are dwelt upon. The abject economic condition of the German population at the time

of their defeat is recognized as another factor encouraging prostitution. Some persons tend to excuse the American soldier for mingling on friendly terms with the German populace and to place the blame directly upon the German women. There is no doubt that the American soldier in his relations with German women found standards of conduct that were decidedly different from those to which he had been accustomed. Stories survive of flagrant displays made by German girls and women,¹⁰ and many instances of open solicitation have been recounted. The "free and easy" attitude of the German women and her readiness to seek the company of American soldiers bearing chocolates and cigarettes in their pockets undoubtedly placed temptation in the way of the American soldier. It can at least be said that the American soldier found that German girls and women were, on the whole, willing to cooperate in his violation of the strict military orders against fraternization.

THE EMPLOYMENT OF GERMAN CIVILIANS AND ITS EFFECT UPON FRATERNIZATION

18. Early Development of Policy.

The United States Army came to the Continent without any clearly defined policy relating to the employment of German civilians. The policy as defined in advance, based upon directives of Supreme Headquarters, was that the labor of enemy civilians could be requisitioned

as needed under the provisions of the Hague Convention,¹¹ but that such labor would be employed on a voluntary basis only under "special circumstances,"¹² and only after the manpower offered by the displaced person population had been fully exploited.¹³ This was a restrictive policy, apparently contemplating the employment of relatively few Germans. From the evidence of documents at hand, it appears that Supreme Headquarters continued to hold that the employment of many Germans would be dangerous from the point of view of security and inconsistent with the policy of nonfraternization, and liberalized its policy only under the pressure of events. In the summer of 1944, Theater Headquarters apparently interpreted the policy of Supreme Headquarters to exclude altogether the employment of enemy nationals in liberated countries.¹⁴ However, Theater Headquarters and the armies in the field wished, from the first entry into Germany, to follow a more liberal policy and to make a fuller use of German manpower.

19. Beginning of Employment of Germans.

No sooner had the armies entered Germany than employment of Germans began. In the vicinity of Aachen, enemy civilians were employed in making road repairs, in cleaning and repairing buildings for military use, as nurses' aide,¹⁵ and in some skilled trades. The Military Government Detachment at Aachen employed six Germans in stenographic and clerical work.¹⁶ The Military Government Detachment in Kornelmunster, during the first month of military government in Germany, employed four

English-speaking German girls in its office. At the same time when the Third United States Army was in possession of only four small German towns, a daily average of 225 civilian workers was employed on road repair in one of them, Niedaltdorf. The employment of gang labor in these early instances was in accord with the policy of Supreme Headquarters, but it may be questioned whether the introduction of Germans into headquarters and offices was a "special circumstance" within the meaning of the directive. In the period when our armies occupied only a small part of Germany, the demand for local labor greatly exceeded the supply. There were instances of resentment on the part of the local population against those inhabitants who worked for the conquering armies, and for this reason gangs of laborers working on roads and railroads and in saw mills or other isolated locations were escorted to and from work under military guard.

29. Employment of Liberated Nationals in Germany.

As the occupied area of Germany increased, the problem of finding labor became more pressing. In Supreme Headquarters, the possibility of transporting large numbers of civilian employees from the liberated countries into Germany was given serious consideration at the end of 1944 and in the early part of 1945. In January 1945 all branches of the United States forces were directed to furnish estimates of their requirements for labor, in order that the governments of Allied nations might be approached with a view to negotiating labor

contracts. ²² In February 1945 the missions to France, Belgium, and the Netherlands were instructed to begin negotiations to obtain the consent of their governments for the transfer of their nationals into Germany, particularly for employment in clerical, administrative, and technical capacities. ²³ The number of civilian employees it was desired to move into Germany at that time is shown in Table I. ²⁴

Table I
ESTIMATES OF LIBERATED NATIONALS REQUIRED IN GERMANY

	CLERICAL AND TECHNICAL EMPLOYEES		MOBILE UNSKILLED LABOR	TOTAL
	Male	Female	Male	
France	10,200	5,950	6,300	22,450
Belgium	19,100	7,000	20,000	46,100
Netherlands	870	1,240	10,000	12,110
Total	30,170	14,190	36,300	80,660

The need for labor was urgent, and some units proceeded to transport liberated manpower into Germany without waiting for the approval of the governments concerned. ²⁵ Favorable action by the governments of

Belgium and the Netherlands came in April 1945; but the Netherlands authorized the transportation of only 2,000 clerical and administrative employees,²⁶ and the large numbers desired from Belgium never arrived. The government of Luxembourg also agreed to the employment of a limited number of its nationals in Germany.²⁷ France, however, which was considered in Supreme Headquarters as the most likely source of labor for use by the armies in Germany, refused to consent to the movement of her nationals into Germany for employment by the United States and British forces.²⁸ Some French nationals had already been moved into Germany, so that the effect of the French decision was to close France as a further source of labor supply. Thus, the negotiations looking toward the transportation of large numbers of liberated nationals into Germany to supplement military manpower proved to be disappointing. Supreme Headquarters was, therefore, forced to consider other sources of labor, and the inevitable result was a liberalization of its policy relating to the employment of Germans.

21. Liberalization of Policy Relating to the Employment of Germans.

a. The policy which closely restricted the employment of Germans was liberalized only after long and bitter controversy and with the greatest reluctance of the highest authorities. The papers connected with this controversy show clearly that the policy of non-fraternization was an important factor working against the authorization²⁹ of the employment of Germans. Supreme Headquarters, already aware of

the difficulties of enforcement of the nonfraternization rule, realized that they would be still greater if Germans were employed in large numbers in military establishments, and especially if Germans were employed in positions bringing them into close contact with the troops.

b. In October 1944 Theater Headquarters issued a directive which authorized a much more extensive employment of German civilians than was contemplated by the then restrictive policy of Supreme Headquarters.³⁰ That general employment of German civilians was authorized is shown in the schedules attached to the directive, which listed one hundred and twelve skilled and semiskilled trades, fifteen clerical and supervisory occupations, including private secretary and office manager, and fourteen hotel, mess, and hospital occupations. In January 1945 Supreme Headquarters ruled that Germans could not be employed in post exchange stores or other welfare or recreational services.³¹ When notified of this decision, 21st Army Group (British) stated that it had planned to employ as many as 20,000 Germans in menial tasks in connection with its welfare plan in Germany.³² The Army Group had already surveyed the possibility of finding other sources of labor, and it now went on record against the feasibility of using displaced persons. The proposal of 21st Army Group precipitated the issue in Supreme Headquarters. The outcome of the controversy, which had to be presented in the end to General Eisenhower for his personal decision, was the communication of policy to the effect that Germans could be employed in welfare services provided that they did

not in any way come in contact with troops other than those engaged
in their supervision. ³³ The same pronouncement greatly liberalized
the policy of Supreme Headquarters in other respects. It was stated
that unskilled gang labor would be used for outside work to the
extent that it was required and available, and skilled labor to the
extent that it was required and available and consistent with the
policy of nonfraternization. ³⁴ Thought in Supreme Headquarters had
moved far from the concept of the employment of Germans only in
"special circumstances." The policy of Supreme Headquarters had now
veered around to a close agreement with that of Theater Headquarters,
disagreement existing merely with respect to certain types of work
from which Germans should be excluded for reasons of security or
fraternization.

c. Shortly after the promulgation of this new liberalized
policy, another and contradictory document was issued by Supreme Head-
quarters. ³⁵ This document, announcing a policy even more restrictive
than the original policy of Supreme Headquarters, ³⁶ stated:

4. Civilian Labor. Civilian personnel in Germany
will not be employed unless the military manpower
situation demands that it be done. If forced to this
expedient, every possibility of hiring non-German
civilians will be exploited, particularly those
civilians who may have been imported into Germany by
the Nazi government. If this source is exhausted, it
may be necessary to hire German civilians for menial
tasks, preferably those where they do not in any way
come in contact with the troops.

a. Fraternization. Subject to the above policy,
British/US commanders may employ German civilian labor

if absolutely necessary on menial tasks connected with welfare organizations, i.e., NAAFI/Army Exchange Stores, and for other purposes concerned with recreation of Allied troops. The most stern and rigid discipline must be observed to prevent fraternization.

This statement of policy may be said to have reintroduced the principle of "special circumstances." Moreover, the word "menial" was now introduced for the first time in an official statement of policy, and unusual emphasis was placed on the element of fraternization. The policy of Theater Headquarters, which had been consistently more liberal than that of Supreme Headquarters, was promptly changed to accord with the new directive.

d. During March 1945 the policy relating to the employment of German civilians underwent thorough discussion and revision. There was agreement among the authorities concerned that Germans should be used extensively as unskilled labor on such tasks as road repairs and removal of rubble, and also as skilled labor. In these cases it was believed that the policy of nonfraternization would not be seriously undermined, because the Germans employed would be brought into contact only with the troops charged with their supervision. With respect to the employment of Germans in post exchange stores, recreational installations, and as domestic help in quarters and messes, the authorities were by no means agreed. The G-1 Division of Supreme Headquarters took the view that the employment of Germans in positions which would bring them into contact with the troops during their

leisure hours would create an irresistible temptation for fraternization, and therefore argued that the employment of Germans should be limited to tasks which would not bring them into contact with troops other than those engaged in their supervision. The G-4 Division of Supreme Headquarters, probably moved by the necessities of obtaining labor, argued that field commanders should be allowed to take the responsibility for employing Germans in capacities which were likely to bring them into contact with the troops in their leisure hours.

e. The outcome of this controversy was a reaffirmation of the liberal policy formerly announced by Supreme Headquarters. Specifically, it was made clear that it was the cable of 27 February 1945 and not the administrative memorandum of 1 March 1945, which should be understood as the authoritative statement of policy. Moreover, it was made clear that Germans were not to be limited to "menial" tasks. Employment of Germans in professional, technical, and other skilled positions was authorized, but always within the limits of the policy of nonfraternization. ³⁹ The new policy was incorporated into the basic directives of both Supreme and Theater Headquarters by ⁴⁰ appropriate changes published just before or soon after V-E Day.

22. Increase in Employment of Germans after V-E Day.

a. The policy of Supreme Headquarters required the employment of displaced persons and enemy prisoners of war ahead of German civilians. There were, however, many types of employment which were

regarded as unsuitable for prisoner labor, and there was a good deal of distrust of the displaced person population as a dependable source of static labor. For one thing, it was doubted that we would have the full cooperation of displaced persons, and for another, there did not appear to be any legal means to prevent displaced persons from leaving their employment in order to return to their homes. In spite of priorities established by Supreme Headquarters, more and more reliance was placed upon the German civilian after V-E Day. Statistical data are fragmentary, but the trend in the Seventh United States Army, as shown in Table II,⁴¹ on the following page, was probably typical. Before V-E Day, the civilian employees of the Seventh United States Army were all liberated nationals, mostly French. These were replaced rapidly after the entry into Germany by displaced persons, and these in turn after V-E Day by German civilians. It was not long until the number of German civilians far surpassed the number of displaced persons in employment. The Third United States Army employed some 250 German civilians in its headquarters in June 1945.⁴²

b. In July, the employment of a large number of Germans in civil censorship was authorized.⁴³ At the same time, the employment of Germans in bands and orchestras, and in special circumstances as other types of entertainers was authorized.⁴⁴ The private employment of German civilians in officers' billets and messes was checked within the Frankfurt Restricted Area in August 1945 and the employment of all domestic servants was placed under the control of Headquarters Command.⁴⁵

Table II

CIVILIANS EMPLOYED BY SEVENTH UNITED STATES ARMY

PERIOD ENDING	LIBERATED NATIONALS	DISPLACED PERSONS	GERMAN NATIONALS	TOTALS
24 Mar 45	4,545			4,545
31 Mar 45	1,835			1,835
7 Apr 45	1,275	403		1,678
14 Apr 45	585	1,225		1,810
21 Apr 45	260	2,524		2,784
28 Apr 45	182	2,425		2,607
5 May 45	187	2,424		2,611
12 May 45	238	2,433		2,671
7 Jul 45	719	1,887	285	2,891
14 Jul 45	45	1,577	1,196	2,815
28 Jul 45	21	1,717	1,866	3,604
4 Aug 45	18	1,876	1,799	3,693
19 Aug 45	33	1,868	2,519	4,420
25 Aug 45	192	2,421	2,155	4,768
1 Sep 45	233	1,926	4,820	6,979
8 Sep 45	195	1,954	3,876	6,025
15 Sep 45	198	2,217	4,826	7,241
22 Sep 45	7	1,697	5,882	7,526
6 Oct 45	96	1,457	5,586	7,139
13 Oct 45	108	1,106	7,398	8,612
27 Oct 45	186	906	7,231	8,377
10 Nov 45	162	1,068	7,906	9,136
24 Nov 45	33	4,956	24,730	29,919
8 Dec 45	56	5,838	27,322	33,217
21 Dec 45	625	8,404	12,832	21,859

At the end of August 1945, the use of German nationals as instructors in the Army education program was begun.⁴⁶ German instructors were authorized only in technical subjects and continued observance of the rule of nonfraternization was required. At the end of September, the employment of German civilians as drivers of military vehicles was approved by Theater Headquarters.⁴⁷

c. In the meantime, some steps had been taken to formulate a general policy with reference to the employment of civilians. In August an interim policy was announced, which declared that the employment of civilians in the occupied zone of Germany would be limited to personnel then under contract, United States military personnel discharged to accept positions in the Theater, United States male specialists and highly skilled technicians recruited in the United States, indigenous personnel, and displaced persons.⁴⁸ This pronouncement of policy was especially significant for the apparent abandonment of hope for the recruitment of manpower in Great Britain and the liberated countries, and for the higher priority given to German personnel than to displaced persons. On 22 September 1945 a directive was published which stated that the employment of civilians in the occupied zone of Germany would be limited to the following, priority being given in the order listed:⁴⁹

- (1) United States military personnel discharged to accept employment in the Theater;

- (2) United States personnel released for employment in the Theater by other federal agencies, civil organizations, or private firms;
- (3) Displaced persons;
- (4) Enemy and ex-enemy personnel;
- (5) British and liberated manpower; and,
- (6) United States citizens, male and female, recruited from the United States.

Thus, the priority of displaced persons over German civilians was restored, but it was clear that the United States Army was going to rely upon manpower available and resident in Germany rather than upon importations from other countries or the United States. A little later, the policy and procedures relating to the investigation of German civilian employees from the point of view of security were elaborated and regularized, and it was provided that enemy and ex-enemy persons could be employed only in positions in which they would not have access to information classified confidential or higher.⁵⁰

23. Provision of Meals for German Employees.

a. The policy of Theater Headquarters, as formulated before large-scale occupation of Germany began, provided that no food rations could be furnished to static German civilian labor, except in the case of hotel, mess, and hospital employees who might be furnished up to three meals per day.⁵¹ Early in 1945, this policy was liberalized to

authorize the furnishing of at least one meal per day to static laborers when they were unable to obtain meals through ordinary civilian channels, when malnutrition undermined efficiency, or when the civilian ration was not adaptable to portable lunches; and up to three meals when ordinarily static labor became temporarily mobile. In the Third United States Army, it was decided that this directive authorized the provision of three meals per day to German railway employees.

b. The question of whether static German civilian employees might be provided meals was presented to Supreme Headquarters by 21st Army Group (British) in March 1945. This led to the formulation of policy by Supreme Headquarters to the effect that such employees might be provided a noon meal at their own expense and when necessary to promote efficiency, but that military stocks could not be drawn upon for this purpose except with the specific approval of Supreme Headquarters. Theater Headquarters was not satisfied with this decision, arguing that conditions might well arise when food would not be available from German sources. Theater Headquarters also pointed out that hotel and mess employees offered special problems. If employees engaged in the handling of food were not provided with meals, it was perceived that a strong incentive would be given to pilferage. Supreme Headquarters, however, reiterated its decision that military stocks could not be used in feeding German civilian employees without special authorization from Supreme Headquarters.

Theater policy was accordingly changed to conform with the regulations laid down by Supreme Headquarters.⁵⁸ It was not until the month of December 1945 that this decision was modified. At that time the provision of a noon meal, not to exceed 1,200 calories, from United States Army stocks was authorized in case other supplies procured locally or through Military Government channels were not available.⁵⁹ The provision of meals as an incentive or as a bonus, or to Germans not employed by the United States Army, was specifically forbidden. As German civilian employees were not admitted to messes of the United States Army,⁶⁰ special messes were established to accommodate them.

THE EXTENT AND NATURE OF VIOLATIONS OF THE POLICY OF NONFRATERNIZATION

24. Upsurge of Violations after V-E Day.

The reports from the field were unanimous in saying that the number and seriousness of the violations of the policy of nonfraternization rapidly increased after the close of hostilities.⁶¹ Objective measurements of the extent of the violations were practically impossible to obtain. Some evidence was presented by the rising venereal disease rate and the increase of courts martial involving charges of fraternization. Since most of the violations were well concealed, the true facts will probably never be known. Estimates of the extent of

violations, a few of which are presented in Table III, ⁶² varied widely. The extent of violation undoubtedly differed greatly from unit to unit and from place to place. The evidence also strongly indicated that the rate of violation of nonfraternization rules increased rapidly week by week after the close of the campaign.

Table III

ESTIMATES OF EXTENT OF FRATERNIZATION FROM V-E DAY TO
30 SEPTEMBER 1945

4th Armored Division	15 - 20%
70th Ordnance Group	all but a small percentage
53d Quartermaster Base Depot	all members of unit
60th Infantry Regiment	minority
9th Infantry Division	fraternization was the rule rather than the exception

25. Fraternization with German Children.

General Eisenhower once said, "Neither GI's nor Tommies will ever stop being friendly with children, I don't care what nationality ⁶³ they are." All observers agree that violation of the rule of fraternization began with children. ⁶⁴ Members of the Allied armies could not resist the appeal of German children who crowded around their jeeps,

haunted their mess lines, and frequented the company areas. All regulations to the contrary, the soldiers were soon passing out candy and gum, and seeking the company of children as one means to recapture some aspects of a normal home life. At the same time, there was apprehension in some quarters that a relaxation of the ban on fraternization with children would be interpreted on the home fronts as evidence of the adoption of a "soft peace."⁶⁵

26. Contacts with German Girls and Women.

The vast majority of clandestine contacts were with German girls and women. The instances of soldiers seeking the company of German males were rare. The Allied soldier had a fresh memory of opposing the German male in battle, and had little desire to seek friendly contacts with the male element of the German civil population. This antagonism, however, did not apply to German women. There were, of course, many soldiers who could not absolve German girls and women from their share in supporting the Nazi government and armies throughout the war. Such matters could, however, easily be forgotten by the battle-weary soldier who was seeking female company. It is impossible to state with any certainty the proportion of Allied soldiers who associated at that time with German girls. It is clear, however, that the vast majority of violations of the rule of nonfraternization, especially after the relaxation of that rule as respects children, were in the nature of sexual contacts.

27. Fraternization for Material Advantages.

Many violations of the rule of nonfraternization were inspired by desire for material advantages. ⁶⁶ Some of these were of a comparatively innocent nature, such as contacts with German women for the purpose of having laundry and sewing done or other personal services performed. In the same category was widespread barter to obtain cameras, glassware, and objects of art from the Germans. These contacts developed rapidly into a flourishing black market. The shortage in the German economy of cigarettes, gasoline, coffee, and to a lesser extent alcoholic beverages, and the availability of these goods within the military establishments, or by importation in packages from home, placed the Allied soldier in a position to make huge profits. The German people desiring these goods for their own use or for sale or barter to obtain food and fuel were willing to pay inflated prices. Almost every contact to obtain a material advantage was, of course, a violation of the rule of nonfraternization. Moreover, contacts once formed for the purpose of gain could, and often did, develop into the friendly intercourse which was specifically prohibited in the directive on nonfraternization. Since all contacts of this sort had to be surreptitious as long as the rule of nonfraternization was in effect, problems of law enforcement and the maintenance of public order were presented to both the American and German authorities. The stimulus to steal gasoline and other Army stocks for trading in the black market was a demoralizing factor. In

September 1945 Theater Headquarters undertook to check these trends by making clear the regulations as affecting both American and German personnel. The Military Government published a notice declaring it unlawful for Germans to acquire, sell, barter, or exchange articles supplied for the use of the United States forces and placing upon the German civilian the burden of proof that such articles found in his possession were legally acquired. ⁶⁷ It is significant to note that this regulation did not make it unlawful for Germans to have in their possession articles of American manufacture or origin which had been acquired by gift from American personnel. It was, however, pointed out to American personnel that the giving of gifts by Americans to Germans, except in the case of young children, was prohibited by the rules of nonfraternization. ⁶⁸ Americans were at the same time reminded that Army regulations prohibited the sale, barter, or exchange of articles purchased in post exchange stores. They were also advised that they were prohibited to purchase rationed goods or services such as food, meals in restaurants, clothing, footwear, textiles, soap, and fuel. An appeal was made to the American soldier not to pay inflated prices for nonrationed German goods and in other ways to cooperate in a program for the repression of the black market. As long as the rules on nonfraternization were maintained in effect, contacts for black-market purposes had to be surreptitious and furtive. There are many observers who believe that the later relaxation of the ban of fraternization opened the door to more extensive black-market

dealings, as contacts could then be made without fear of punishment for fraternization.

28. Shopping in Germany.

a. The question of whether Allied troops should be allowed to shop in Germany came up in an early stage of the discussions leading to the formulation of the policy of nonfraternization. The American political adviser maintained that there should be a prohibition against buying in German shops. He argued that the Allied forces would bring them sufficient supplies to satisfy their needs and that the goods available in Germany would be needed in the restoration of the German economy. The recognition of these economic considerations would, in his view, simplify the enforcement of nonfraternization. Shopping by Allied troops was implied in the early decision to have a reichsmark currency for the forces of occupation in Germany. The use of Allied military marks was prescribed in the earliest directive to the Supreme Commander on occupation policy, although it did not state specifically that the troops should be paid in marks.⁶⁹ The later directive to the Supreme Commander, applying to occupation policies after the German surrender, stated specifically that the troops would be paid in marks.⁷⁰ It would appear that the only good reason for putting marks into the hands of Allied troops was to make it possible for them to make purchases from the Germans, and it was generally assumed late in 1944 that the troops would have

this right. It is clear, however, that General Eisenhower did not readily accept this view, and that he believed shopping would open the door to general violation of the policy of nonfraternization. He indicated that he did not intend that American troops make purchases in German shops. ⁷² When a paper relating to the payment of Allied troops in marks was submitted to General Eisenhower, he noted in its margin, "Do we contemplate our soldiers shopping in Germany? If so, how do we even pretend to avoid fraternization? Let's look at the whole question from all sides, particularly so far as payment of troops is considered." ⁷³

b. The whole subject of shopping in Germany was given careful consideration in the spring of 1945. ⁷⁴ It was agreed by some that the purchase of an article in a shop is simply a business transaction and does not involve a social or personal relationship. Moreover, it was anticipated that there would be available in Germany many desirable items such as cameras, cutlery, and instruments requiring fine workmanship, and that a prohibition against their purchase would be resented by the troops. At the same time, the danger of fraternization in connection with the entry into German shops was clearly recognized. One solution proposed was that the soldier should remain in the shop ⁷⁵ only long enough to consummate the purchase. The upshot of this discussion was the formulation of policy at the highest level just at the end of the campaign. ⁷⁶ Troops were permitted to make purchases in Germany under carefully specified restrictions. First, it was required that shopping should be carried on in such a way as not to

promote fraternization. Secondly, troops were prohibited from buying rationed foods, meals in restaurants, and all goods or commodities controlled by the German government under military supervision. The memorandum announcing this policy had hardly been issued when it was followed by another, apparently a sort of afterthought, dwelling upon the dangers of fraternization involved in shopping in Germany. ⁷⁷

Supreme Headquarters recommended that wholesale purchases of German goods be made for sale in post exchange stores and their equivalent in the British Army. In September 1945 the list of articles which United States troops were prohibited from purchasing was extended to include clothing, footwear, textiles, soap, and fuel. ⁷⁸ The Theater-wide prohibition against engaging in business, announced in the spring of 1945, applied in Germany as well as in the liberated countries and was calculated to prevent the purchases of Allied troops from taking the form of a business for profit. ⁷⁹

29. Americans Having German Relatives.

a. One of the most curious features of the policy of non-fraternization was the attempt to bar from the United States forces of occupation all persons who had relatives of specified degrees living in occupied territory. This matter was first raised in the fall of 1944, when it was proposed that all United States military personnel having relatives of German nationality resident in the occupied area ⁸⁰ should be transferred to duty other than that area. It was pointed

out that Americans would wish to visit their relatives in Germany and that this would be a clear violation of the policy of nonfraternization. If such visits were prohibited, it was believed that there would be serious discontent on the part of the individuals concerned and that the whole scheme of nonfraternization might be undermined. It is especially significant to note that, when this matter was presented to the Chief of Staff for his approval, mention was made only of blood relatives. When the policy took the form of a directive, it was applicable not only to blood relatives but also to relatives by marriage.

b. The first directive on this subject was issued on 29 March 1945. ²¹ According to its terms all members of the United States forces having relatives of specified degrees in occupied territory were to be excluded from the forces of occupation, or to be transferred if already assigned. The degrees of relationship were as follows:

Relatives by Blood

Grandparents
Parents
Brothers or half brothers
Sisters or half sisters
Sons
Daughters
Uncles
Aunts
Cousins (if descended from one or more grandparents of the individual concerned)

Relatives by Marriage

Husbands
Wives
Fathers-in-law
Mothers-in-law
Brothers-in-law
Sisters-in-law

All persons having a relative in occupied territory in any one of the above degrees were not to be assigned to a unit forming part of the

forces of occupation, or if already so assigned were to be transferred without prejudice. The only exception recognized in the original directive was the enigmatical one that members of the Military Intelligence Service who fell into this category would be transferred to the headquarters of that service.

c. This directive met with objections, especially in G-5 and
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G-2 circles. Both of these divisions pointed out that they had consciously recruited personnel with German antecedents in order to have persons acquainted with the German language, customs, and institutions. A strict enforcement of the directive would have deprived the G-5 Division of many of their best-qualified translators and interpreters. It was pointed out that Americans of undisputed loyalty would be barred by the directive in question from service in Germany, if they happened to have a sister or brother married to a German. Moreover, the G-5 Division argued that, if this order were to be enforced strictly, the United States Army would have to rely upon German personnel to serve as translators and interpreters, and that this would have the effect of putting the military government into the hands of the Germans.

d. A new directive was issued on 15 May 1945 which eliminated
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cousins from the list of relatives disqualifying a person from serving in the forces of occupation. This directive also introduced the principle that individuals possessing special qualifications might be exempted from the rule, provided approval was given in each case by

the army or military district commander. The directive was supplemented a month later by a provision that a note would be entered in the service record of a person transferred under its provisions, stating the reason for his transfer. The directive was interpreted only to apply to units that had been assigned to a permanent station in Germany during the period of occupation.⁸⁴ Units which were awaiting redeployment or inactivation were thus not required to cleanse their ranks of persons having relatives in Germany. The directive was interpreted to cover United States civilian employees stationed in Germany, although it was recognized that the employing agency in the United States could make exceptions in some cases of highly qualified individuals.⁸⁵ The Theater policy relating to military personnel having relatives in occupied Germany gave rise to a protest from the War Department with reference to its application to G-5 personnel.⁸⁶

e. On 4 July 1945 a new directive was issued.⁸⁷ It marked a further liberalization of the policy. The list of degrees of relationship was now further reduced by the omission of grandparents, uncles, and aunts; and a new exception was introduced to the effect that no transfer would be made if a distance of as much as one hundred miles separated the permanent station of the American from the abode of his German relative.

f. The available evidence indicates that the policy of transferring Americans having German relatives was never enforced in a thoroughgoing way in spite of the fact that the Chief of Staff was

on one occasion informed that it had been scrupulously followed.⁸⁸
If it had been enforced, the forces of occupation would probably have
been seriously handicapped. When the repeal of this policy was under
discussion, it was asserted that the directives had never prevented
Americans from visiting their German relatives.⁸⁹ The effect of this
policy in bolstering up the principle of nonfraternization was therefore
probably negligible. Its repeal shortly after the abandonment of the
policy of nonfraternization was a normal procedure.⁹⁰ The letter of
rescission was held to apply also to civilian personnel.⁹¹

30. Fraternization with German Military Personnel.

a. Immediately after the victory was gained in Europe some
incidents again called attention to the violation of the rules on non-
fraternization with respect to German military personnel. The incident
which attracted the greatest attention was the surrender of Goering.
A United States Army brigadier general was photographed in the act of
shaking hands with Goering, and newspaper reporters were allowed to
photograph Goering in full uniform and to interview him on a variety
of subjects.⁹² The publication of these photographs and news stories
in the American press brought an immediate reaction. General Eisenhower
wired to the major commands that the friendly reception of high ranking
Nazis was a clear violation of the ban on fraternization and his strict
orders in other respects.⁹³ He ordered that such practices should
cease and made a statement to the press publicly regretting the

incidents. Investigations were made in all the major commands of the treatment of high ranking German officers and civilians then in custody.⁹⁴ The net result of all of these investigations was that, whatever mistakes might have been made shortly after V-E Day, all prisoners of high rank in custody a few weeks later were receiving no special preference or treatment of any kind, and that the requirements of the Geneva Convention were barely being met and certainly not exceeded.⁹⁵

b. It is not surprising that some misunderstandings arose concerning the relations between Americans and German prisoners of war when it is considered that no Theater directive had been issued on the matter, and that the only guide for conduct in such relations was contained in a War Department publication which did not have wide circulation.⁹⁶ The technical manual on enemy prisoners of war, as published on 25 April 1945, contained a prohibition against the fraternization of army and civilian personnel with prisoners.⁹⁷ Camp commanders were required to take disciplinary action to prevent fraternization, the acceptance of hospitality by prisoners, the association of prisoners with women, and the exchange of gifts with prisoners.⁹⁸ A code relating to military courtesy was prescribed which, in its original form, imposed upon prisoners of war substantially the same rules of military courtesy as those applicable within the United States Army, except that members of the German armed forces were allowed to use their own salute.⁹⁹ American officers were required by this code to return the salutes of prisoners.¹⁰⁰ The code relating to

military courtesy was changed soon after to prohibit German prisoners
of war from using the Nazi or straight-arm salute. ¹⁰¹ The rules of the
European Theater relating to military courtesy were in accord with
these of the War Department until shortly after the end of the campaign. ¹⁰²
On 18 May 1945, however, a directive was issued by Headquarters,
Communications Zone, which deviated in some particulars from the policy
of the War Department. ¹⁰³ This directive prescribed that the salute
was never to be used as a form of greeting between American and German
military personnel. German prisoners were, however, required to salute
American officers in acknowledgment of the receipt of orders and in that
case, and only in that case, were the salutes to be returned.

ENFORCEMENT OF THE RULES OF NONFRATERNIZATION

31. Variations in the Severity of Enforcement.

a. The documents relating to nonfraternization are so full
of assertions that the rules were enforced more severely in some units
and places than in others that the existence of variations in enforcement
cannot be doubted. ¹⁰⁴ At the same time, many of the reports from the
field alleging great laxness in enforcement in some units may be
discounted because of the tendency of soldiers to believe that other
units enjoy greater privileges than their own. In the circumstances,
variations were inevitable. The rules against nonfraternization were

of general effect and were susceptible to differing interpretations and variations in emphasis. In the last analysis, the enforcement of the rules on nonfraternization was the responsibility of the unit commanders. When two or more units stationed in the same locality varied in their interpretation of the rules, discipline was inevitably undermined in the units attempting to follow the rules strictly.

b. Only generalizations can be made concerning the variations in the severity of enforcement of the rules on nonfraternization. The allegation which appeared most frequently in field reports on fraternization was that enforcement was more severe in field units than among the headquarters and service troops. Many of the allegations to this effect were undoubtedly merely the manifestations of the long-standing jealousy shown by the field soldier toward rear echelon troops, who enjoy greater comforts and privileges without encountering the dangers of the firing line. Headquarters and service troops had more opportunity for fraternization than field troops, because the greater permanency of station made it easier for them to make contacts and friendships in the civil population.

c. The evidence permits no accurate judgment as to the severity of enforcement in large cities compared with small towns and rural areas. Many observers reported that small units stationed in towns or villages were particularly lax in their enforcement of the policy of nonfraternization. Small units of this sort, because of their normal living conditions, were often brought into close contact

with the civil population. After an initial period of mutual distrust, friendliness tended to develop and more or less open fraternization took place. On the other hand, some observers have reported that the rules on nonfraternization were enforced least vigorously in the largest cities. At any rate, it would appear that enforcement in the ruined cities of Germany offered special difficulties which could have been met only by the use of great manpower in making patrols and searches.

d. There is some evidence to indicate certain geographical variations in the enforcement of nonfraternization. It is quite clear that the rules were enforced with more laxness in Austria, and in the adjacent areas of southern Germany. ¹⁰⁵ Other places of comparative laxness of enforcement included Berlin ¹⁰⁶ and the Rhineland, particularly the area in and near Koblenz, which had been occupied by the United States Army after World War I.

e. In the summer of 1945 there were many rumors that differences of opinion respecting fraternization existed among the American high command. Generals were reported anonymously in the press as being lukewarm toward the policy of nonfraternization. ¹⁰⁷ A group of generals arriving in New York from Europe on 23 June 1945 were reported in the press as advocating an early modification of the existing rules. ¹⁰⁸

32. Measures of Discipline within Units.

a. Responsibility for the enforcement of the rules against fraternization passed through the chain of command to the company and platoon commanders. Naturally some unit commanders were more conscientious than others in enforcing the rules. Some adopted an attitude of tolerance and were willing to countenance violations of the standing orders, provided that the men were discreet and did their fraternization concealed from public view. Unit commanders who made a sincere effort to enforce the regulations were in danger of being suspected by some members of their command of spying and petty interference with conduct. In most major commands, however, it was made clear that unit commanders were not required to use police methods and tricks to catch their men in violations of the rules.

b. The unit commander had at his disposal for the enforcement of nonfraternization the methods of company punishment as recognized in Article of War 104. In the discretion of the unit commander, minor cases of fraternization could be dealt with by reprimand, withdrawal of privileges, or other disciplinary measures. One device much used in the period immediately following the end of the campaign was a rigorous bed check to account for all members of the command each night. ¹⁰⁹ Another plan followed in some commands was to restrict the ¹¹⁰ personnel to a specified area such as an air base. Many unit commanders also undertook to cope with the situation by an appeal to reason. The Theater program of orientation in the policy of nonfraternization was supplemented by formations at which the Supreme

Commander's policy was explained and specific orders were given for
the avoidance of contacts with the civil population. ¹¹¹

33. The Role of the Military Police in Enforcement.

a. The military police had the unenviable task of observing and detecting violations of the standing orders and apprehending offenders. The reports from the field indicate that the military police overlooked all but the most flagrant violations. They were not required by the command to make a special effort to catch violators, but were generally instructed to take action if open cases of friendly contacts came under their observation. The military police had varied duties, and the enforcement of fraternization was regarded as a new responsibility for which no additional personnel was provided. The fact that in field units there were no military police below division level meant that few were available for positive action against fraternization in smaller units. As soldier opinion became more friendly to fraternization it was only natural that the military police should reflect the general trend. There were reports that military police sometimes found themselves in conflict with their soldier comrades on the question of fraternization, ¹¹² but there were few instances of open resistance.

b. In many commands special nonfraternization patrols were used to enforce the rules. These patrols, being either military police or a detail from the command, patrolled the parks, streets, and woods

adjacent to the billeting areas for the purpose of preventing fraternization and apprehending flagrant violators. This practice appears to have been abandoned everywhere about 1 July 1945.¹¹³ In operation TALLY-RO, the first of the general search operations conducted in the United States Zone of 21-23 July 1945, twenty cases of fraternization by personnel of the Seventh United States Army and three by personnel of Headquarters Command, United States Forces, European Theater, were uncovered in the course of searching German homes.¹¹⁴

34. The Court Martial as a Means of Enforcement of Nonfraternization.

a. There were many summary and special courts martial and a few general courts martial in all the major commands. Sentences were often severe. Yet violations of the rules continued in the summer of 1945. Obviously, the liability to a court martial was not a sufficient deterrent. There were numerous reasons for this; perhaps the most important one was that the average soldier did not consider fraternization to be a criminal offense, and a court martial on charges of fraternization was not considered a reflection upon the soldier's character. For another thing, the troops in the period following the victory often had plenty of money in their pockets and were willing enough to risk a fine as incident to their pleasure. In practice, the court martial did not prove to be an effective instrument for the enforcement of the rules on nonfraternization.

It was possible that the court itself would be sympathetic to the defendant and receptive to the use of technicalities as a method of avoiding punishment. Experience showed that fraternization was a difficult charge to prove in court. Soldiers were unwilling to serve as witnesses against their comrades. Some courts required the prosecution to present documentary evidence of the German nationality of the person with whom the soldier was accused of fraternizing. This sort of evidence was difficult to produce in the unsettled conditions prevailing in the summer of 1945, and because of the widespread destruction of civil records. It soon became clear that fraternization charges could be proved only in the most flagrant cases and when violators were caught in a clearly compromising position, as for example, having been arrested in a German home.

b. Fraternization charges against enlisted men were normally brought under Article of War 96 as violations of standing orders. Where the offense was charged purely as a violation of standing orders, Theater Headquarters ruled that the table of maximum punishments would limit the penalty for fraternization by an enlisted man to six months' imprisonment at hard labor and the forfeiture of two-thirds pay for the same period. ¹¹⁵ The punishment often approached this maximum. The widespread belief that the standard penalty for fraternizing was a fine of sixty-five dollars was an invention of the news-
¹¹⁶ papers. As a matter of fact, the fines were on the whole much heavier and were frequently accompanied by terms of imprisonment. The

punishment authorized under Article of War 96 was considered by some to be too mild, and it was proposed that fraternization charges be brought in terms of insubordination under Article of War 75, for which no maximum penalty existed. The branch office of the Judge Advocate General advised that fraternization could amount to insubordination, but that to warrant such a charge elements of mutinous conduct would have to be involved. Officers were charged under Article of War 95 or 96, or both. The table of maximum punishments did not apply to officers, and they could be fined large sums and dismissed from the service for fraternization.

c. An interesting aspect of the court martial as a means of enforcing nonfraternization was the demand, originating from several major commands, for the declaration on the Theater level of a scale of punishments for specified offenses. This demand was steadfastly resisted by Theater Headquarters. The question was, however, presented to the Theater Judge Advocate, who advised that an unreasoned severity of punitive measures would tend to defeat the purpose of the policy of nonfraternization. The field commands were accordingly advised that, when the conduct was not in itself discreditable to the military service or unbecoming to an officer and gentleman, the disciplinary action should be taken under Article of War 104. When the offense was serious enough to warrant trial, action should be taken in a general court martial in the case of an officer, and in a summary or special court martial in the case of an enlisted man. For more serious

offenses by enlisted men charges should be brought under Article of War 96, as wrongful conduct jeopardizing security of the United States forces, and be referred to a general court martial. Theater Headquarters never committed itself more precisely and no table of penalties for offenses against the rules of nonfraternization was ever published.

d. Detection of breaches of the rules on nonfraternization usually came about by apprehension of the offender in the act. There was little possibility of a prosecution unless the individual was actually observed by witnesses in the commission of an act of fraternization. The commonest cases brought to trial were those in which soldiers were found by officers, military police, or nonfraternization patrols in the company of German girls in the streets, parks, or other public places, or were found in German homes. In such cases, there was little need for investigation. The question of whether censor's excerpts could be used as a means of detecting fraternization and as evidence in courts martial was presented to the Theater Judge Advocate in December 1944. He ruled that passages in letters observed and reported by the military censor could constitute an admission of fraternization. When such censor's excerpts were referred to the Theater Judge Advocate, and when in his opinion there was evidence of violation of the standing orders on fraternization, he forwarded the excerpts to the writer's commanding officer with the advice that an appropriate investigation be made with a view to disciplinary action.

35. Proposals to Punish Germans for Fraternization.

a. Field commanders tended to take the view that it took at least two people, an American soldier and a German, to bring about fraternization and that it was unfair for the American soldier alone to be punished for the offense. One regimental commander is reported to have required the bürgermeister of a German town to announce that Germans allowing soldiers to enter their homes would be subject to fines. ¹²⁴ A division commander posted a notice forbidding civilians to speak or communicate with Americans directly or indirectly except on official business, and making German parents responsible for keeping their children away from American personnel, installations, and billets. ¹²⁵ A military government detachment posted a notice stating that Germans detected in fraternization with the troops would be punished in a military government court under Paragraph 43, Article 2, of Military Government Ordinance Number 1. ¹²⁶ In October 1944 it was reported that the G-5 Division, 12th Army Group, was considering the advisability of issuing a proclamation or other type of order which would make fraternization an offense on the part of the Germans. ¹²⁷ At the same time the Psychological Warfare Division considered the advisability of propaganda to discourage the Germans from fraternization with Allied troops. ¹²⁸ The Assistant Chief of Staff, G-1, Supreme Headquarters, took the view that it would be inadvisable either to appeal to the Germans for cooperation in checking fraternization or to provide for their punishment in the case of breaches. ¹²⁹ He

pointed out that the policy of nonfraternization was a unilateral one which applied only to personnel of the Allied armies and did not depend for its success upon the actions of the German civil population.

b. Later on, when the enforcement of nonfraternization became more of a problem, persons in the field continued to cast about for some method to punish the German partner in cases of fraternization. It appears to have been generally believed that Germans could be punished under Military Government Ordinance Number 1, as referred to above, providing for the punishment of "acts to the prejudice of good order or of the interests of the Allied armies or any member thereof."

In February or early March 1945, a German was prosecuted under this article in a military government court, which, however, refused to

¹³⁰ convict. At about the same time, there was an incident in which

the military police were notified that American soldiers were in a private home. When the military police arrived to investigate, the

occupant said no Americans were present. When the military police

searched the house, however, they discovered American soldiers. The

civilian occupant was arrested and prosecuted for making a false

statement to members of the Allied forces, and was fined 150 marks by

¹³¹ a summary military government court. Another device relied upon to

bring the Germans under discipline with reference to fraternization

was the policy of marking places or sections of German towns "off

limits--out of bounds," in which case Germans could be punished for

fraternization under the section of Military Government Ordinance

Number 1 making it an offense for a German to invite or conduct a member of the Allied forces into a place so marked, or to supply goods or services to an Allied soldier in such places. ¹³² Thus, there were certain possibilities of punishing Germans for acts connected with fraternization, while avoiding the prosecution of Germans for the mere fact of fraternization. It was believed in Supreme Headquarters that any plan to prosecute Germans for fraternization would be an admission that the Allied forces could not maintain their internal discipline, and that the policy of nonfraternization was imposed from above upon an unwilling soldiery. Moreover, Supreme Headquarters believed that the Supreme Commander's policy would be undermined by creating in the mind of the soldier a feeling that the real responsibility rested upon the German population. The Theater Judge Advocate pointed out that the punishment of Germans for fraternization would depend for its success upon the cooperation of Allied soldiers as witnesses in the military government courts. He observed that an awkward situation would develop if the Allied soldiers proved to be sympathetic to the Germans and unwilling to testify against them in cases of fraternization. ¹³³

The result of all this discussion and experimentation was a directive issued by Supreme Headquarters on 10 March 1945 stating that the punishment of Germans for fraternization was contrary to the Supreme Commander's policy. ¹³⁴ It was pointed out that nonfraternization was a policy internal to the Allied Expeditionary Forces and that an effort to punish Germans for violations of it would be contrary to the reasons

underlying the policy. The directive stated that the policy of non-fraternization would be enforced solely by normal disciplinary action within the Allied armed forces and that efforts to issue orders to the Germans or to prosecute them for attempts to fraternize, would be discontinued.

PROBLEMS ARISING FROM VIOLATION
OF THE POLICY OF NONFRATERNIZATION

36. Decline in Discipline.

a. The policy of nonfraternization depended for its success primarily upon the discipline of the Allied Expeditionary Forces. It was a command, a military order, from the highest authority. Failure to follow it was a breach of discipline and punishable as such. It is plain, however, that the average American soldier did not accept the nonfraternization order as being the same category as a battle order, and he did not feel the same responsibility for obeying it. It was an order regulating his actions in his off-duty hours and was resented by many for this reason. The soldier had the opportunity to disobey it, and he could usually escape the consequences by concealing his disobedience.

b. An officer commanding a large body of men can only take the view that one act of disobedience leads to another, and that the

nullification of one command will lead quickly to a mutinous state. Thus, in theory, the United States Army should have accepted the challenge offered by the disobedience to the rules on nonfraternization, and should have met it with an inexorable enforcement of discipline. Obviously this was not done. For many reasons the command did not care to go to the lengths which would have been necessary to maintain complete discipline. One officer is reported as having said that if he had made an issue of every violation by his troops he would have had none left outside the military jails.¹³⁵ However, the disobedience with respect to fraternization did not lead to any general break-down of military discipline. There was not at any time a state of "near rebellion," as was asserted at the time in the press.¹³⁶

37. Reactions of German Public Opinion to the Policy on Non-fraternization.

a. There was some disposition within the Allied command to guard from the Germans the fact that a policy of nonfraternization was being followed. No announcement was ever made to the German public concerning nonfraternization. The Assistant Chief of Staff, G-1, of Supreme Headquarters, once advised against notifying the Germans of the ban on fraternization.¹³⁷ It was feared within the Allied forces that the policy of nonfraternization would have an adverse effect upon German public opinion. It was feared that, if the Germans knew that the Allied soldier was prohibited from fraternizing, the Germans would

place temptation in his way in order to encourage him to violate orders. This could develop, it was believed, into a subtle campaign of subversion. Moreover, it was feared that German knowledge of the violations of the rules on nonfraternization would make it plain that the Allied armies were trying to enforce an unpopular rule. It was believed that this would defeat one of the purposes of the policy and lead to a loss of respect for the Allied forces.

b. There were few attempts within the Allied forces to find out what the Germans thought about the rule on nonfraternization. Some intelligence services were instructed to sound out German opinion, ¹³⁸ but it appears that no substantial reports resulted. It is clear that the German populace was well aware that rules on nonfraternization existed within the Allied forces. The Germans received this information in various ways, including the announcements made on the American radio and the posters and other admonitions which were directed to the soldiers. The surveys made at the time did not reveal any conscious effort on the part of the Germans to counteract the rules on nonfraternization. At the same time, they revealed that the Germans obstinately refused to recognize the reasons for the policy of nonfraternization as conceived by the Allied command. The Germans could understand the security aspect, as their own high command in the last days of its existence had issued stern warnings against fraternization with Allied soldiers. It was also reported that some Germans saw in the rules on nonfraternization an admission on the part of the Allies

of the justice of the Nazi cause, for otherwise it would not have been necessary for the Allied command to take so much trouble to insulate the troops from German propaganda. ¹³⁹ In general, it appears that the Germans refused to recognize in the policy of nonfraternization any moral issue, and viewed it as a mistaken Allied policy designed to ¹⁴⁰ punish all Germans for the sins of the Nazis.

38. Subversive Incidents Related to Fraternization.

a. The policy of nonfraternization brought reactions from the German public which held dangers for the individual American soldier and the Allied forces as a whole. It was possible that the Allied policy might have evoked angry protests against social ostracism. There was also the possibility that German opinion would react unfavorably toward persons who accepted employment, associated publicly, or otherwise collaborated with Americans, and that this might lead to attacks on American personnel or opposition to military government policies. These potentialities of the policy of nonfraternization apparently were not feared nor were any preparations made to combat them, except that American soldiers were warned as to the dangers they might encounter in entering German homes or meeting German girls in ¹⁴¹ isolated places. As the summer of 1945 advanced, it became clear that the predominant German reaction to the policy of nonfraternization was not one of resentment that there was such a policy in the United States Army, but rather one of chagrin that there were Germans who

were willing to associate with the conquerors. This attitude was strongest among German youths and the disbanded armed forces. Overt manifestations took the forms of assaults upon American personnel, the circulation of handbills and posters ^{1A2} criticizing and threatening German girls and women for associating with American soldiers, and the shearing of the hair of girls who fraternized. The reported and authenticated incidents do not make an imposing record. There were enough of them during the summer, however, to bring an admission from the highest authority that fraternization might become the rallying cry for organized resistance against the occupying forces.

b. The threats and disturbances which occurred while the ban on fraternization was in effect, as reported from intelligence sources, ^{1A4} are compiled in Table IV. Many of the attacks upon American personnel

Table IV

SUBVERSIVE INCIDENTS RELATED TO FRATERNIZATION

Date	Place	Nature of Incident
early July	Kasberg (near Brake) Abensberg (U-0132)	3 threatening letters
early July	Mering (Y-4168)	alleged Hitler Youth organization threatened girls with hair clipping
early July	Illertissen (X-7660)	first report of posters against German girls associating with Americans; 5 veterans responsible
late July	Henderoth (G-2020)	posters against German girls

Table IV (Contd)

SUBVERSIVE INCIDENTS RELATED TO FRATERNIZATION

Date	Place	Nature of Incident
late July	Augsburg (Y-3386)	3 girls' hair clipped; 3 veterans responsible
late July	Maibach (Z-2718)	posters against German girls
early Aug	14th Arm Div Area	1 girl's hair clipped by 5 youths
early Aug	Krumbach (X-9563)	small boy whipped for playing "catch" with American soldiers
early Aug	Rosenheim (Z-2927)	posters against German girls
early Aug	102d Inf Div Area	American soldier assaulted while walking with German girl
late Aug	Gotthards (H-5327)	arrested Hitler Youth Group confessed attacking homes of German women friendly to Americans
late Sept	Fritlar (H-0882)	3 girls' hair clipped by 6 veterans
late Sept	Pforzheim (R-7032) Darmstadt (M-6541) Gross Sachsen (M-6701) Ditzingen (R-9726) Bad Mergentheim (H-4700) Germerode (H-5291) Hohen Sachsen (M-6702)	posters against German girls
late Oct	Heldritt (J-1800)	soldier in company of German girl attacked by German civilian
early Nov	Niedashau	soldiers walking with German girls fired upon
early Nov	Sonnen (N.W. of Linz)	3 German girls' heads shaved; posters against fraternization with Americans
late Nov	Bayreuth (O-7656)	German men set fire to hair of German girl who fraternized

during the same period doubtless had an element of fraternization that did not meet the eyes of the investigators. There were also a number of cases of poisoning from liquor bought by American soldiers from
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Germans.

39. Relation between Venereal Disease and Fraternization.

a. The problems of venereal disease occupy a large space in the documents and papers relating to fraternization. It is well known that it was the sexual aspects of fraternization which aroused the most interest and controversy at the time. When the venereal disease rate showed a sharp increase following the cessation of hostilities, it was only natural to find the cause in the controversial matter of fraternization. The facts relating to the venereal disease rate are well
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summarized in the following passage from a medical report:

The venereal disease rate for the Continent which had leveled off below 50 per 1000 per annum during the spring of 1945, took a sudden rise after V-E Day. The rate increased steadily through the summer and reached a peak of 190 per 1000 per annum in August 1945. Since August, the venereal disease rate has begun to decline, until by the end of September the annual rate reached 153 per 1000. After the cessation of hostilities the rate in the fighting troops, which had remained consistently below 20, immediately increased to a figure approximately equivalent to that for Com Z troops. The rate for colored troops soared to the unprecedented peak 890 per 1000 per annum in August. Since then it has dropped gradually to a little over 500. The rate for white troops followed the Theater trend and climbed to 138 in August, subsequently falling to 118 by the end of September.

b. Unquestionably many sexual contacts began to occur as soon

as the armies entered Germany. The available evidence indicates, however, that the sharp rise in the venereal disease rate in the period immediately following the end of hostilities was due more to contacts made in the liberated countries of the Continent than in Germany. A study of 122,953 sex contact histories (Form 302) for the entire Theater, covering the period from 6 July to 21 December 1945, revealed that more than half of the cases of venereal disease were contracted outside of Germany, as shown in Table V. ¹⁴⁷ In the Third United States Army it was reported that over 50 percent of the

Table V

GEOGRAPHICAL DISTRIBUTION OF CONTACTS
RESULTING IN VENEREAL DISEASE

Country	Cases	Percentage for Theater
France	56,320	45.8
Germany	43,988	35.8
Belgium	10,268	8.4
England	4,685	3.8
Austria	3,328	2.7
Czechoslovakia	2,115	1.7
Luxemburg	657	0.54
Netherlands	585	0.5
Italy	415	0.3
Denmark	289	0.2
Switzerland	207	0.2
Norway	69	0.053
Sweden	9	0.007
Total	122,953	100.0

cases of venereal disease contracted in April 1945 were due to contacts
in Paris, Brussels, and the Riviera. ¹⁴⁸ In the month of August 1945,
however, the Third United States Army reported: "The present rate
results from the ease of making sexual contacts both among displaced
persons and Germans." ¹⁴⁹ The Seventh United States Army also reported
for the month of September that "contacts made within the national
boundaries of Germany constituted the main sources of infection." ¹⁵⁰
Thus, there is reason to believe that the original impetus in the
increase of the venereal disease rate after the close of hostilities
came from contacts outside of Germany; but, by the end of the summer,
contacts made within Germany were the chief source of infection.

c. The relation between fraternization and contraction of
venereal disease posed a difficult problem. There was the question
of whether the contraction of a venereal disease could be used as
prima facie evidence of violation of the ban on fraternization.
Apparently assuming that all sexual contacts were violations of the
rules on fraternization, some unit commanders failed to establish
prophylaxis stations in Germany. ¹⁵¹ In the units which had prophylaxis
stations, many individuals were afraid to use their facilities for fear
of incurring disciplinary action for fraternization. ¹⁵² It is reported
that in some units men who reported for treatment for a venereal
disease, when the medical record showed that it must have been
contracted in Germany, were tried in summary courts martial and
subjected to the usual penalties for fraternization. ¹⁵³ This was

considered by some to be a violation of the existing Army regulations providing that the contraction of venereal disease was not a disciplinary problem. ¹⁵⁴ The question of the use of venereal disease

information as evidence in courts martial was raised as early as November 1944. ¹⁵⁵ In December 1944, the Theater Judge Advocate held

that the contraction of venereal disease was not evidence of violation of the policy of nonfraternization. ¹⁵⁶ Soon after the close of

hostilities, the matter was again presented to the Theater Judge Advocate for an advisory opinion. He pointed out that disclosures made by a patient to his physician are, under civil law, confidential and may not be used as evidence against the patient, but that this rule does not apply to courts martial. He therefore held that intimate relations between soldiers and German women were a clear violation of the rules on nonfraternization and that information voluntarily disclosed by the soldier in connection with treatment for a venereal disease could be used as evidence against him in a courts martial, provided that the information had not been obtained in violation

of Article of War 24. ¹⁵⁷ The Theater Judge Advocate, however, recognized the paramount importance of the health of the soldier and gave his concurrence in the issuance of a Theater directive, which declared:

"The contraction of venereal disease or the facts concerning prophylactic treatment will not be used, directly or indirectly, as evidence of fraternization or as evidence of violation by the individual of the policy on nonfraternization with the inhabitants of Germany." ¹⁵⁸

The Theater directive contained, on the advice of the Theater Judge Advocate, a statement that the ruling on the inadmissibility of evidence relating to treatment for venereal disease would not be interpreted as relaxing the rules against fraternization, prohibiting disciplinary action in appropriate cases when proof of fraternization could be established by other evidence. ¹⁵⁹ It will be observed that the solution of this controversial issue was a compromise, in that intimate relations with German women were clearly recognized as being violations of the rules on nonfraternization, but one of the most concrete evidences of such relations, namely, the contraction of venereal disease, might not be used in court against the violator.

d. The view that venereal disease in the United States forces was increasingly due to contacts in Germany in violation of the rules on nonfraternization is further indicated by the initiation in August 1945 of a program for the control of venereal disease in the German civil population. ¹⁶⁰ In the Seventh United States Army area, eleven centers for the treatment of venereal disease among civilians were established and operated under the supervision of army medical personnel. ¹⁶¹ The use of penicillin in the treatment of Germans was begun in the Seventh United States Army area during the month of September. ¹⁶²

40. German Rape Cases.

a. One of the most curious aspects of the relations between

the American armed forces and the German civil population was the large number of rape cases which occurred between March and the end of June 1945. These incidents puzzled the authorities at the time, and in retrospect the problem is no clearer. Although American soldiers experienced little difficulty in making sexual conquests in Germany, a surprisingly large number laid themselves open to charges of rape. There was a suspicion on the part of some commanders that the many rape charges were merely another manifestation of resistance against the conqueror; yet a high proportion of these charges were proved in court. Field commanders reacted in different ways. On the whole, the problem was recognized as a serious one and was met by careful investigations. In some units, the women who brought the charges were taken to Army formations, such as mess lines and drill formations, to attempt to identify their assailants. Shortly after the end of hostilities, the Theater Commander directed that every charge of rape be made the subject of an exhaustive investigation.

b. With only 18 complaints concerning rape in January and 31 in February, the number of such complaints suddenly shot up to 402 in March and 501 in April. Thereafter the number of complaints fell off rapidly to 241 in May, 63 in June, 45 in July, and stayed at about that figure per month for the rest of the year. The number of rape cases brought to trial showed a like increase from 8 in January and 24 in February to 128 in March, 259 in April, and 174 in May, falling off to 20 in June, 10 in July, and becoming only a scattering

for the remainder of the year. The convictions obtained showed the same trend from 3 in January and 5 in February to 69 in March, 128 in April, and 85 in May, falling off to 7 in June and only a scattering thereafter. ¹⁶⁶ The nationality of complainants in rape cases is shown in Table VI, and the location of alleged rapes in Table VII. ¹⁶⁷

Table VI
 NATIONALITY OF COMPLAINANTS IN RAPE CASES
 18 JULY 1942-31 OCTOBER 1945

Nationality	Number	Percentage of Total
German	484	63.60
French	125	16.43
English	101	13.27
Austrian	16	2.10
Polish*	7	.92
Belgian	5	.66
Luxemburg	5	.66
American**	4	.53
Welsh	4	.53
Irish	3	.39
Czechoslovakian	3	.39
Dutch	2	.26
Russian***	2	.26

* 1 in France; 6 in Germany
 ** 2 in Wales; 2 in England
 *** Both in Germany

Table VII

LOCATION OF ALLEGED RAPES, 18 JUL 1942-31 OCT 1945

Nationality	Number	Percentage of Total
Germany	552	61.06
France	181	20.02
England	121	13.38
Austria	18	1.99
Belgium	9	1.00
Luxemburg	7	.77
Wales	6	.66
Ireland	6	.66
Czechoslovakia	3	.33
Holland	1	.12

c. The rape cases which occurred in Germany revealed many similarities. The source states:

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The pattern of German rape cases was quickly discernible. In the typical case one or more armed soldiers entered a German house, either by force or by stratagem (such as a pretense of searching for German soldiers), and engaged in sexual intercourse with one or more of the female occupants. Sometimes the act was accomplished through the application of direct force, at other times by submission resulting from the occupants' fear for their lives.

There was some evidence that rape accusations were brought in a spirit of vengeance. Thus, three German girls who alleged that they had been raped and who selected three American soldiers as their attackers, were found upon medical examination to have made false charges. One court-martial case revealed that several charges of rape had been made by the same woman, and an investigation resulted in setting aside a conviction which had been obtained on her charges. Again, some of the charges were shown to have arisen from jealousy and from the desire

of the girl or woman concerned to establish grounds under German law
for a later abortion. ¹⁷¹

d. In an early leading case it was held that there was an inherent incompatibility between rape and fraternization, and that the two charges could not be proved with the same evidence. ¹⁷² In a subsequent decision, however, where soldiers entered a German dwelling in a friendly manner but thereafter formed the intent to rape and did commit the act of rape, convictions for both rape and fraternization were sustained. ¹⁷³ The highest legal authority in the European Theater once observed that the existence of the policy of nonfraternization may have been a factor in producing the large number of charges of rape, in that the complainants may have believed that their relations with American soldiers made them liable to punishment for violation of the policy of nonfraternization. ¹⁷⁴

FRATERNIZATION WITH AND BY SPECIAL GROUPS

41. Fraternization with Austrians.

The original order to General Eisenhower directing him to ban fraternization stated: "The attitude to the Austrian population should be more friendly than in Germany. There will be no need to discourage some degree of fraternization." ¹⁷⁵ The sentiment that some fraternization with Austrians might be countenanced, or that the rule

of fraternization might be relaxed earlier in Austria than in Germany, seems to have prevailed during the period of consideration and drafting of the policy on nonfraternization. ¹⁷⁶ The basic directive contained no reference whatsoever to fraternization with Austrians. It was couched in terms of "Germans" and "inhabitants of Germany." This was broad enough to cover all Germans resident in Austria, but certainly did not include the Austrians themselves. Before the troops entered Austria, however, it was announced by Supreme Headquarters that nonfraternization would be the rule in Austria, and would include both Germans and Austrians, ¹⁷⁷ soon after the end of hostilities, a letter from Allied Forces Headquarters reaffirmed the policy. ¹⁷⁸ Reports from the field indicate without exception that the units actually stationed in Austria during and immediately after the campaign, fully understood ¹⁷⁹ that the rules against fraternization applied to them. There is evidence, however, to indicate that the rules against fraternization were never accepted or enforced as seriously in Austria as in Germany, and that the Austrians on the whole resented being treated the same as ¹⁸⁰ the Germans.

42. Fraternization with Sudeten Germans and Czechoslovakiens.

The few American units which found themselves in Czechoslovakia at the end of the campaign and during the brief occupation had the problem of deciding whether the ban on fraternization applied to them. A report from one such unit states:

As V-E Day approached, the 2d Cavalry crossed into Czechoslovakia, where the fraternization ban did not apply. The natives, both Czechs and Sudeten Germans, showed great enthusiasm for the Americans. The soldiers, unable to distinguish readily between the two, accepted the friendliness of everyone." ¹⁸¹ Another report from the field indicates that there was no attempt to prohibit friendly relations with the Czechs, who were treated as allies, but that fraternization with local Germans was forbidden at first. ¹⁸² This ban was, however, soon lifted when its impracticability became evident.

43. Fraternization with Displaced Persons.

The large population of displaced persons uncovered by our armies in Germany offered special problems in interpretation and enforcement of the policy of nonfraternization. The basic directive forbade friendly relations with "Germans," and this term was interpreted at an early date to include "all persons who dwell or reside permanently in Germany, regardless of their nationality, as well as all Nazi collaborators and nationals of countries who have been allied with Germany against the Allies and who may temporarily be within the geographical limits of Germany." ¹⁸³ This interpretation was intended to permit fraternization with Allied and neutral nationals who were temporary and unwilling residents of Germany. ¹⁸⁴ The question, however, was not so easily settled as this. To many field commanders it seemed to be just as important to prohibit friendly relations with the vast

numbers of displaced persons, of unknown nationalities and political sympathies, as with the Germans themselves. The officer in charge of matters relating to fraternization in the headquarters of the 12th Army group once told a newspaper reported that the rules were so general in their application as to prohibit fraternization with a German Jew who had been deprived of citizenship and put in a concentration camp. ¹⁸⁵ If the average soldier was not to be trusted to select his companions among the "good" Germans, it was just as important, from the point of view of security, to prohibit fraternization with displaced persons, at least until they had been screened to eliminate the politically undesirable. There was no Theater rule against fraternization with displaced persons, but it was within the discretion of local commanders to impose such a rule if they so desired. ¹⁸⁶ The Third United States Army at first allowed no fraternization with displaced persons. ¹⁸⁷ As time went on, however, it became less and less practical to enforce the rule, especially because the troops were necessarily in close contact with displaced persons in their camps and assembly points and in messes and other army installations. As fraternization with displaced persons became more common, the enforcement of the rule of nonfraternization with Germans was undermined. It became the stock excuse for soldiers observed in the company of girls to insist that they were displaced persons and not German "Fräuleins." The military police were often unable to prove or disprove the point. There were many young displaced persons who spoke nothing but German and who were

indistinguishable by any ordinary means from the rest of the local population. There was talk of having all displaced persons wear distinctive brassards, and many of them did display their national colors in one way or another on their persons. From the point of view of the enforcement of the rules against fraternization, the most important question was who had the responsibility of proving that the individual concerned was of a nationality other than German. It was clearly the intention of Supreme Headquarters that the burden of proof should rest with the soldier to show that he was not fraternizing with a German. ¹⁸⁸ In practice, however, the military police were prone to take the soldier's word for it that the girl on his arm was a displaced person, or to accept the wearing of a distinctive mark as sufficient proof. In court martial proceedings, the burden of proof was sometimes shifted to the prosecution, requiring documentary evidence to show that the correspondent in a fraternization case was really a German.

44. Fraternization by Negro Troops.

The reports relating to fraternization by American Negro troops cover, for the most part, the period after the ban on fraternization was lifted. ¹⁸⁹ There is no reason to believe that the practices of the American Negro in fraternization with Germans, and the disciplinary problems involved, were different in the period before and immediately after V-E Day from those of a later period. The available evidence indicates that the American Negro soldier embraced fraternization with

enthusiasm and with little trace of bitterness for the enemy. If a surviving influence of Nazi racial doctrines made the Negro soldier less acceptable socially in Germany than in the other European countries that he had already visited, this barrier was soon broken down. The generosity of the typical Negro opened doors for him in Germany, just as in other European countries. Germans were quick to sense that there were, on the whole, greater material advantages to be gained from fraternization with Negroes than with white troops. It is reported that, in some localities, German women would not accept the clothes of white soldiers to launder when there were Negro soldiers stationed nearby.

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SUBSTITUTES FOR FRATERNIZATION

45. Recognition of Need to Distract Troops from Fraternization.

a. The need for suitable activities to distract the troops from an expected desire to fraternize was anticipated in the period when the policy of nonfraternization was under discussion. In general, it was believed at that period that there should be two parts to the program designed to occupy the time and attention of the troops—educational activities during duty hours and recreational activities to occupy leisure hours. Programs of these two kinds were contemplated in any case, quite aside from the problems expected to arise from the

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policy of nonfraternization. Memories of the occupation of Germany after World War I suggested that there would be much idleness in the forces of occupation, and that special efforts would have to be made to avoid a sharp decline in morale. It was recognized that problems would be accentuated by the ban on friendly contacts with the civil population, and that the promulgation of rules which prevented a soldier from finding his own amusements would have to be met by an organized program of leisure-time activities.

b. The need for a program to counteract the tendency to fraternize was recognized in the original draft of the basic directive on nonfraternization in a passage headed "Compensation for Non-
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fraternization." This passage advised commanders to provide a program of training, education, and recreation to occupy the time of the troops. Revisions made before the publication of the directive resulted in the change of the title to "Training and Recreation," and the addition of a paragraph stating that the forces of occupation
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should include women in as large numbers as possible.

46. Special Aspects of the Educational and Recreational Programs.

Many parts of the educational and recreational programs planned and put into effect in the period immediately following the close of hostilities had features which derived from the policy of nonfraternization.

a. The 6-week orientation program, announced on 12 May 1945, included one week's instruction and discussion of "Our Job in Germany,"
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which touched on numerous problems related to fraternization.

b. One of the Theater-level Army universities or school-centers were established in Germany.

c. The sports program of the United States Army was governed by the prohibition of competition with Germans. ¹⁹⁵

d. The provision of entertainment in motion picture and other theaters was conditional in part upon the prohibition against entrance of Americans into German theaters. ¹⁹⁶ The basic directive on non-fraternization authorized commanders to take over suitable local entertainment facilities in order to provide for exclusive Allied attendance at all times or at specified hours. ¹⁹⁷

e. The leave and furlough policy was designed to support the policy of nonfraternization. The basic directive on non-fraternization required that leave or rest centers be established insofar as possible outside of Germany, and that leaves of more than forty-eight hours' duration be for destinations outside of Germany. ¹⁹⁸

f. The problem of female companionship was a difficult one. There were comparatively few women of Allied nationalities accompanying the armies as nurses, entertainers, and club hostesses. Moreover, as was observed frequently during the period when the rules on non-fraternization were in effect, the women of Allied nationality were either officers or considered to have status as officers, and for that reason their company for dances, parties, and like entertainments was denied to the great mass of the armed forces. ¹⁹⁹ At the same time, Allied soldiers were specifically forbidden to attend German-sponsored

dances, ²⁰⁰ and the general prohibition against entertaining Germans prevented the invitation of German girls and women to dances sponsored by military units. ²⁰¹ In the circumstances, it was practically impossible to hold dances. It was considerations such as these which suggested that the women's services should be increased in membership as much as possible in the forces of occupation. ²⁰² It is also interesting to

observe how early suggestions were put forward looking toward the establishment of the families of members of the forces of occupation in Germany. ²⁰³ A partial solution to these difficulties was soon found in the admission of displaced persons to military dances, parties, and clubs. ²⁰⁴

Chapter III

ABANDONMENT OF THE POLICY OF NONFRATERNIZATION

47. Effects of Piecemeal Relaxation.

The relaxation of the rules on nonfraternization little by little, rather than by clear-cut pronouncements and decisive action, complicated enforcement and tended to give the impression of indecision on the part of the high command. The opinion has often been expressed that the rules on nonfraternization should have been left intact or else repealed altogether at one stroke. Piecemeal relaxation meant that the subject was kept constantly before the public, both military and civilian, and many difficulties of interpretation were presented to the authorities.

48. Authorisation of Fraternization with Children.

In point of time, the first relaxation of the rules on

nonfraternization came with reference to children on 8 June 1945.² The difficulties in preventing Allied soldiers from being friendly with German children had become apparent before the end of hostilities. Soon after V-E Day, the Assistant Chief of Staff, G-1, of Supreme and Theater Headquarters made a journey during the course of which he observed much innocent fraternization with children. He became convinced that an early relaxation of the rule, insofar as it prohibited association with children, was necessary. He discussed the matter with the commanding general of the United States Group, Control Council, who was of the same opinion and who joined the Assistant Chief of Staff, G-1, in presenting the matter to General Eisenhower.³ The latter was easily convinced, and a wire went out to the major commands over his signature on 8 June 1945 stating that the orders on nonfraternization were "obviously not expected to apply to small children."⁴ A letter from the Chief of Staff announced this action to the commanding general of the 21st Army Group, who issued a similar order, thus continuing the coordination of the Anglo-American rules on nonfraternization.⁵ Interpretation of the term "small children" varied. The generals who advised General Eisenhower to modify the rules on nonfraternization proposed that the relaxation should apply to children under ten years of age.⁶ In a press conference at the time the order was issued, a reporter tried to get General Eisenhower to rule on the age of the children exempted; but he refused to commit himself, saying that his order permitted fraternization with "very young children."⁷ An authoritative

interpretation was never given. It has been reported that in many localities and commands the term children was given a liberal interpretation, which tended to defeat the purposes of the nonfraternization rules remaining in force.

49. Relaxation with Reference to Venereal Infection.

The rule announced on 11 June 1945 to the effect that venereal disease infection was not prima facie evidence of fraternization, was not in a strict sense a relaxation of the rules on nonfraternization. In fact, the order contained a statement that it would not be interpreted as a relaxation of those rules. In practice, however, the order relating to venereal disease had the effect of relaxing the rules on nonfraternization. To the average soldier it seemed that the command was giving tacit consent to association with German women. The point of whether purely sexual relations were a violation of the rules of nonfraternization is of no great importance, but it is obvious that association with women frequently led to the friendly intercourse and political discussions which were specifically forbidden in the directive on nonfraternization. It now appeared to the rank and file that high authority had sanctioned relations of one type with German women. The order, coming as it did at the same time as the relaxation of the rules with reference to children, was widely interpreted as the beginning of the end of nonfraternization. The average soldier was well aware of the difficulties being encountered in enforcement, and he viewed the first two modifications as a recognition

on the part of the command that the orders on nonfraternization could not be enforced.

50. Troops Permitted to Talk with Adult Germans in Public Places.

a. The initiative in the next relaxation of the rules on nonfraternization was taken by Field Marshal Montgomery, Commanding General of the 21st Army Group. On 10 July 1945, he sent a wire to General Eisenhower suggesting that Allied troops be allowed to engage in conversation with adult Germans in public.⁹ General Eisenhower agreed with this suggestion and on 14 July 1945 his staff transmitted, for release at 1800 hours on the same day, the announcement that all personnel serving under the Supreme Commander were permitted to "engage in conversation with adult Germans on the streets and in public places."¹⁰ A similar statement was issued for the British Zone by Field Marshal Montgomery.¹¹ The immediate effect of this announcement was a sudden increase in friendly relations with Germans, and fraternization became free and open in many localities and commands. There was some consternation among certain members of General Eisenhower's staff, and they advised that no other substantial modifications be made in the near future.¹²

b. The new order offered two problems of interpretation. In the first place, differences of opinion naturally arose as to what constituted engaging in conversation. There was general agreement that it included standing or walking and talking with adult Germans, but

from that point on there was a great deal of variation in the interpretation of the phrase. In some localities it was specifically ruled that engaging in conversation did not include holding hands in public or walking arm in arm in the streets. ¹³ Conduct in parks worried the authorities, and it was sometimes ruled that the order did not permit sitting on park benches or reclining on the ground. In the second place, the term "public places" was also capable of differing interpretations. Since streets were mentioned in the order it appeared to some local enforcement authorities that public places were those areas open generally to the public, such as parks, railway stations, and the like. But was a lonely country road, or a wood, a public ¹⁴ place? ¹⁵ And was the term broad enough to cover German shops? In some localities and commands, public places were understood to include also places of entertainment, such as dance halls, theaters, and cafes, to which the public is admitted generally upon payment of the price of admission or of the food and drink consumed. ¹⁶ The right of American soldiers to visit night clubs, particularly those opened at an early ¹⁷ date in the Russian sector of Berlin, gave especial difficulty. The Theater Commander was asked to issue an official definition of "public places," but it was stated on his behalf that he considered ¹⁸ his major commanders fully competent to interpret and define the term. In his message to the German people on 6 August 1945, General Eisenhower said: "Members of my command are now permitted normal public contacts. In this way we will be able to understand better the problems which

face you in the coming months."

51. Relaxation of the Policy of Nonfraternization in Austria.

The difference between the political aims in the occupation of Austria and of Germany led to the belief in certain quarters that the policy of nonfraternization could and should be relaxed earlier in Austria than in Germany. During the month of July 1945, opinions favorable to the early relaxation of nonfraternization in Austria were expressed by the British War Office, the Joint Chiefs of Staff, and the political advisor to the Theater Commander. ²⁰ These suggestions reached the Theater Commander at about the time that the rules were being relaxed to permit conversation with adult Germans in public places. Theater Headquarters took the view, and maintained it consistently throughout the discussions on this subject, that the effects of the modification of the rules to permit conversation in public places should be carefully observed, and reactions of public opinion both at home and in Europe should be taken into account, before any further relaxation of the rules were made. ²¹ At the end of July, the Joint Chiefs of Staff, acting in spite of the views repeatedly expressed by Theater Headquarters, authorized the relaxation of the rules on nonfraternization in Austria without reference to the policies being followed in Germany. ²² The commanding general of the United States Forces in Austria did not, however, take immediate action as authorized. He waited until the Allied Control Council for Austria held its first

meeting, at which the concurrence of the other commanders was obtained. On the day following, 24 August 1945, the commanding general of the United States Forces in Austria announced that all restrictions on fraternization were removed except for known Nazi elements of the Austrian population.²³ The general rule against fraternization with Germans, of course, remained in effect. The removal of restrictions did not authorize marriages of American personnel with Austrian nationals.²⁴

52. Policies of the War Department on the Relaxation of Non-fraternization.

The policy of nonfraternization was originally put into effect by decision of the Combined Chiefs of Staff and communicated to the Supreme Commander by the War Department.²⁵ The Supreme Commander, and later the Theater Commander, however, had broad discretion with reference to the interpretation of the policy and to the modification of the rules designed to carry it into effect. Washington was consulted by Theater Headquarters before the first major modification of the rules on nonfraternization, that affecting German children, was publicly announced.²⁶ The War Department, however, was not consulted prior to the issuance of the order permitting conversation with adult Germans in public places. On the date of the issuance of that order, 14 July 1945, a statement of policy was received from the Combined Chiefs of Staff to the effect that modifications in the rules on non-fraternization should be made simultaneously by the authorities of all

the Allied nations participating in the occupation. Theater Headquarters had already followed the policy of clearing all proposed modifications of the rules with the other Allied commanders before putting them into effect. While not consulted in advance on the modification permitting conversation with adult Germans in public places, the Joint Chiefs of Staff gave their approval to General Eisenhower's order after it had been issued, and at the same time authorized him to proceed to make such modifications in the rules concerning nonfraternization as might seem to him appropriate, while insuring, if possible, a uniform policy on this matter throughout Germany and avoiding any suggestion of the abandonment of the policy of treating the Germans with firmness and as an enemy people.

53. The Abandonment of the Policy of Nonfraternization.

a. The modification of the rules on nonfraternization permitting conversation with adult Germans in public places brought about vast changes in enforcement. In the Third United States Army no more delinquency reports were made by patrols after the issuance of this order. In general, the vigor of enforcement declined sharply after the middle of July, and special fraternization patrols were withdrawn almost everywhere. The military police apparently had instructions to give a liberal interpretation to the existing rules and to avoid arrests except in the most flagrant cases. Court martial cases based on earlier investigations, however, continued to be numerous even during the month of September.

b. The issuance of a new directive on nonfraternization, embodying certain further modifications in the rules, began to be considered in Theater Headquarters the latter part of July. ³¹ The contemplated directive would have permitted exchange of greetings with Germans and attendance of German girls and women at American dances. It would have prohibited, however, the visiting of German homes, the entrance of Americans into German-operated cabarets and other places of entertainment, the entertainment of Germans in any other way than at dances, acceptance of gifts from Germans, and the giving of gifts except to children. The draft of this proposed directive was circulated to the major commands and obtained general concurrence except with reference to the provision prohibiting the entrance of Americans into German cabarets and other places of entertainment. ³² The feeling was quite general at the time that an unnecessary problem of discipline was created by the American policy, since soldiers of other nationalities were permitted to enter such places and in Berlin were in close contact with American soldiers.

c. Formal steps toward abandonment of the policy of nonfraternization began on 15 September 1945, when instructions were issued by the Theater Commander to the Commanding General, United States Group, Control Council, to take the action necessary to secure four-power agreement on the rescission of the policy of nonfraternization. The provisions against marriage with German nationals and billeting of troops with German families were to remain in force. ³³ This matter was

acted upon by the Allied Council in its meeting of 20 September 1945. The Allied Council lifted all restrictions on fraternization with Germans, except that marriage with Germans and the billeting of troops with German families would depend upon authorization by the respective zone commanders. The action of the Allied Council was made effective as of 1 October 1945.³⁴ The impression was given in some dispatches that the marriage of Americans with Germans would soon be permitted by direct authority of the Theater Commander.³⁵ This interpretation was denied in a second announcement by the United States Group, Control Council. It was made clear that the decision of the Allied Council gave the Theater Commander the discretion to permit marriages and the billeting of personnel with German families, but that there was no intention of modifying the existing rules on these two subjects in the near future.³⁶

d. In its meeting of 27 September 1945, the Control Council agreed that the respective zone commanders should issue the necessary orders to put the new policy into effect.³⁷ Theater Headquarters accordingly dispatched, on 29 September 1945, a message to all major commands stating that all restrictions on fraternization would be relaxed as of 1 October 1945.³⁸ This message contained a personal statement of General Eisenhower, which was ordered to be distributed down to company level and to be posted on company bulletin boards. The statement read:

To Personnel of the United States Forces, European Theater:

The strict nonfraternization policy, instituted upon the entry of our forces into Germany, has been gradually relaxed to help you carry out your occupational duties. The time has come when it is to our best interests to make further modifications.

Therefore, restrictions on fraternization will comprise strict prohibition against marriage to Germans and against the billeting of troops with German families. This policy goes into effect on October 1st, 1945. I want to impress on each of you that so long as you are stationed in Germany you will be regarded as representatives of the American way of life, and in your contacts with the German people I expect you to so conduct yourselves as to reflect credit on your country and your uniforms.

(signed) DWIGHT D. EISENHOWER
General of the Army

Chapter IV

THE PATTERN OF FRATERNIZATION

THE REMNANTS OF THE POLICY OF NONFRATERNIZATION

54. Trends of Official Policy.

The revocation of the policy of nonfraternization did not mark the opening of a new era in relations between the members of the American forces of occupation and the German people. The new era, characterized by open relations between the conquerers and the conquered, had already begun. Many parts of the pattern of fraternization were already well developed while the official edicts against fraternization still remained in force. The successive pronouncements which abrogated parts of the policy of nonfraternization had nothing in them which encouraged fraternization. It was clearly not part of the official policy to stimulate friendly relations with the enemy population. The new policy was a permissive one consisting of the removal of restrictions, which allowed more and more fraternization to take place

legally. Moreover, the repeal of the policy of nonfraternization as of 1 October 1945 was not a clean sweep, as it left in effect the bans against the billeting of troops with German families and marriage with German nationals. The first of these surviving restrictions aroused little controversy, as it had been easily circumvented. The latter, however, was a source of discontent in an articulate, if not large, element of the forces of occupation to the end of 1946.

55. The Prohibition against Billeting with German Families.

a. The public announcement made at the time of the repeal of most of the rules on nonfraternization stated specifically that members of the forces of occupation would not be billeted with German families. This ban was also continued in effect by the standing operating procedure governing the acquisition and use of real estate² by the United States Army.

b. It is obvious that the policy against billeting troops with German families failed to prevent domestic-type contacts with the German population. It was not always possible to segregate Allied personnel in quarters separate from the Germans. The buildings and homes requisitioned for use as billets could not be removed from their setting in German towns and cities. The fencing of compounds in some German towns and cities for the quartering of Allied personnel made the separation more complete, but did not eliminate contacts with the German population. At a later date, the Allied population in some

cases overflowed the existing compounds, bringing the two populations into closer physical contact. From the first, domestic servants of German nationality were employed generally in billets and Americans contrived to bring German guests into their billets. These contacts under the same domestic roof partly nullified the effect of the prohibition against billeting troops with German families.

c. A corollary of the prohibition of billeting troops with German families was that American should live in the billets to which they were assigned, and not find, by their own efforts, living quarters elsewhere, perhaps in German homes. The rule against occupation of unauthorized billets had been difficult to enforce in the liberated countries; it was even more difficult to enforce in Germany under static conditions. Reports on Americans of all ranks and grades who found billets outside the compounds and barracks indicate that the practice was not uncommon.³ During the early part of the occupation, there was a good deal of laxness in enforcing the call to quarters, bed check, and appearance at reveille.⁴ This was particularly true in headquarters and service units. In these circumstances, it was relatively easy for an enlisted man to stay with a German girl-friend or to occupy a room or apartment rented from a German. These practices developed in spite of the fact that the Theater regulations did not authorize any kind of a permanent pass permitting overnight absence from quarters or the company precincts. From 6 March to 30 April 1946, the regulations permitted unit commanders to issue permanent Class "A"

passes, authorizing absence at will during off-duty hours.⁵ The Theater regulations made no prescriptions as to good conduct being a qualification for these passes. On 30 July 1946, the issuance of special privilege passes was authorized.⁶ These could be issued to enlisted personnel only after six months' service in the Theater, or, if less than six months in the Theater, then one year's service with a record unblemished by court martial conviction, company punishment, or venereal infection. The special privilege pass was to be revoked when these conditions were no longer fulfilled, and in that case the soldier must earn a perfect disciplinary record for a new six months' period in order to regain the pass. The special privilege pass authorized the bearer to be absent from billets or quarters when not required for duty, and to visit any place within the geographical limits stated in the pass.⁷ The reinstatement of taps, bed-check, and formations at reveille on 1 May 1946 was a check on some of the abuses arising from the occupancy of unauthorized billets.⁸ As for officers and civilians, there was no question of an overnight pass and there was no way to determine whether they actually occupied the billets assigned to them. The amazing thing was that Americans could find rooms and apartments in the bomb-torn German towns and cities, and that they could often have private quarters in exchange for a few cigarettes or other scarce articles.

56. Marriage of Americans to United-Nations Nationals in Germany.

Although United States citizens serving with the forces of

occupation were prohibited from marrying Germans, they might marry nationals of the United Nations. Steps had to be taken to assure the legality of the marriage under German law. For a marriage to be legal under the laws of the forty-eight American States and the District of Columbia, it must be performed in accordance with the laws of the place in which it is celebrated and a conquering army does not carry with it the civil law of its own country. Supreme Headquarters realized that full compliance with the German laws relating to marriage would place unnecessary burdens and inconveniences upon Allied personnel, and discussions took place looking to the formulation of rules to simplify the German marriage procedure for the benefit of Allied personnel.⁹ It was necessary to avoid modification of German law to the extent of bringing into question the validity of marriages performed under it. The regulations as issued by Supreme Headquarters in the form of an administrative memorandum in June 1945 prescribed the procedures to be followed by Allied nationals who wished to marry in Germany, and provided for the performance of such marriages¹⁰ by German authorities in an expeditious manner. These regulations specifically stated that marriage was not permitted with Germans or others covered by the military order relating to nonfraternisation. Theater Headquarters issued regulations in accord with the memorandum of Supreme Headquarters and these continued in effect for the convenience of United States, Allied, and neutral nationals serving with the forces¹¹ of occupation.

57. Proposed Military Government Law on Marriages.

a. Beginning as early as December 1944, serious consideration was given to the promulgation of a military government law designed to provide penalties for Germans who married persons of Allied nationalities or who officiated at marriage ceremonies of Allied nationals and
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Germans. This proposal to punish Germans for their share in evasions of the ban on marriage was never carried into effect. The analogy with the efforts to provide punishment for Germans who violated other rules on nonfraternization is obvious.
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In the discussions on the proposed military government law it was anticipated that Allied personnel would seek loopholes in the marriage ban, and that they would in all probability marry under German law in spite of the prohibition contained in the rules on nonfraternization.
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The question of whether such marriages would be valid arose early in the discussions and a sharp difference of opinion became evident. Some authorities held that a marriage performed according to the laws in effect in the place of marriage would be legal and binding in spite of any military prohibition that might be in effect.
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Others held that a marriage contracted in direct violation of a military order would be invalid because the commanding general of a conquering army should be deemed to have the right to
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modify the local law as he saw fit. The former of these two views was later accepted as sound, the consensus being that the power of the military commander did not extend to declaring invalid marriages contracted according to local forms.

b. The draft of the military government law on marriages was discussed in a conference of Anglo-American authorities in the office of the British Attorney General on 8 December 1944.¹⁷ A little later in the same month it appeared that all the objections to the draft had been met and that its promulgation was a certainty.¹⁸ In the spring of 1945, when the armies had advanced into Germany and the promulgation of this proposed law became imminent, doubts were raised by the British government, especially because of the legal and moral difficulties which would arise from the invalidation of marriages contracted contrary to the military order. The provision for the invalidation of such marriages was accordingly eliminated from the draft. In May 1945 the draft, then designated Military Government Law Number 152, was circulated for the approval of all the various Allied governments concerned.¹⁹ In the form in which it then stood, the proposed law would have provided punishment for any German official who performed a marriage between a member of the Allied Expeditionary Force and any person not a member of that force, except that the Supreme Commander might give specific authorization in cases of marriages between Allied nationals and persons of non-enemy nationality. The draft also made provision for the punishment of the German partner in the marriage.

c. After the end of hostilities, further doubts arose as to the desirability of enacting Law Number 152. The opinion was expressed that existing military regulations and disciplinary procedures were

sufficient to accomplish the desired result. These views became stronger after the relaxation of the rules on nonfraternization in July 1945, when it was perceived that the enactment of this law would have had the effect of establishing an absolute rule against marriage with German nationals.²¹ This would have tied the hands of the Theater Commander for the future against providing any relaxation of the prohibition on marriage to apply to special cases and circumstances.²² The outcome was that the draft became a law.

d. The idea of preventing marriages with Germans by prohibiting officials of the civil administration from solemnizing them was difficult to eradicate. The whole question was reconsidered in the early part of 1946, when Theater Headquarters was beginning to feel the pressure of requests for relaxation of the rules to permit certain marriages with Germans.²³ A new draft of Law Number 152 received at that time the concurrence of the interested staff sections. The new draft differed from the former one especially in being directed solely at German officials; it did not provide for the punishment of the German partner in an unauthorized marriage. The dilemma perceived at the time was that, in spite of the prospect of severe punishment, a German official might elect to go ahead and unite in marriage an American and a German. In such a case it was not doubted that the marriage would be legal and binding.²⁴ At the direction of the Chief of Staff, the project was again dropped. It was, however, during these discussions that a method was finally hit upon to accomplish the desired

result without the promulgation of Law Number 152. The solution was simple and offered itself as an outcome of the regulations permitting the marriage of members of the forces of occupation under German law. Under those regulations, a member of the forces of occupation had to obtain consent for his marriage, and had to go to the German marriage registrar with properly authenticated papers. These papers were issued to the marriage registrar as an order from the Military Government to perform the marriage and, if he performed a marriage without such authority, he was subject to disciplinary action. ²⁵

58. Marriages with Germans in Contravention of the Regulations.

a. The history of the regulations on marriage is characterized by many efforts at evasion. Some members of the forces of occupation displayed at an early date the desire to marry German girls and much ingenuity was exercised in efforts to circumvent the prohibition of such marriages. Reports indicate that as early as the summer of 1945, and certainly in the fall, some American soldiers married their German sweethearts in defiance both of the military order and of German civil law. ²⁶ The principal loophole at that time was for the American soldier and his German fiancée to arrange for the performance of a religious ceremony of marriage. There is no way of knowing how many such marriages were performed, but scattered reports indicate that there were a few dozen. It is clear that such marriages were not binding in any legal sense, as in German law the sole official having power to solemnize a

marriage was the bürgermeister, and a religious ceremony had no legal significance.

b. Religious marriage ceremonies in Austria offered special problems, as under Austrian law, before unification of that country with Germany, religious ceremonies were valid. The new Austrian government repealed many of the German laws that had been made applicable to Austria by the Nazis, and it was believed that this had the effect of reinstating the religious ceremony of marriage. On 4 September 1945, an American soldier belonging to the forces of occupation in Austria married his Austrian fiancée in a Catholic ceremony. The matter was referred to Theater Headquarters and legal opinion held that the marriage was probably binding. But it was pointed out that the American soldier had clearly disobeyed a military order prohibiting all such marriages and he was, therefore, liable to punishment under Article of War 96.²⁸ The authorization of marriages between Americans and Austrians on 29 November 1945 avoided further difficulties of this sort.²⁹

c. A loophole in the regulations relating to marriage with Germans was found by an American soldier early in 1946. As the regulations stood, it was not necessary for a United States civilian serving with the forces of occupation to obtain permission to marry.³⁰ The soldier in question was discharged in the Theater and obtained employment as a civilian with the Seventh Army. He then married a German girl in the regularly prescribed ceremony performed by the

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bürgermeister. In this case it was clear that the marriage was legal
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in every respect, but it was not altogether clear whether the
individual had disobeyed a military regulation and, if he had, what
his punishment should be. The matter was brought to the attention of
the Theater Commander, who ruled that civilians employed by the forces
were subject to the ban on marriages with Germans, and that the
appropriate action in the case in question was to discharge the
ex-soldier from his civilian employment and to send him to the United
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States. This action was carried into effect and was justified on
the grounds that it was contrary to the policy of the Theater Commander
to permit marriages between Americans and Germans, even though they
were apparently authorized under the existing regulations. Other
instances of unauthorized marriages, particularly church marriages,
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came to light at this time. The Theater regulations were soon changed
to close the loophole which permitted civilians employed with the
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forces of occupation to contract legal marriages. This was accomplished
by prescribing that all United States, Allied, and neutral civilians
serving with the United States forces in the European Theater were
required to seek the approval of the appropriate commander in order to
proceed with a marriage. Civilians were thus assimilated to military
personnel for this purpose and were brought clearly within the
prohibition against marriage with enemy nationals.

d. Another loophole was discovered in the regulations by a
discharged American soldier who returned illegally to Germany and

married a German girl according to German law. A new Theater regulation was issued extending the prohibition of marriage with Germans to United States citizens illegally present in the United States Zones of Germany and Austria. There was not, however, any practicable punishment for the evasion of the regulations by a United States citizen illegally present in Germany or Austria, except expulsion of the soldier and denial of an exit permit to the German

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spouse. Still another possible loophole in the regulations was closed in September 1946 by the announcement of the policy that any renunciation of United States citizenship for the purpose of evading the prohibition against marriage with Germans would not be recognized

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as valid.

59. Illegitimate Children.

a. It was realized at a comparatively early date that the birth of illegitimate children resulting from relations between United States soldiers and German women would create problems concerning

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which a policy must be formulated. While marriages were prohibited, it was believed that some American men in the forces of occupation would wish to assume financial responsibilities for illegitimate children and their mothers. A number of difficult legal questions were involved, hinging upon the liability of American personnel to German law and the interpretation of American law and regulations relating to allotments to the dependents of soldiers. The discussions

which took place on this subject brought out that Americans were not
liable in any way to the judgments of German courts in paternity cases. 40
From the point of view of the United States Army, the problem seemed
to divide into two cases, namely, those in which paternity was
voluntarily admitted, and those in which it was not admitted. The
decision reached in Theater Headquarters was that in cases of admitted
paternity the soldier concerned should be required to make reasonable
provision for the mother and illegitimate child. Theater Headquarters
was not, however, disposed to subject American personnel in any way
to the German civil courts in cases of disputed paternity. The
problems relating to the eligibility of illegitimate children and
their mothers for dependency allotments, and the mechanics of paying
voluntary allotments made from soldiers' pay, could not be decided
in the European Theater. These questions were referred to Washington
for decision in October 1945. 41 After considerable delay, the policy
of the War Department was communicated to the effect that the Army
would not concern itself in any way with cases of disputed paternity
and would not bring pressure to bear upon any soldier to recognize
the paternity of illegitimate children. In cases of voluntary
admission of parenthood, however, commanding officers were authorized
to assist soldiers in providing financial or other assistance to the
women involved. 42

b. The possibility of adoption by Americans of their
illegitimate children born of German mothers would seem to be contrary

to the policy declared by Theater Headquarters.⁴³ The question of whether such a procedure would be legal was apparently never ruled upon by Theater Headquarters. The suspension since 1941 of immigration into the United States from Germany would, however, stand as a practical barrier of considerable importance.⁴⁴

c. The information available on the number of illegitimate children fathered by American soldiers in Germany and the sociological problems involved is fragmentary. One report indicates that by the middle of 1946 the number of such children born in one German Land was about 650, and it was anticipated that the weekly rate in that Land would soon pass fifty.⁴⁵ Censorship excerpts indicated that the number of illegitimate children was large, and that some German girls did not hesitate to use their pregnancy or motherhood to bring pressure to bear upon American servicemen or to attempt to extort money from two or more alleged fathers. Censorship excerpts further revealed some instances of American ex-servicemen who appeared to be anxious to return to Germany by one means or another to accept the responsibility of paternity.⁴⁶

60. Rights of German Women Married to Americans.

A curious phase of the problem of marriage with German nationals, and the principal factor in bringing about finally the authorization of marriage in some instances, was that German women when married to Americans gained certain rights under the existing statutes. Thus, it

became clear in connection with a marriage to an enemy alien living in England that the German wife of an American gained the right of entry into the United States on a nonquota basis.⁴⁷ At a later date, it was clear that the German wife of an American serving with the forces of occupation gained status as a war bride and had the right, like any other alien wife, to be transported to the United States at the expense of the Government.⁴⁸ This was true in spite of the fact that the husband had disobeyed the military regulations in contracting the marriage and that he may have been punished under the appropriate Article of War for his disobedience. During the period when the prohibition against marriages with Germans was absolute, or as absolute as the directive-drafters in Theater Headquarters could make it, the possibility always remained that a man could marry his German girlfriend and take his punishment. In the case of military personnel, the prescribed punishment was not only that imposed by a court martial, but also assignment to a new station, if possible, outside the United States Zones of Germany and Austria.⁴⁹ In the case of a civilian employee, the punishment prescribed in the regulations was merely dismissal from employment with the United States forces and expulsion from the European Theater.⁵⁰ The regulations also prescribed that the German spouse would be denied an exit permit and thus the married couple would be prevented from living together. This provision of the regulations was later admitted to be contrary to the statutory provisions which gave German wives status as war brides.⁵¹ This created

an inequitable situation in which those who obeyed the military regulations on marriage were penalized and those who evaded them were rewarded. While the Theater regulations could not prevent a German and his or her American spouse who had married in contravention of military command from joining each other and living together in the United States, the regulations did prevent their living together in Germany. This came within the prohibition against billeting Americans with Germans, which was defined as living together in the same house.⁵² Moreover, it was contrary to the policy of Theater Headquarters to assign dependents' quarters to an American who had married a German contrary to the regulations, or even in accord with the new regulations issued at the end of 1946.⁵³ A German wife, even if married in contravention of the military regulations, gained full rights to allotments from the soldier's pay and public funds, as the statute did not exclude dependents of alien nationality or foreign residence, or both.⁵⁴

61. Transportation of German Fiancees.

Another development also had the effect of creating a situation practically dictating the modification of the Theater regulations relating to marriage with Germans. This was the Act of Congress providing for the entrance into the United States of alien fiancees and fiancees of members and former members of the armed forces of World War II, during the year extending from 1 July 1946 to 30 June 1947.⁵⁵ Under this enactment, ex-service personnel who had returned

to the United States had the right to have their alien spouses-to-be follow them to the United States. The Act made no exception in the case of enemy alien fiancées, and thus German girls became eligible to leave Germany and to join their prospective husbands for marriage and residence in the United States. The procedure was a complicated one, including the gaining of an exit permit and transportation by air from Germany to the United States at the expense of the interested parties. ⁵⁶ The effect of this Act was again to create an inequitable situation, in that the individuals who followed the Theater regulations and the statute faithfully found that they had to go through a waiting period of considerable duration, and that they had to pay a considerable sum for air transportation. A person who, on the other hand, broke the regulations and married in Germany could then go to the United States at government expense and could expect to be followed soon by his German bride, also transported at government expense. The Theater regulations preventing the marriage from taking place before the departure of the American from Germany had the effect, under the statute in question, of imposing a fine of several hundred dollars on the persons concerned.

62. Popular Demands for the Repeal of the Ban on Marriage.

As long as the absolute prohibition of marriages with Germans remained in effect there was considerable dissatisfaction and agitation for its repeal or modification. The letters-to-the-editor (E-Bag)

column of the Stars and Stripes was a favorite outlet for the expression of opinions on this subject. ⁵⁷ No doubt many genuine cases of hardship existed. There were many American servicemen and ex-servicemen who had a sincere desire to marry their German sweethearts. Many soldiers reenlisted for continued service in the forces of occupation primarily for the purpose of staying in contact with their German fiancées. ⁵⁸ No small number of the forces of occupation sought discharge in the Theater and civilian employment in Germany for the same reason. ⁵⁹ A large number of couples were hoping for a relaxation of the marriage regulations and intended to marry as soon as it was legally possible. At the same time, many illicit relationships grew up between American men and German women under cover of the ban on marriage. It was an easy thing for an American to say that he intended marriage, but that he was prevented from making good on his promise because of regulations over which he had no control. The fact that the regulations seemed to put the United States Army in the indefensible position of condoning relationships contrary to usually accepted moral standards did not escape ⁶⁰ the attention of some observers.

63. Authorization of Marriages with Germans in Certain Circumstances.

From 1 October on, the highest authorities in the Theater had repeatedly denied that the regulations on marriage with Germans would be modified in any substantial way. ⁶¹ The announcement of such

modifications on 11 December 1946 came as a surprise to almost all concerned. It was announced that American personnel, both military and civilian, would be permitted to marry Germans during their last month of duty with the forces of occupation in Germany. ⁶² This announcement was followed by the issuance of a new Theater circular on marriage, which detailed the requirements and procedures to be followed by interested parties. ⁶³ The new regulations required that applications for permission to marry Germans be submitted not more than six months and not less than three months prior to the date that the applicant was scheduled to complete his duty with the forces of occupation and to depart to the United States. In any case, the approval would not be given earlier than three months after the application was first submitted; and the date approved for the performance of the marriage could not be more than one month prior to the end of the applicant's duty with the forces of occupation. Only the commanding generals of the major commands were authorized to give approval to marriages with Germans. With reference to the intended German spouse, the regulations provided that an investigation be made of the character and moral background, and that both the German and the American concerned be interviewed by a chaplain of the United States Army, whose recommendations would be forwarded with the application. The regulations further provided that the intended German spouse possess an exit permit before approval to the marriage would be granted. The Theater policy was further declared to be that

any American who married a German would not be reassigned to duty with the United States forces in the European Theater. The regulations, as they stood at the end of 1946, were thus designed to avoid the inequalities which arose under the statutes, but to insure that no American would be permitted to live in Germany with his or her German spouse.

GERMAN-AMERICAN SOCIAL CONTACTS

64. Attendance of Americans at German Churches.

The rules on nonfraternization prohibited the attendance of Americans at German religious services except when there were no services conducted by United States Army chaplains. It was provided that in such cases the German and American elements of the congregation would be segregated in seating. ⁶⁴ After the repeal of the rules on nonfraternization there were no regulations preventing the entry of Americans into German churches. On the contrary, some commands encouraged the attendance of Americans at German religious services by posting along the streets directions for the finding of churches of specific denominations, and by circulating information as to the places and times of religious services.

65. Attendance of American Personnel at German Cultural Presentations.

Following the repeal of the rules on nonfraternization, attendance of American personnel at German-sponsored cultural presentations such as theatrical, operatic, and concert performances was permitted,⁶⁵ and was even encouraged in many ways. Such performances were widely advertised on bulletin boards and in unit newspapers and others of local circulation. The Special Services Division cooperated in this program by facilitating the purchase of tickets, in some instances reserving a block of seats for concerts and other performances. Early in 1946 the conditions of sale of such tickets made it possible, as a general rule, for Americans to be accompanied by German guests.⁶⁶

66. Attendance of American Personnel at German Motion Pictures.

A regulation published on 1 September 1945 stated: "Mixed audiences of troops and German civilians will not be permitted at cinema exhibitions."⁶⁷ This regulation had the effect of barring American personnel from German motion picture theaters. However, the Theater regulation was evaded in many instances. The difficulties of enforcement are obvious, as no means were available to check the identity of persons entering German motion picture theaters or even to exclude from them persons in American uniforms. The provost marshals of many commands approached the problem of enforcement by

declaring German motion picture theaters off limits to American troops, affixing posters to that effect, and making spot checks of the theaters known to be most frequented by American troops. On 7 December 1946 a new Theater regulation was issued, rescinding the earlier rule and permitting the entry of members of the forces of occupation into German motion picture theaters.

67. Entry of American Personnel into German Beer Halls.

As long as the rules on nonfraternization remained fully in effect it was clear that Americans did not have the right to enter German beer halls, night clubs, and similar places of entertainment. Upon the relaxation of the rules on nonfraternization to permit Americans to converse with adult Germans in public places, doubt arose as to whether entry into such places was authorized. In some commands and localities, beer halls and similar places were understood to be public places and no longer off limits. Upon the repeal of the rules on nonfraternization as of 1 October 1945, there was no general regulation excluding Americans from German beer halls. It is well known that Americans flocked to such places, and in almost every locality there were a few German gathering places of this kind which were known to be much frequented by Americans. American entry into establishments of these kinds created disciplinary problems of considerable magnitude in some commands. The places frequented by Americans repeatedly became known as centers of black-market trading,

and they were also the source of some instances of poisonous liquor. The conduct of Americans in some of these places was such as to bring censure and disgrace upon themselves and the United States Army. In July 1946 these abuses were brought to the attention of the Chief of Staff and the Theater Commander, and a thorough investigation was ordered.⁷⁰ The result was that many of the most frequented places were declared off limits to American troops. In such cases, however, a certain element of the troops tended to seek their entertainment elsewhere and other gathering places became notorious almost as soon as their predecessors were closed. The command also attacked this problem by encouraging the establishment of clubs for American personnel, but commanding officers have reported with despair that, no matter how attractive the company clubs were made, there were always some soldiers who preferred to seek diversion in the back-alley dives.⁷¹

68. Admission of Germans as Guests in American Messes.

The prohibition against the admission of Germans as guests in the messes and snack bars of the United States Army was long absolute.⁷² The Theater regulations relating to rations and messing, as in effect throughout 1945 and 1946, allowed no possibility for entertaining Germans as guests in American messes, until a single exception was introduced on 9 November 1946. On that date, Military Government officials were authorized to invite Germans in official and semi-official positions to Military Government messes or billets as guests

for the purpose of discussing matters of common interest arising from
their official responsibilities. ⁷³

70. Refreshments for German Guests At American Parties.

The repeal of the rules on nonfraternization and the general authorization of German guests at American-sponsored dances, parties, and other kinds of entertainments at which refreshments are often served raised the knotty problem of whether German guests could be served refreshments. ⁷⁴ The regulations on rations and messing were quite clear--rations drawn in the regular way could not be used to feed Germans. The difficulties of attaining strict enforcement of this rule at parties is obvious. There are some reports which indicate evasions of the regulations, and the serving of refreshments to Germans, ⁷⁵ along with other guests, at parties.

71. Transportation of Germans in United States Army Motor Vehicles.

The principle that civilians could not be transported in Army motor vehicles was well established before the entry into Germany. The regulations prohibiting the transportation of civilians except in unusual circumstances remained in effect, quite independently of the rules on nonfraternization. ⁷⁶ The special circumstances, as stated in the regulations, did not permit the transportation of German or other civilians for recreational or entertainment purposes. Provost Marshal reports indicate that there were many violations of this rule in Germany as well as in the liberated countries. ⁷⁷ The incidence of delinquency reports by the military police on this subject varied with the intensity

of enforcement and the institution of local drives to stamp out the practice. Shortage of personnel and the pressure of other responsibilities prevented the military police from undertaking rigid enforcement, and it was admitted readily by officers of the Provost Marshal's Department that violations were discovered usually as incidents connected with other offenses. Vehicles were rarely stopped simply for the purpose of determining whether unauthorized German passengers were in them. At road blocks instituted for other types of checks, however, many instances of the unauthorized transportation of Germans were brought to light.

72. Admission of Germans to American Motion Picture Theaters.

Germans were excluded from attendance at motion picture performances conducted by the United States Army under the general rule excluding all civilians. ⁷⁸ This rule was based upon an agreement between the War Department and the motion picture industry, contracted on 18 March 1942, which excluded all civilians from such performances on the grounds that the motion picture industry stood to lose if American films were shown widely before their release in commercial channels. This principle was widely publicized within the Army before the entry into Germany. Thus, German civilians were excluded from American motion picture presentations quite apart from the rules on non-fraternization. The repeal of these rules had no effect whatsoever upon this matter, and in no way authorized the attendance of Germans at American motion picture presentations. In like manner, the liberalization

of the rules of attendance at motion picture presentations to admit United States and Allied civilian employees of the forces of occupation and the dependents authorized to reside in the military communities in Germany had no effect with reference to the possible attendance of

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Germans. Various instances of evasion of the regulations have been reported. 80

American soldiers have been ingenious in introducing their German girl-friends, perhaps by clothing them in borrowed military raincoats; but such practices were generally checked by the examination of identity cards, instituted in the spring of 1946 when dependents had become numerous in the occupied zone.

73. Admission of Germans as Guests at Shows.

The rules regulating the admission of civilians to shows of the United Services Organization, soldier shows, and other types of entertainment presenting American artists were more liberal than in the case of motion pictures. 81 Before the entry into Germany, the regulations permitted the attendance of civilians employed by the military organization sponsoring the show and of a limited number of civilian guests invited by the local commander. These regulations remained in effect in Germany 82 and possibly permitted the attendance of some Germans. The German attendance was probably never large, as in many instances such performances were presented in places to which access was limited to United States and Allied personnel. In May 1946 the regulations in question were repealed and the list, as then published, of classes of

civilians authorized to attend camp shows and soldier shows left no possibility of the attendance of Germans at such performances.⁸³ The rules governing attendance at entertainments presenting German artists were not so strict, and Germans accompanying Americans were often admitted.⁸⁴

74. Admission of Germans as Guests in Clubs.

a. The establishment of clubs of many kinds for officers and enlisted men, and later civilian employees, began soon after the end of hostilities.⁸⁵ Often a German beer hall was taken over and made into a company or other unit club. Furniture was obtained, often by regular requisition, but sometimes by processes which were little short of looting. Beer, wines, and liquor were obtained from captured stocks or by purchase or barter, often in the wine-producing regions of the French Zone. The number and variety of clubs multiplied rapidly. Soon there were noncommissioned officers' clubs, first three graders' clubs, sergeants' clubs, corporals' clubs, and Pfc clubs. Many irregularities developed at an early date in connection with these clubs, and on the finance and accounting side they were soon brought under elaborate Theater-wide regulations.⁸⁶ No general rules, however, were laid down relating to membership or the admission of guests to clubs. Under the regulations, each club had a good deal of autonomy in adopting its own constitution and bylaws and might deal as it liked, under certain limitations, with the matter of admission of German

guests. If the club was located within a compound or in a building in which a mess was operated, admission of German guests to dances, parties, and other kinds of entertainments in the club was not under control of the club itself, but was governed by the rules relating to the admission of Germans to compounds and messes. The result was that in clubs so located German guests were admitted, if at all, only by the employment of subterfuge. In unit clubs, however, admission of German guests was a fairly widespread practice.

b. American Red Cross Clubs long stood as a clear-cut exception in the admission of German guests. In some localities the Red Cross Club remained the one citadel into which, under no circumstances, a German could be brought as a guest. The rigid exclusion of German guests was the subject of a few protests from American soldiers, and relaxation of the rule was considered from time to time. ⁸⁸ Early in 1947, the Theater Commissioner of the American Red Cross announced that the long-standing ban was about to be lifted and that German guests would be allowed in Red Cross Clubs at the discretion of the local military commanders. The plan, as announced, included the screening of German ⁸⁹ girls under a system of social passes.

75. Access of Germans to Compounds.

a. A sensational story transmitted by an American newspaper correspondent from Frankfurt early in 1946 directed attention to the admission of Germans as guests to the compounds established in numerous

military communities in the occupied zone of Germany. The article in question outlined the procedure by which persons quartered in the compound could take their German guests to their quarters, and labeled this practice "Operation GREENHOUSE," because of the color of the guardhouse at Gate Number 1 of the Frankfurt compound, through which all persons not possessing regular passes were routed. The War Department transmitted the article in question to the Theater Commander, with the requirement that a detailed report be made on the subject. ⁹¹

The report prepared in Theater Headquarters made it clear that the basic facts of the newspaper article in question were sound, but explained that the Frankfurt compound was a relatively large area, in which no small number of Germans had the right to enter because of

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their employment. It was explained further that American or Allied personnel could, under the existing regulations, take their guests into the compound at any hour, provided that the names of both the host and the guest were recorded by the guard in the so-called "Greenhouse." It was stated that there was no regulation requiring guests to leave before any specified hour but that, if they remained over night, a report was made to the appropriate commanding officer the following morning.

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b. The discussions and somewhat unfavorable publicity which arose on this subject in the early part of 1946 led to the promulgation of regulations which stopped the entertainment of all-night guests in the compounds of the Frankfurt military community. ⁹⁴ All German guests

were required to be out of the compounds prior to 2200 hours, and no visitors might be allowed to enter the compounds between 2200 and 0800 hours. Germans employed within the compounds were also required to leave by a specified hour. However, although they could not pass through a gate after that hour, there was nothing to prevent them from spending the night in the compound, as no record of their entrance or exit was kept. A considerable number of Germans, including whole families, were quartered within the compounds by reason of employment in a custodial capacity.⁹⁵ The regulations governing the entertainment of guests in quarters, not only within compounds but also in all other places, were further tightened in June 1946 by the provision that guests of the opposite sex would be permitted only in rooms specifically designated for the entertainment of guests. This rule applied to all barracks and barrack-type billets, and bachelor quarters.⁹⁶

REGULARIZED OR PLANNED FRATERNIZATION

76. Fraternization under Official Sponsorship.

At the time of the repeal of the rules on nonfraternization, considerable care was exercised in Theater Headquarters to avoid in the official announcements anything which tended to encourage friendly relations with the German civil population. The attitude of official

neutrality on this controversial subject was maintained on the Theater level for some time. In the lower echelons, however, a different attitude on the part of the command was dictated quite early by the existing conditions. Unit commanders found that a program of leisure time activities for the troops necessarily included dances, parties, and other kinds of entertainments, at which female guests were customary and, indeed, indispensable. Unit commanders were likewise desirous, as a general rule, of providing clubs for the troops, and the question of German guests in them had to be faced at an early date. Thus, the authorization or sponsorship of fraternization became a normal part of the recreational program of units of the forces of occupation. The local commander, quite regardless of his own opinions on the subject of fraternization, found that it was necessary to regularize social practices which were permitted under the Theater regulations and which met a strong popular demand on the part of the rank and file. For the local or unit commander, the principal problem was to regulate fraternization in some way so as to avoid the disciplinary problems and the social abuses which developed all too often in connection with it. Many commanders considered that the best course was to bring fraternization out into the open, to provide clubs into which an American soldier could take his German girl-friend, clubs of a nature which would induce contact with a better class of German girls and families.

77. Social Passes.

a. It was realized early that the absolute ban on fraternization prevented the American soldier from coming into contact with the so-called good German. It was even feared by some that it would handicap the forces of the occupation in finding the surviving non-Nazis and genuine enemies of the Hitler regime, who were needed to fill responsible positions in the German civil administration or to perform tasks connected with the occupation. There is no evidence to show that these fears were justified. There is, however, reason to think that the highest authorities in the Allied Expeditionary Force might have been willing to allow a certain amount of association with the German population if there had been any practicable way of distinguishing the non-Nazi elements of the population. ⁹⁸ The ordinary soldier could not be trusted to distinguish between a friendly, harmless German and a Nazi. The members of the conquering armies soon found that no German admitted Nazi connections and that, if Germans were to be judged on the basis of their own assertions and representations, there had never been a Nazi element at all. The difficulties in developing and administering a scheme of denazification made it plain that the only practicable course at an early stage of the occupation was to prohibit social intercourse with all Germans.

b. At various times a method was sought to mark off the element of the local civil population with which Americans could associate by some simple and readily recognizable device. For instance,

when fraternization was permitted with displaced persons but forbidden with Germans, it was proposed that all displaced persons should wear a brassard or other distinguishing mark to indicate their status. After the rules on nonfraternization were repealed, the device hit upon for providing a sort of badge for the element of the population suitable for social relations with Americans was the so-called social pass. The origin of this scheme is obscure. A plan similar to that which later became known as the social pass was in effect in August 1945 with reference to German guests of the officers' club in Molkenkur.⁹⁹ The local Counter Intelligence Corps detachment was responsible for screening the proposed guests of this club. In a conference with major commanders on 16 January 1946, the Theater Commander said that he felt the commanders concerned should take any steps necessary to insure that only desirable types of individuals should be admitted as guests to dances and parties sponsored by American units and agencies.¹⁰⁰ By that date, the plan for the issuance of social passes was already in operation in the Nürnberg-Fürth Enclave, a plan which was later to attract Theater-wide attention. The basic idea, that is, the screening of German girls and the issuance of special passes or identity cards entitling them to admission to American social functions, has been attributed to the commanding general of the International Military Tribunal, Brigadier General Leroy H. Watson.¹⁰¹

c. In June 1946 the Nürnberg plan of issuing passes to socially desirable German girls attracted the attention of Theater

Headquarters, and the Nürnberger authorities were directed to submit a description of their plan and how it was administered. ¹⁰² The report stated that the plan of social passes had been put into effect originally to control the invitation of German girls to a new night club in Nürnberg. When the plan seemed to work satisfactorily for one place of entertainment, it was extended to include all social functions under American sponsorship in the Enclave. The screening to which applicants for the social pass were originally subjected had for its purpose merely to eliminate the politically undesirable girls. When the general scheme was put into effect, the screening was a more serious effort to eliminate German girls of unsatisfactory background. A social pass could be refused for any one of the following reasons: unfavorable or unclean personal appearance, false statement in the questionnaire or during the interrogation, undesirable political or social background, criminal or venereal-disease record, age of less than eighteen years. During the first three or four months of operation of this plan, there were 4,762 applicants for social passes of whom 1,333 were refused for the following reasons: 30 percent, married with children; 20 percent, politically undesirable; 20 percent, generally bad appearance; 10 percent, pregnant; 10 percent, police records; and 10 percent, false statements. The reports submitted to Theater Headquarters on this subject did not explain the apparent contradiction between the grounds stated for the refusal of social passes and the reasons upon which social passes were actually refused.

d. There was a good deal of enthusiasm in the middle of 1946 for the plan of social passes. Many people believed that in it had been found the solution for some of the undesirable aspects of fraternization. It appeared to be a scheme for insuring that German girls attending American social functions would be of a high type, carefully selected as to political and social background. A directive was issued by Theater Headquarters on this subject in July 1946, describing the principles and administration of the Nürnberg system and directing major commanders to inaugurate similar systems in their respective commands. ¹⁰³ On 23 September 1946, a plan for the issuance of social passes was put into operation by Headquarters Command, United States Forces, European Theater. This plan provided for an additional ground for denial of a social pass, the fact that the applicant was ¹⁰⁴ married.

e. While the plan seems to have worked well in Nürnberg, difficulties and dissatisfaction developed in its application elsewhere, especially in localities where the troop population included some ¹⁰⁵ American Negroes. While many German girls were anxious enough to obtain a social pass, the scheme met with indifference or positive dislike on the part of German girls in some localities. Some German girls pointed out that there was still a good deal of disapproval in their own circles of open association with the occupying forces and that they hesitated to put themselves on record, in what appeared to be police files, as consorting with Americans. Some also took the

view that the social pass was too much like the traditional yellow ticket issued by Continental police to prostitutes. The net result was that no standard Theater-wide scheme for the issuance of social passes was devised or believed to be practicable. In November 1946, therefore, the directive on social passes was rescinded and the issuance of social passes was left to the discretion of the major commanders, except that Theater Headquarters prescribed that in no case should an application for a social pass be checked against the files of the local health bureau, nor should a physical examination be given as a requirement for the issue of a social pass.

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78. Army Sponsorship of the German Youth Program.

a. As early as July 1945, there were sporadic efforts on the part of United States officers and soldiers to establish German youth groups in the localities in which they were stationed. Efforts of this kind in the Bremen Enclave attracted some attention and were apparently successful to a considerable degree, considering that they had no official backing. In September 1945 the Seventh United States Army instituted a program for the sponsorship of German youth organizations, and chaplains and other personnel were directed to participate in these activities. All American sponsorship of the revival of the German youth movement before 1 October 1945, whether the activities were instituted on the initiative of certain individuals or as a result of the directive of the Seventh United States Army, was

in violation of the existing rules on nonfraternization. It must be remembered that up to the middle of July 1945 all friendly associations with Germans, except young children, were prohibited, and after the middle of July 1945 the degree of fraternization which was permitted was conversation with adult Germans in public places. It is clear that the leadership of youth groups could not properly have been carried on within these limitations.

b. In October 1945, a Theater directive provided for the revival of the German youth movement. ¹⁰⁹ Leadership in youth groups was vested, not in the United States Army or its individual members, but in local youth committees consisting of Germans selected and screened for the purpose by the military government authorities. The German youth program of the Seventh United States Army was modified to accord with the Theater directive. ¹¹⁰ Thus, official sponsorship by the United States Army of German youth groups was brought to an end for a period of some months. At the end of 1945, however, many units sponsored Christmas and New Year's parties for German children, and gifts of candy were solicited in many of the post exchanges in Germany. There was no open sponsorship of these activities by Theater Headquarters.

c. On 15 April 1946 a new program for the sponsorship of ¹¹¹ German youth organizations was announced by Theater Headquarters. The Theater directive initiated a program of broad scope, which included the provision of sports equipment and other material for German youth groups and the encouragement of leadership in them by members of the

forces of occupation. The plan was carried into effect by the cooperation of the troops and Military Government. The history of this movement falls outside the scope of this study. The participation of the United States Army in the German youth program reached a high point at Christmas time of 1946, when all members of the forces of occupation were urged to make gifts to German children. A systematic program for the sponsorship of German schools and other youth groups by units of the United States Army was carried into effect, with the object of providing a Christmas party for all German children.

DISCIPLINARY PROBLEMS ARISING FROM FRATERNIZATION

79. Problems of the Commanding Officer.

Enforcement of the rules on nonfraternization presented many disciplinary problems to the unit commander. But the repeal of those rules did not mark the end of the disciplinary problems arising from fraternization. Most of these arose out of the relations of soldiers with German women. Others arose from the tendency of Americans to seek among the Germans articles for barter and opportunities for entertainment, diversion, and material gain. One problem that appeared from time to time was the tendency of soldiers to seek supplies of alcoholic beverages from the Germans, among whom the supply was scarce, usually of bad quality, and often poisonous. Many commanders attacked

this problem by making limited liquor rations available to the troops, which for enlisted men were usually salable only in their clubs. In spite of such efforts, many men continued to seek greater supplies of liquor, and in doing so created a train of disciplinary problems, including especially the congregation of Americans in German beer halls and centers of the black market. One disciplinary problem which many commanders feared would reach serious proportions was the possibility that friendly relations with the Germans would result in leaks in the security of classified information. ¹¹² Some instances of such leaks have been reported, but their number was not great except with reference to the large-scale security raids of the type of Operation TALLY-HO. Although unusual precautions were taken in the preparation of sweep raids, the information that a general house-to-house search was about to be made sometimes leaked out in the localities concerned. The responsible officers usually suspected that these leaks resulted from indiscretions on the part of members of the command who were anxious to protect their German friends.

80. Trading with the Enemy.

a. The controversies and disciplinary problems arising from shopping in Germany and the tendency of Americans to seek material advantages by barter or black-market operations did not cease with the repeal of nonfraternization. On the contrary, the tendency was for these practices to increase. The new privileges of Americans

permitted them to have additional contacts with Germans. The regularization of the entry of Americans into German homes made barter and black-market dealing all the easier. The Theater command and unit commanders were faced throughout with complications arising from the fact that relations and dealings of many kinds with the Germans were authorized and completely legal on the basis of the existing regulations. Yet there was the continuing necessity of preventing, insofar as possible, the deterioration of such relations into a large-scale black market.

b. In April 1946 the Theater Judge Advocate observed that the regulations, as they then stood, authorizing the purchase of goods and services from the Germans were in fact contrary to the provisions of the Trading with the Enemy Act. ¹¹³ He observed further that the necessity for some dealings with the Germans, especially the hiring of domestic servants, would become more necessary with the arrival of dependents of members of the forces of occupation and the establishment of American communities in the United States Zone of Germany. In view of these considerations, an inquiry was addressed to the War Department requesting an interpretation of the Trading with the Enemy Act and the exemption, if possible, of members of the forces of occupation and their dependents from that Act for purposes of dealing with the Germans to the extent necessary to maintain a proper domestic economy. ¹¹⁴ No such general exemption or license was forthcoming, and Theater Headquarters was faced with the necessity of making its regulations conform

Trading with the Enemy Act. The prohibition against engaging in business by any person serving in or accompanying the United States Army in Europe was continued in effect. ¹¹⁵ In September 1946 comprehensive regulations on the subject of permissible transactions were issued, bringing dependents of members of the forces of occupation under the restrictions, and declaring it to be the policy of the Theater Commander that members of the United States forces should not use their presence in Germany or Austria to disturb the economy of those countries. ¹¹⁶ The new regulations made no substantial changes in what had been understood under previous directives as engaging in business. They did, however, attack transactions with the enemy on a lesser scale by prohibiting the sale of tangible personal property to Germans and Austrians, and by prohibiting barter and gifts, except "minor gifts of a sociable or charitable nature which are given without obligation of any kind." ¹¹⁷ It was at this time that the establishment of barter markets was authorized on a zone-wide scale. ¹¹⁸ The employment of domestic servants was authorized as not falling within the scope of the Trading with the Enemy Act. ¹¹⁹

81. Disciplinary Problems Arising from Relations with German Women.

No doubt the most serious disciplinary problem presented to the command by the association of American men with German women was the control of venereal disease. This was met by an unusually energetic campaign, the main factor of which were the counseling of

American personnel and the lending of aid in the identification and treatment of infected German women. Unit commanders have been faced by numerous other problems, which vary in importance from place to place. Some reports from the field indicated numerous instances of theft of food and fuel by Americans for the purpose of gifts to German friends. ¹²⁰ In some units this practice apparently reached considerable proportions and was marked by the steady disappearance of issued articles of clothing and rations. There were also reports from the field which indicated that radios, articles of furniture, and other objects were stolen from requisitioned German homes and buildings used as quarters for the troops and given to the girls and women associating with American soldiers. ¹²¹ A regimental commander reported disorders arising from rivalries within his command for the favors of the more desirable local girls. ¹²² The problem of women in quarters was a never-ending one. ¹²³ In spite of all normal precautions, unit commanders found many instances of the introduction of women into, the quarters of enlisted men, even of the barracks type. The recurrence of reports of women in the quarters of officers and civilian employees was commented upon by the Theater Commander. ¹²⁴ Another problem commented upon by a few unit commanders was the disinterest shown by some soldiers in the privilege of passes and leaves to visit liberated countries of Europe, as some members of the forces of occupation indicated their preference to spend their leisure time within the occupied zone. ¹²⁵ This preference gave rise to further disciplinary problems, some unit

commanders reporting a decline in the efficiency of their commands because men were absent without leave in order to return to former stations to visit German girl-friends. A related problem reported from the field was the unauthorized use of government motor vehicles to go and visit German girl friends.

82. Public Display of Affection.

In a conference with major commanders on 22 May 1946, the Theater Commander indicated that he considered it to be poor taste on the part of American soldiers "to make a public display of affection with German women, such as walking down the street hand in hand," and directed that such displays be banned throughout the Theater. Major commanders were accordingly instructed to prohibit the public display of affection by United States soldiers toward German women and to undertake rigid enforcement of this directive. A follow-up message to major commanders expanded this directive to include "any unseemly and undignified public display of affection between a member of the United States forces and a member of the opposite sex, regardless of nationality."

83. Camp Followers.

a. One of the most persistent and troublesome problems arising from the relations of American soldiers with German girls was the tendency of the Germans to attach themselves to certain soldiers and units and to follow them upon a change of station. The responsibility

for these practices has been divided, perhaps about equally, between the persons of both sexes. American soldiers have been reported in numerous instances to have taken their German girl-friends with them from one town to another and to have undertaken to find living quarters and other conveniences for them at their new station. ¹²⁹ This tendency was disturbing to the German economy because of the shortage of housing and food. Numerous cases have been reported in which the American soldiers concerned brought pressure to bear upon the local bürgermeister to require him to provide quarters and ration cards for their German girl-friends. The bürgermeister of Wächtersbach was reported to have refused on several occasions to provide rooms and ration cards for girl-friends of members of the 2d Armored Division, which was stationed near that place late in 1945. The resentment against this bürgermeister was expressed by a gang of sixteen armed American soldiers who, at the time of the movement of their division from the neighborhood, assaulted the bürgermeister, injuring him severely. ¹³⁰ In Mannheim, at the time of the withdrawal of the 84th Infantry Division in January 1946, a mob of some 300 women camp followers attempted to loot the quarters which had been occupied by the troops. They were opposed by the German police and fire brigades, and a riot of some proportions ensued. Later some enlisted men of the 84th Division came to the Mannheim city jail and tried to liberate by force their girl-friends. ¹³¹

b. The problems of camp followers came to the attention of the Theater Commander, who directed that drastic action be taken to

stop units from taking with them upon a change of station alleged
employees and the girl-friends of their members. ¹³² Unit commanders
reported from the field that, upon a change of station, they gave
strict orders against taking girls along and that they took precautions
to prevent the practice. Yet, when they arrived at the new station,
the women camp followers were already there to greet the unit, or would
drift into the new town within the next few days by various means of
transportation. ¹³³ Reports from the field indicated that the problem
of camp followers was particularly serious in American Negro units. ¹³⁴

EXTENT AND RESULTS OF FRATERNIZATION

84. Extent of Fraternization.

a. Many estimates were made as to the proportion of the forces
of occupation who fraternized with the German people. ¹³⁵ Some of them
were based upon more or less scientific polls of the membership of
certain units or headquarters. No estimate placed the figure at less
than a majority and many placed the estimate as high as 90 percent.
An estimate of this kind depended, of course, upon the definition of
fraternization in the mind of the person making the estimate. If the
strict definition contained in the original directive on non-
fraternization were taken, it would have been difficult to find any
member of the forces of occupation who had not, at one time or another,

fraternized. The original rules forbade the exchange of friendly greetings with Germans and all kinds of relations and dealing with them except those related strictly to official duties. After the repeal of the rules on nonfraternization, this strict meaning of the term fraternization was not generally present in the minds of the members of the forces of occupation. To the average member of those forces, the term fraternization meant a fairly close and friendly contact with the Germans. The "Fraternizer" was understood to be one who kept company with a German girl, or who entered into frequent and friendly relations of other kinds for social or cultural reasons. The term was generally not understood to include barter with Germans or other relations of an economic content, such as entering German shops or the procuring of personal services of one kind or another. The estimates on the amount of fraternization, coming as they do from experienced members of the forces of occupation, should be interpreted to imply that a large proportion of the forces of occupation were regularly in close and friendly contact with the German civil population.

b. The proportion of fraternization which had a sexual basis is a question upon which there is not general agreement. Some estimates are available which vary widely from about 50 percent to nearly 100 percent. ¹³⁶ That is to say, there were some observers who believed that nearly all fraternization had a sexual motive. This interpretation is open to serious doubt. There is no doubt that a large proportion of the fraternization that occurred was motivated by sexual desires.

It is also clear that there were other strong motives involved, such as the desire for economic gain, the social life, and the cultural and educational advantages to be obtained in the study of the German language, manners, music, and art. It is probably correct to say, first, that all but a small minority of the members of the forces of occupation were in continuous and friendly contacts with the German civil population and, secondly, that of the nonofficial contacts with the Germans, not more than half arose from sexual motives.

85. Variations in the Extent of Fraternization by Different Groups.

a. There are a number of unsettled questions relating to differences in the extent and nature of fraternization by distinguishable groups within the forces of occupation. One of these questions is whether enlisted men were more prone to enter into friendly relations with the Germans than were officers. ¹³⁷ The opinion usually expressed by observers in the field is that fraternization was more prevalent among enlisted men than officers. This view was in part based upon the fact that officers could find female companionship in their messes and clubs without seeking the company of German civilians, since the female members of the forces of occupation were in large proportion officers or civilians enjoying officer privileges.

b. Another unsettled question relating to the extent of fraternization is the alleged difference in attitude toward the Germans by troops who had had combat experience and their replacements in the

forces of occupation. The observers who expressed their opinion on this subject were about equally divided. One thing is certain-- a large proportion of reinforcements arriving for service in the forces of occupation had already heard many reports of the ease of establishing relations with German girls and they intended to find out for themselves. Continuing relationships with Germans were probably about as common in one of these classes of troops as in the other. The most scientific survey made of this subject indicated that the friendliness of troops for the Germans tended to increase during their period of service in the forces of occupation.

c. Another question upon which opinions differed was whether fraternization was as common among married men as among the unmarried. 140 Observations in the field usually lead to the expression of the opinion that married men are less prone to fraternize. No objective measure is at hand. It is a matter of common observation that many married men have entered into friendly relations with German girls. It may be that married men were prompted more often in their fraternization by motives other than the sexual than was the case with bachelors.

d. If there was a difference in the extent of fraternization in headquarters and service troops, on the one hand, and the field forces, on the other hand, that distinction tended to disappear with the development of static conditions in the occupied zone. In theory, headquarters and service troops, having more permanent stations, should have had more opportunities for entering into friendly relations with

Germans. Change of station did not necessarily, however, prevent continuance of such relations. The frequent transfer on a regular schedule of units of the United States Constabulary probably tended to discourage the development of close and continuing relations with particular members of the German civil population.

e. If there was, at an earlier date, any real difference in the extent of fraternization by troops stationed, respectively, in the town and the country, that difference also tended to disappear with the establishment of static conditions. By 1946 by far the greater part of the forces of occupation was stationed in towns and cities. If any discernible difference remained in this regard it would be a question of whether fraternization was more common in large cities than in small towns. Observers did not report any outstanding difference in this respect.

f. The extent of fraternization by American Negro troops was another controversial subject. ¹⁴¹ Observers in the field usually reported that there was a higher percentage of fraternization among Negro troops than among white. This view, however, was denied by a former Negro officer who made an investigation of the employment of ¹⁴² Negro troops in the European Theater late in 1946. The problems flowing from fraternization by the two races were the same, differing only in intensity. A few reports based on observations in places where Negro units were stationed assert that there were more camp followers, more black-market transactions, more resentment on the part of German

males, and more disturbances of the peace resulting from fraternization by Negroes than by white troops. To the usual disciplinary problems was added the resentment of white troops arising from the association of Negroes with white women--a matter which had already caused violence in France and other countries.

86. The American Soldier as the Ambassador of Democracy.

One of the favorite arguments against the rules on nonfraternization, while they remained in effect, was that they tended to defeat one of the major purposes of the occupation in that they did not afford an opportunity for the Germans to learn the democratic way of life. People who propounded this argument took the view that the average American soldier is the best available ambassador of democracy. They argued that the friendly association of American soldiers with the Germans would furnish innumerable object lessons of the freedom of the American spirit and would acquaint the Germans with the philosophy of life of the younger generation of Americans. These arguments no doubt carried weight in the discussions leading up to the abandonment of the policy of nonfraternization. It is clear that subsequent developments, especially in the Army sponsorship of the German youth movement, have tended to recognize and to give free play to the capabilities of the American soldier as a walking delegate of democratic principles.

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87. Danger of German Counterpropaganda.

While there were many observers who believed that the average American soldier was the best possible ambassador of democracy, there were many others who cast doubt upon this view and represented the average American soldier as naive and immature in his political and economic beliefs. ¹⁴⁴ Those who took this view maintained that the majority of Americans had no clear-cut ideas as to why we had fought against the Germans and as to why they were in Germany serving in the forces of occupation. If all these things were true, it was easy to think of the average American soldier as a gullible object for the counterpropaganda of the Germans. There is no doubt that these beliefs or fears played a part in the adoption of the policy of nonfraternization, and that this was designed as a measure to insulate Americans from the propagandist influences which they were sure to encounter in Germany. After the repeal of the rules on nonfraternization, the average American soldier was frequently reported as succumbing readily to the blandishments of the Germans. A special aspect of this subject was that the American soldier was reported as a ready prey for the German woman interested in creating sympathy for defeated Germany and in stirring up dissension among the Allies and creating prejudice on the part of the American against other nations, particularly the Soviet Union. The possibility that an organized campaign of this kind might constitute a serious threat to the security of the forces of occupation did not escape the attention of the appropriate authorities. ¹⁴⁵ The danger of

exposure to German propaganda was regarded as serious enough to warrant vigorous efforts to instruct the American soldier on the reasons for his presence in Germany and the historical record of the German people in war-making. There were, no doubt, some American victims of German propaganda, but, at the same time, many Americans who were disposed to a friendly attitude toward the Germans because of their superficial resemblances to Americans, upon close and continued contact with them, reacted strongly against the German mind and character.

88. Moral Effects of Fraternization.

Many observers expressed the fear that the American soldier was being debased morally by fraternization. ¹⁴⁶ This view was usually expressed with reference to the license prevailing in sexual relationships. Under the shelter of the ban on marriage, the member of the forces of occupation found himself in a situation in which he could enter into illicit relationships, while being prevented by the existing regulations from making good an offer of marriage. This was a situation pleasing to the man of no high moral principles. It tended also to depress the moral principles of others to the same questionable standard. A related danger was present in the ever-increasing venereal-disease rate, which indicated that a high proportion of the individuals serving in the forces of occupation might, upon return to the United States, become carriers of venereal disease in spite of the best medical precautions. The moral effects of fraternization with Germans

for the purpose of obtaining material gain has perhaps not received as much attention as it deserves. The exploitation of the black market may, in the long run, undermine in a serious way the moral character of many members of the forces of occupation.

89. Fraternization in Relation to the Success of the Occupation.

The one question which includes all others relating to the controversial subject of fraternization between Americans and Germans is whether the practice of fraternization is a threat against the success of the occupation. ¹⁴⁷ Some of those who have reflected upon the subject think that the forces of occupation might well have been more effective if the rules on nonfraternization had been maintained in effect. Such a view can be maintained only by a refusal to recognize the failures in the enforcement of those rules. The rules could not be maintained in effect largely for the simple reason that they were not being enforced. In such circumstances there was no alternative to their repeal. The return to a system of nonfraternization is not seriously proposed by many observers. It is generally recognized that such rules would be even more difficult to enforce in 1947 than they were in 1945. What is proposed by serious observers is the issuance by Theater Headquarters of some kind of a code to govern associations ¹⁴⁸ between Americans and Germans. Parts of that code have already been issued in the regulations governing marriage, billeting, barter, and other subjects. One considered point of view is, therefore, to

institute a regime of controlled fraternization. It is easy to observe, however, that no amount of Theater regulations can possibly attain a result which is not desired by the rank and file of the forces of occupation. At the end of 1946, there was not enough evidence to warrant the suggestion that the practice of fraternization had compromised the success of the occupation, or threatened to compromise it in the near future.

FOOTNOTES

FOOTNOTES

Chapter I

1. Document JCS 1067, communicated to General Eisenhower in his capacity as Commanding General, ETOUSA, on 14 May 1945, embodying the principle of nonfraternization, continued as the basic guide in occupation policies. See cable CC-20130, 10 Dec 45, CMGUS sgd Clay to AGWAR, recommending, among other things, the deletion from JCS 1067 of the reference to fraternization.

2. USFET, Office of the Director, (US Zone), Reports and Information Br, Hunt Report Digest, American Military Government of Occupied Germany, 1918-1920, pp 17-18.

3. Interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46.

4. SHAEF, Handbook for Unit Commanders (Germany), 15 Sep 44, p 2.

5. Report of the General Board, USFET, Study No 85, JA Sec, "Legal Phases of Civil Affairs and Military Government," pt 3, chap 3, par 64.

6. Hunt Report Digest, as cited.

7. Ibid.

8. Memo, SHAEF, G-2 to G-1, 4 Apr 44, file SHAEF/10 DX/L/INT, subj: "Maintenance of Morale and Discipline of Allied Troops during the Occupation of Germany," sgd T. J. Betts, Brig Gen, USA.

9. See special reports on fraternization from 61st FA Brig, 53d QM Base Depot and 36th FA Gp.

10. See especially "Experiences in Occupied Rhineland," an unsigned paper issued by Joint Historical Research Section, Control Commission (British Element), London, in Nov 44 (copy in CALA Docs, SHAEF, G-5 Div, file 25.32); Ambassador William Phillips, "Conduct of American Military Personnel in Germany," dated 28 Mar 44 (copy in CALA Docs, SHAEF, G-1 Div, file 250.1-3).

11. For Gen Eisenhower's views on the necessity of prohibiting billeting, see ltr, SHAEF, G-3 Div (Forward), 9 Sep 44, file GGT 370-27 (Plans), subj: "Operation 'TALISMAN'--Fraternization," sgd J.F.M. Whitely, Maj Gen, GS.

12. John O'Donnell writing in New York Daily News, 9 Jun 45; cable WX-11560, 4 Jun 45, AGWAR to SHAEF, quoting Washington Times Herald to the same effect.
13. Henry Morgenthau, Jr, Germany Is Our Problem (New York and London: Harper, 1945), and article in Philadelphia Record, 26 Aug 45.
14. Polycritic of The New Statesman and Nation (London) as quoted in Military Government Weekly Information Bulletin No 19, 1 Dec 45, p 39.
15. App A, "Political Guide," par 1.
16. See minutes of 25th and 26th meetings of CCAC in GALA Docs, G-5 Div, file 1A, and note by the secretaries, CCAC, atchd to CCS 551 as distributed within G-5 Div, SHAEF, by ltr of 6 May 44.
17. Memo, CCS to SCAEF, 28 Apr 44, atchd to same issue of CCS 551/
18. "Interim Directive to SCAEF Regarding the Military Government of Germany in the Period Immediately Following the Cessation of Organized Resistance (Post Defeat)," CCS, 17 Sep 44, par 4; "Directive to the Chief of the US Forces of Occupation Regarding the Military Government of Germany," JCS 1067/6-8, 26 Apr-10 May 45.
19. As to the date of shipment of the Pocket Guide to Germany, see cable W-86749, 4 Jan 45, AGWAR to SHAEF.
20. Interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46.
21. There was no AC of S, G-1, CCSSAC.
22. On the work of the G-2 Div, see memo, as cited in footnote 8, above, and atchd papers in GALA Docs, G-1 Div, file 250.1-3.
23. On the work of the Civil Affairs Div, WD, see ltrs, Maj Gen J. H. Hilldring, Director, to Brig Gen Julius C. Holmes, C/AC of S, G-5, SHAEF, 23 Jun and 12 Jul 44, and atchd papers in GALA Docs, G-5 Div, file 2.
24. Memo, SHAEF, AC of S, G-1, to Combined Section, 18 May 44, sgd R. W. Barker, Maj Gen, GSC, AC of S, G-1.
25. IRS, SHAEF, G-1 to G-5, 26 Jul 44, file GAP 250/1, subj: "Conduct of Allied Personnel in Germany," sgd P. C. Buccard, Col, Inf.

26. Interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46.
27. The original draft may be found in GALA Docs, SGS, file 250.
28. See staff study, SHAEF, G-1 Div, 18 Aug 44, file GAP 461, subj: "Conduct of Allied Troops and German Characteristics in Defeat," sgd R. W. Barker, Maj Gen, AC of S, G-1.
29. Interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46.
30. A comparison of the original draft and the directive in final form (see App 1) reveals certain editorial changes and the addition of a new subparagraph, 9f.
31. The basic documents embodying the policy of nonfraternization are as follows: (1) Ltr, SHAEF, 12 Sep 44, subj: "Policy, Relationship between Allied Occupying Troops and Inhabitants of Germany," sgd Dwight D. Eisenhower, Gen, US Army, and app "A" to the same. See app 1, this study. (2) "Special Orders for German-American Relations," distributed as a printed card to all troops beginning in March 1945. See app 2. (3) Commanding generals' letter to the troops. Covering letters for the "Special Orders for German-American Relationship," written by O. M. Bradley, Lt Gen, US Army, Commanding 12th Army Group, and John C. H. Lee, Lt Gen, US Army, Commanding Communications Zone, were available in the preparation of this study. See also "Letter by the Commander in Chief of 21st Army Group," March, 1945, sgd Montgomery, Field Marshal. This letter was published in full in the Sunday Dispatch (London), 25 Mar 45. See also ltr, Third US Army, Office of the CG, 12 Dec 44, file AG 091, subj: "Relations with the German People," sgd G. S. Patton, Jr, Lt Gen, US Army, published in After Action Report, vol 2, JA, Annex No 3. (4) "Directive for Chaplains as to Policy in Relations with the German Clergy and Inhabitants of Germany," SHAEF, 30 Mar 45, file AG 091-1 (Germany) GAP-AGM, addressed to all major commands.
32. Basic Directive, par 1b, c; Special Orders, Nos 1, 2; ltrs of Gen Patton and Field Marshal Montgomery; Chaplains' Directive, par 3a (1), (5).
33. See especially a booklet of 16 pages, entitled "Don't be a Sucker in Germany," issued by PM, Ninth Army, and reissued by 12th A Gp. This booklet, apparently widely distributed, was based primarily on the experiences of Belgian resistance groups and warned military police and others as to the conditions likely to be encountered in Germany.

34. SHAEF, Combatting the Guerrilla, np, 1 May 45, 44 pp. In this booklet it was intimated that the policy of nonfraternization might be a handicap in gaining the cooperation of the civil population in combatting guerrilla bands. See especially p 35.

35. Ltr, 12 Sep 44, as cited in n. 31, above; Basic Directive, pars 1d, e, 5b; Special Orders, No 3; ltrs of Gen Bradley and Lee; Chaplains' Directive, par 3a (4).

36. Basic Directive, par 2a, b; Special Orders, Nos 4, 5; ltrs of Gen Patton; Chaplains' Directive, par 3a (2). See also SHAEF, Handbook for Unit Commanders (Germany), 15 Sep 44, p 33.

37. Basic Directive, par 5b; Special Orders, No 6; ltrs of Gens Bradley and Lee and of Field Marshal Montgomery; Chaplains' Directive, par 3a (3).

38. Special Orders, No 7. See also Report of the General Board, USFET, Study No 85, JA Sec, "Legal Phases of Civil Affairs and Military Government," pt 3, chap 3, par 64.

39. Ltr of Field Marshal Montgomery.

40. See article on "Nonfraternization" in New York Herald Tribune (European Edition), 27 Jul 45.

41. See paper by William Phillips, as cited in n. 10, above.

42. Cf n. 13, above.

43. Ltr, Com 2, 19 Nov 44, file AG 092 Op GA, subj: "Policy, Relationship between Allied Occupying Troops and Inhabitants of Germany."

44. Ltr, Maj Gen J. H. Milldring, Director, CA Div, WD, to Brig Gen Julius C. Holmes, DAC of S, G-5, SHAEF, 12 Jul 44.

45. Cable S-75908, 20 Jan 45, SHAEF sgd Eisenhower to ACWAR.

46. See Stars and Stripes, 9 Oct 44, and "Remarks of General Eisenhower at Off-the-Record Conference," in CALS Docs, G-5 Div, file 115.05.

47. Cable S-62842, 16 Oct 44, SHAEF to 6th Army Group.

48. Cable, 6th A Gp, to SHAEF, 10 Jan 45.

49. Par 4.
50. First Army, Report of Operations, 1 Aug 44-22 Feb 45, vol 1, p 43, and Sit Map No 5.
51. Ibid, p 56; Third Army, After Action Report, vol 1, p 164.
52. Third Army, After Action Report, pp 164, 198; Seventh Army History, Phase Three, pp 626, 908-913.
53. Stars and Stripes, 6 Mar 45.
54. At Aschaffenburg, east of the Main River between the Odenwald and the Spessart Mountains, on 29 Mar 45 and during the six days following against 157th Inf Regt; see Seventh Army History, Phase Four, pp 1039, 1041. At Würzburg on 3 Apr 45 against elements of the 42d Inf Div; see ibid, p 1044. In the area of Ulm; see SHAEF, Joint Intelligence Committee, "Political Intelligence Report," 30 Apr 45, p 1.
55. The Supreme Commander's directive was distributed within the First Army on 23 Oct 44. See First Army, Report of Operations, 1 Aug 44-22 Feb 45, vol II, pp 52-53 (Annex No 1, G-1 Sec Report).
56. Ibid.
57. Stars and Stripes, 15 Sep 44.
58. Cable FWD 15089, 17 Sep 44, SHAEF FWD from Eisenhower to 12th A Gp, personal to Bradley.
59. Cable FWD 15420, 22 Sep 44, same to SHAEF Main personal to Allen, PRO; cable S-88212, 22 Sep 44, SHAEF Main to PRO's of major commands; cable 22 Sep 44, SHAEF FWD, personal from Eisenhower to Marshall (copy in USFET SGS, file 250, vol I, sec 133).
60. SHAEF, Joint Press Cen Gp, Press Censors' Guidance No 450, 16 Sep 44, subj: "Fraternization with the Enemy."
61. See Stars and Stripes, 13 Oct 44, and "Remarks by General Eisenhower at Off-the-Record Conference," in GALA Docs, G-5 Div, file 115.05.
62. Report to Chief, Special and Information Service, subj: "Fraternization between Germans and American Officers and Men," sgd Arthur Goodfriend, Maj, AGD, Editor-in-Chief, Stars and Stripes.

63. Stars and Stripes, 20 Oct 44.
64. Maj Arthur Goodfriend, as cited in n. 62, above.
65. Cable WX-39847, 1 Oct 44, AGWAR to SHAEF.
66. IRS, SHAEF, G-1 to AG, 11 Mar 45, file AG 091-1 (Germany), subj: "Orientation of Troops on Policy of Nonfraternization with Inhabitants of Germany," sgd H. E. Messinger, Col, GSC.
67. William H. Stringer writing in New York Daily News, 5 May 45; Maj Arthur Goodfriend, as cited in n. 62, above.
68. Cable W-86749, 4 Jan 45, AGWAR to SHAEF.
69. Ltr, SHAEF, Lt Col John S. Hayes, Associate Director, Troop Broadcasting Services, G-1 Div (Rear) to Lt Col R. M. Furber, G-1 Div (Main), 16 Mar 45, atchd announcements in CALA Docs, G-1 Div, file 250.1-5.
70. Basic Directive, par 6b, c.
71. Ltr, ETOUSA, 9 Nov 44, file AG 383.6/1 Op GA, subj: "Fraternalization with Prisoners of War."
72. Cir 353, WD, 31 Aug 44, sec III, par 2d.
73. Ltr, ETOUSA, 5 Feb 45, file AG 383.6/1, Op GA, subj: "Acquisition of War Trophies with Relation to Theater Nonfraternization Policy."
74. See special reports on fraternization from 91st AAA Gp, 45th Armd Div, 53d Qm Base Depot, 1st Armd Div, 59th QM Base Depot, and 68th Med Gp.
75. "Don't Get Chummy with Jerry," Stars and Stripes, 20 Oct 44.
76. "Letter of Complaint," USFET, AG Active Records, file 333.5 vol I (ETC-1944), No 2.
77. Ltr, SHAEF, G-5 Div, 7 Dec 44, file SHAEF/G-5 (OPS)/803/1/, subj: "Policy in Occupied Germany," sgd Frank J. McSherry, Brig Gen, GSC, to G-5 of 12th and 6th Army Gp and ECAD.
78. See 2d Ind to same, 21 Dec 44, same to AG of S, G-5, 12th Army Gp; and ltr, SHAEF, G-5 Div, 21 Dec 44, same to Brig T. Robbins, 21st

A Cp (Rear), CA. It appears that GCS 551, although communicated to SCAEF by letter of 28 Apr 44, was not generally distributed to CA/MG staffs until it appeared as an AG publication (file AG OL4.1-1, Germany, dated 9 Nov 44).

79. See special reports on fraternization from 759th MP Bn, 61st PA Brig, 1st Inf Div, 16th Inf Regt, 405th Inf Regt, and 138th Ord HM Co (PA).

80. See ibid from 70th Ord Cp, 1st US Inf, 6th Cav, 1020 Inf, VI Corps Artillery, 79th PA Cp.

81. Stars and Stripes, 4 Nov 44.

82. Third Army, After Action Report, vol 3, PW Report, pp 26, 28-30.

83. SHAF, Office of the AC of S, G-5, "Civil Affairs/Military Government Field Report," for week ending 21 Apr 45, p 6.

FOOTNOTES

Chapter II

1. Edward J. Hart writing in Sunday Express (London), 3 Jun 45.
2. See a 20-page anonymous paper by an American newspaper correspondent in CALA Docs, SOS, file 250, and special report on fraternization from 252d Engr Bn.
3. Ltr, Seventh Army, Office of the Surg, 12 Oct 45, file 726, subj: "Venereal Disease Control," sgd O. L. Churney, Col, Actg Surg; special reports on fraternization from 407th Inf Regt, 59th Med Bn, 3d Inf Div, VI Corps Arty, 216th GH, and 25th FA Bn.
4. See special reports on fraternization from 141st AAA Gun Bn, 120th Sta Hosp, 405th Inf Regt, and 608th FA Bn.
5. See ibid from 571st Sig Co.
6. See ibid from 759th MP Bn and 25th FA Bn; editorial, Philadelphia Record, 4 Jun 45; Raymond Daniell writing in New York Times, 8 Jul 45; William J. Humphreys writing in New York Herald Tribune, 17 Jul 45; Daniel De Luce writing in New York Times, 12 Jun 45.
7. See special reports on fraternization from 61st FA Brig, XV Corps Arty, 53d GM Base Depot, and 36th FA Gp.
8. See ibid from 1124th Engr C Gp and 3408 Ord MAM Co.
9. Ed Wilcox, "Der Doughgirl," Overseas Woman, Jun 45; Bill Cunningham writing in Boston Herald, 21 Aug 45; Drew Middleton writing in New York Times, 22 Oct 45.
10. "Look, Bud—but Don't Touch," Stars and Stripes, 19 May 45; Robert Musel writing in Philadelphia Record, 17 Jun 45; Drew Middleton writing from Paris, 24 Jun 45; "AMG Finds Girls Frustrated," Stars and Stripes, 26 May 45; special report on fraternization from 14th Inf.
11. Annex to Hague Convention No IV, 18 Oct 1907, Art 52.
12. Adm Memo No 7, SHARP, 29 Apr 44, subj: Combined Military Procurement Control," par 3a (2); SOP 29, ETOUSA, subj: "Procurement, Utility, and Administration of Civilian Labor in Liberated and Occupied Territory," sec III, par 8b.

13. SHAEF, Handbook for Military Government in Germany, Dec 44, par 784(d); Adm Memo No 39, SHAEF, Revised 16 Apr 45, app D, sec I, par 1d.

14. Ltr, ETOUSA, 12 Jun 44, file AG 230/1 Op GA, subj: "Procurement of Civilian Labor on the Continent." By CG, 16 Oct 44, the policy of Theater Headquarters was changed to permit voluntary employment of enemy nationals in liberated countries "under special circumstances."

15. SHAEF, Office of the AC of S, G-5, Weekly Civil Affairs Summary, No 69, 20 Jan 45, p 26.

16. Ibid., No 70, 3 Mar 45.

17. Ibid., No 86, 11 Nov 44, app B. "The First Month of MG in Germany," p 2.

18. Third Army, G-5 Div, Historical Report for February, 1945, pp 64-65 (copy in CALA Docs, SHAEF, G-5 Div, file 17.10).

19. SHAEF, Office of the AC of S, G-5, Weekly Civil Affairs Summary, No 70 (sic) for week ending 10 Mar 45, p 16.

20. Ibid.

21. Ltr, ETOUSA, 5 Jan 45, file AG 230.1 Op GA, subj: "Civilian Labor Requirements for Liberated Countries or Occupied Enemy Territory"; ltr, SHAEF, 9 Feb 45, file AG 230-2 GDS-ACM, subj: "Movement of Civilian Labor into Enemy Territory."

22. Ibid.; and cable S-77708, 21 Jan 45, subj: "Transportation into Germany of Civil Labor."

23. Ltr, SHAEF, 16 Mar 45, file AG 230.2 GDS-ACM, subj: "Employment of Civilian Labor in Enemy Territory."

24. Ibid.

25. See, for example, cable QX-13580, 24 Mar 45, 12th A Gp to SHAEF.

26. See cable 19503, 19 Apr 45, SHAEF FWD, in reference to Belgium; cable 19842, 24 Apr 45, SHAEF FWD, in reference to the Netherlands.

27. Cable LCAD 247, 1 May 45, SHAEF.

28. Cable GWD-19935, 25 Apr 45, SHAEF.

29. See correspondence and memos contained in CALA Docs, Roll 54, file 230.4, "Employment of German Civilians in Germany."

30. Ltr, ETOUSA, 13 Oct 44, file AG 230 x 248 Pub GD, subj: "Procurement, Administration, and Payment of Civilian Labor in Germany."

31. Ltr, ETOUSA, 5 Jan 45, file AG 230.1 Op GA, subj: "Civilian Labor Requirements for Liberated Countries or Occupied Enemy Territory," par 2a(2)(a).

32. Ltr, 21st A Gp to SHAEF Main, G-1 Div, 19 Jan 45, file AGP/Main/4433/40/A, subj: "Employment of Civilians in Germany," (copy in CALA Docs, G-4 Div, file 230.1).

33. Cable 18689, 27 Feb 45, SHAEF FWD sgd SCAEF to Com Z; staff study, SHAEF, G-4 Div, 31 Jan 45, file 230-GDS, subj: "Employment of Civilians in Germany" (copy in CALA Docs, G-4 Div, file 230.1).

34. Cable 18689, 27 Feb 45, SHAEF FWD sgd SCAEF to Com Z; cable EX-30879, 10 Apr 45, ETOUSA to major commands.

35. Adm Memo No 33, SHAEF, 1 Mar 45.

36. Ibid, annex "A", par 4.

37. C2, 20 Mar 45, ltr, ETOUSA, 13 Oct 44, file AG 230 x 248 Pub GD, subj: "Procurement, Administration, and Payment of Civilian Labor in Germany."

38. Memo, SHAEF, R. W. Barker, Maj Gen, GSC, AG of S, G-1 Div, SHAEF, to C of S, SHAEF, 8 Mar 45, subj: "Employment of German Civilians in Germany."

39. C1, 8 Apr 45, Adm Memo No 33, SHAEF, annex "A".

40. Ltr, SHAEF, 19 Apr 45, file AG 381-1, GDS-AGM, subj: "Change 1 to ECLIPSE Memorandum Number 5"; ltr, ETOUSA, 13 Jun 45, file AG 230 x 248 CPGA, subj: "Administration and Payment of Wages for Civilian Labor in Germany." This letter omitted private secretary and office manager from list of occupations.

41. Table II was compiled from the following sources: Seventh Army History, Phase Four, pt 2, app "J"; Seventh Army, Weekly G-4 Period Report, Nos 27-49, inclusive, for period 5 May 45 to 30 Sep 45; Seventh Army, WMD, Office of the AG of S, G-4, Supply Memorandum, Nos 1-5,

inclusive, for period Oct 45 to 21 Dec 45.

42. Third US Army, G-2 Sec, Historical Report, June, 1945, p 5.

43. Ltr, USFET, 21 Jul 45, file AG 230 GBI-AGO, subj: "Employment of German Civilians in Censorship."

44. This had been forbidden by ltr, ETOUSA, 4 Jun 45, file AG 353.8 Op SS, subj: "Civilian Entertainers," but was authorized by ltr, USFET, 25 Jul 45, AG 230 x 353.8 GAP-AGO, subj: "Civilian Entertainers." See also USFET, Theater Commander's Weekly Staff Conference Report, No 1, p 9.

45. Unnumbered memo, Hq Comd, USFET, 6 Aug 45, subj: "German Civilian Employees"; ltr, USFET, 7 Aug 45, file AG 230 GDS-AGP, subj: "Procurement of Civilian Employees."

46. Ltr, USFET, 31 Aug 45, file AG 230 GAP-AGO, subj: "Use of German Nationals as Instructors in Army Education Program."

47. Ltr, USFET, 30 Sep 45, file AG 230.02 GAP-AGO, subj: "Civilian Drivers of Military Vehicles."

48. Ltr, USFET, 21 Aug 45, file AG 230 GAP-AGO, subj: "Employment of Civilians."

49. Ltr, USFET, 22 Sep 45, file AG 230 GAP-AGO, subj: "Employment of Civilians."

50. Ltr, USFET, 18 Oct 45, file AG 230 GBI-AGE, subj: "Security Restrictions on the Employment of Civilians of Enemy or Ex-enemy Nationalities."

51. Ltr, ETOUSA, 13 Oct 44, file AG 230 x 248 Pub CD, subj: "Procurement, Administration, and Payment of Civilian Labor in Germany."

52. Cl, 9 Jan 45, ibid.

53. Third Army, After Action Report, vol II, G-4 Div, p 59.

54. IRS, SHAEF, AG to G-4, 23 Apr 45, file AG 230 - 2AGM (copy in CALA Docs, G-4 Div, file 230.1).

55. Cables FWD-18787, 8 Apr 45, SHAEF to major commands, and FWD-19107, 13 Apr 45, SHAEF to major commands. Payment for meals was

in accordance with ltr, ETOUSA, 13 Jun 45, file AG 230 x 248 CPGA, subj: "Administration and Payment of Wages for Civilian Labor in Germany."

56. Ltr, ETOUSA, 21 Apr 45, file AG 230/1 GP-GA, subj: "Employment of German Civilians in Germany."

57. IRS, SHAEF, AG to G-4, 23 Apr 45, file AG 230 - 2AGM (copy in CALA Docs, G-4 Div, file 230.1).

58. Ltr, ETOUSA, 13 Jun 45, file AG 230 x 248 CPGA, subj: "Administration and Payment of Wages for Civilian Labor in Germany."

59. Cable S-33633, 3 Dec 45, USFET to major commands.

60. Cir S1, ETOUSA, 15 Jun 45, sec II, par 4g(5); Cir 103, ETOUSA, 25 Jul 45, sec V, par 2; Cir 159, USFET, 1 Dec 45, sec II, par 1g.

61. See special reports on fraternization from 70th Ord Gp, 17th FA Gp, Seventh Army, 68th Med Gp, 926th Sig Bn, and 62d P. Hosp.

62. See ibid from units listed in Table III.

63. "Ike Says Fraternization Ban Now Excludes Youngsters," Stars and Stripes, 13 Jun 45; of AP dispatch, London, 11 Jun 45.

64. Interview with Maj Gen R. W. Barker, Berlin, Germany, 9-11 Apr 46; ltr, Lt Gen W. B. Smith to Field Marshal Sir Bernard L. Montgomery, 10 Jun 45 (copy in CALA Docs, SGS, file 250); Daniel De Luce writing in Evening Sun (Baltimore), 18 May 45; special reports on fraternization from XII TAC, 3406th Ord MAM Co, 627th FA Bn, 459th Ord Evac Co, 344th Ord Dep Co, and 392d Sig Opn Bn.

65. Memo to Gen Eisenhower, sgd Lucius D. Clay, Lt Gen, USA, D Mil Gov, 23 May 45 (copy in SGS, USFET, file 250).

66. See special reports on fraternization from 10th Armd Gp, 1st Armd Div, 216th GN, 476th QM Gp, and Wiesbaden AF Sta.

67. Ltr, USFET, 7 Sep 45, file AG 383 GEC-AGO, subj: "Black Market—Articles Supplied by the US Army."

68. Ibid.

69. Ambassador William Phillips, "Conduct of American Military Personnel in Germany," 28 Mar 44 (copy in CALA Docs, G-1 Div, file 250.1-3).

70. See CGS 551, "Directive for Military Government in Germany Prior to Defeat or Surrender," 30 May 44, app "C", "Financial Guide for Germany."

71. See CGS 551, "Interim Directive to SCAEF Regarding the Military Government of Germany in the Period Immediately Following the Cessation of Organized Resistance (Post Defeat)," 17 Sep 44, app "C", "Financial Directive," par 4.

72. See "Remarks by Gen Eisenhower at Off-the-Record Conference," in CALA Docs, G-5 Div, file 115.05.

73. Memo, SHAEF, R. W. Barker, Maj Gen, to Policy Br, 6 Mar 45, subj: "Payment of Troops in Germany." (copy in CALA Docs, G-1 Div, file 250.1-8).

74. Ibid.

75. Ninth Army, Guide to Occupation of German Communities by Small Units, np, 12 Dec 44, p 7.

76. Adm Memo No 6, SHAEF, 4 May 45, subj: "Troop Purchases in Germany," annex "P."

77. Ltr, SHAEF, 15 May 45, file AG 400.12-1 GAP-ACM, subj: "Shopping in Germany."

78. Ltr, USFET, 10 Sep 45, file AG 383 GEC-AGO, subj: "Troop Participation in Black-market Trade."

79. Ltr, ETOUSA, 4 Apr 45, file AG 004 OpGA, subj: "Prohibition against Engaging in Business."

80. Memo, SHAEF, R. W. Barker, Maj Gen to C of S, 3 Nov 44, subj: "Removal of Military Personnel from Occupational Forces, who have Relatives in Germany" (copy in CALA Docs, SGS, file 25).

81. Ltr, ETOUSA, 29 Mar 45, file AG 210.3/2 x 220.3 MP GA, subj: "Military Personnel having Relatives in Occupied Germany."

82. Memo, SHAEF/G-5/PE, William A. Curtin, Jr, Maj, GSC, to G-1 Div, 7 Apr 45, subj: "Military Personnel Having Relatives in Occupied Germany"; memo, SHAEF, G. Bryan Conrad, Brig Gen, GSC, to Col J. Francis, AG of S, G-1, 23 Apr 45 (copies in CALA Docs, G-1 Div, file 250.1-4).
83. Ltr, ETOUSA, 15 May 45, file AG 210.3/MFM-GA, subj: "Military Personnel Having Relatives in Germany."
84. Cable S-88859, 21 May 45, SHAEF to Com Z and 12th A Gp.
85. Cable S-91247, 17 Jun 45, SHAEF to Com Z.
86. Ltr, Maj Gen J. H. Hildring, Director, CA Div, to Lt Gen W. B. Smith, C of S, SHAEF, 21 May 45 (copy in CALA Docs, SGS, file 250).
87. Ltr, USFET, 4 Jul 45, file AG 210.3 MPM-GA, subj: "Military Personnel Having Relatives in Occupied Germany."
88. Memo, SHAEF, K.A.S. Morrice, Lt Col, GS, to Lt Gen W.B. Smith, C of S, SHAEF, 13 May 45, subj: "Military Personnel of German Origin or Connection in Occupational Forces."
89. Staff study, USFET, Office of AC of S, G-1 Div, 17 Nov 45, subj: "Rescission of Letter: 'Military Personnel Having Relatives in Occupied Germany.'"
90. Ltr, USFET, 30 Nov 45, file AG 210.3 GAP-AGS, subj: "Military Personnel Having Relatives in Occupied Germany."
91. Cir 1, TSFET, 3 Jan 46, subj: "Personnel Having Relatives in Occupied Germany," sec III.
92. SHAEF Press Release No 1430, 9 May 45.
93. Cable FWD-21421, 14 May 45, SHAEF FWD from Eisenhower to major commands.
94. Cable, 14 May 45, Com Z sgd Lee to major commands; ltr, 6th A Gp, Engr Sec, 15 May 45, subj: "Report of Inspection of High Ranking German Officers in Custody of Seventh Army," sgd Henry C. Wolfe, Brig Gen, USA, to CG, 6th Army Gp; ltr, Channel Base Sec, 17 May 45, sgd Penton S. Jacobs, Brig Gen, USA, to Lt Gen John C. H. Lee (copies in file 383.6, vol I, 1945, Com Z).
95. Ltr, 6th A Gp, as cited in n. 94, above.

96. TM 19-500, Enemy Prisoners of War, Chap 1 of this manual was published 5 Oct 44; chap 2, 25 Apr 45; chap 3, 15 Jan 45.
97. TM 19-500, Enemy Prisoners of War, 25 Apr 45, chap 2, sec X, par 58b.
98. Ibid.
99. Ibid., sec XII, par 701.
100. Ibid., par 71.
101. CI, ibid., 30 Jun 45, chap 2, sec XII, par 701.
102. SOP 49, ETOUSA, 9 May 45, subj: "Employment of Prisoners of War," par 13.
103. Cir 69, Com Z, 18 May 45, subj: "Rules Governing Military Courtesy to be Observed by Germans in Occupied Germany," pt III, par 4. The directive of Headquarters, Communications Zone, was apparently based upon ltr, SHANF, 13 May 45, file AH OIA.1 (GOR) GAP-AGM, subj: "Rules Governing Military Courtesy to be Observed by Germans in Occupied Germany," a copy of which was not available to the writer of this study.
104. See special reports on fraternization from 476th Gp TC(Q), 120th Sta Hosp, 70th Ord Gp, 16th Inf, 608th FA Bn, and 17th FA Gp.
105. See ibid from 607th FA Bn, 371st Med Bn, and 3d Inf Div.
106. Russell Hill writing from Berlin, 17 Jul 45; John Becklin writing in Chicago Sun, 19 Jul 45.
107. Kenneth L. Dixon writing in Philadelphia Inquirer, 15 Jun 45; Henry Wales writing in Chicago Tribune, 13 Sep 45.
108. AP dispatch, New York, 24 Jun 45.
109. See special reports on fraternization from 504th QM Bn, 476th Gp TC(Q), 504th MP Bn, and 627th FA Bn.
110. See ibid from 10th Recon Gp.
111. See ibid from 608th FA Bn, 216th GH, 25th FA Bn, 61st FA Brig, 1st QM Gp, and 97th GH.

112. John O'Donnell writing in Washington Times Herald, 6 Jul 45.
113. Third Army, Eastern Military District, Report of Operations, 8 May-30 Sep 45, pt 19, p 279 (FM Sec, Historical Report, Jun 45).
114. USFET, Office of the AG of S, G-2, Weekly Intelligence Summary, No 9, for week ending 13 Sep 45.
115. Ltr, ETOUSA, 23 May 46, file AG 092 MFM-JA, subj: "Punishment for Fraternization," to CG, 8th Armad Div.
116. Yank, 5 Aug 45.
117. History of the Branch Office of the Judge Advocate General with the United States Forces, European Theater, 18 July 1942- 1 November 1945, vol I, p 286.
118. Ibid.
119. Cable 191530B, 20 Apr 45, 8th Armad Div to ETOUSA.
120. Ltr, ETOUSA, 29 Apr 45, subj: "Discipline of Violators of Nonfraternization Policy," sgd E. C. Betts, Brig Gen, USA, Theater JA, to Maj Gen. R. W. Barker (copy in JA, USFET, file "Courts-Martial before Trial," sec 1.7).
121. Ltr, ETOUSA, 7 May 45, Brig Gen E. C. Betts, Theater JA, to JA, 12th Army Gp, subj: "Discipline of Violators of Nonfraternization Policy."
122. IRS, SHARP, G-1 to JA, 30 Dec 44, subj: "Letters Disclosing Fraternization" (copy in JA, USFET, file "Courts Martial before Trial," sec 2).
123. Ltr, ETOUSA, 4 Jan 45, file AG 092 x 330.11 OpGA, subj: "Fraternization with the Enemy," to CG, 12th A Gp.
124. See special reports on fraternization from Hq Sp Trps, Seventh Army.
125. Report of the General Board, USFET, Study No 85, JA Sec, "Legal Phases of Civil Affairs and Military Government," pt II, chap 1, sec 3, par 31b.
126. Ibid; MG Ordinance No 1, art II, par 28, in 12th A Gp, "Directive for Military Government of Germany Prior to Defeat or Surrender," 23 Nov 44.

127. Ltr, SHAEF, 4 Oct 44, subj: "Nonfraternization with Germans," sgd Robert A. McClure, Brig Gen, Chief, Psychological Warfare, to G-1 Div (copy in GALA Docs, G-1 Div, file 250.1-1).

128. Ibid.

129. See 1st Ind, SHAEF, G-1 Div, 11 Oct 44, sgd R. W. Barker, Maj Gen, AC of S, to Chief, Psychological Warfare Div, to ltr, SHAEF, Psychological Warfare Div, 4 Oct 44, subj: "Nonfraternization with Germans," sgd Robert A. McClure, Brig Gen, Chief, Psychological Warfare Div.

130. Staff study, SHAEF, 7 Mar 45, file SHAEF/C-5/1822, subj: "Nonfraternization by Germans."

131. SHAEF, Office of the AC of S, G-5, Weekly Civil Affairs Summary, No 74, for week ending 17 Mar 45, p 15.

132. MG Ordinance No 1, as cited in n. 126.

133. Memo, E. C. Betts, Brig Gen, USA, Theater JA, to Lt Gen John C. H. Lee, (copy in JA, USFET, file "Fraternization," sec 31, 25 Mar 45).

134. Ltr, SHAEF, 10 Mar 45, file AG 091-1 (Germany) GE-AGM, subj: "Nonfraternization by Germans."

135. Daniel De Luce writing in New York Times, 10 Jun 45.

136. Philadelphia Bulletin, 25 Jun 45.

137. Cf n. 129, above.

138. Cable S-13118, 20 Jul 45, USFET Main from McClure sgd Eisenhower.

139. USFET, Office of AC of S, G-5, Military Government Weekly Information Bulletin, No 2, 4 Aug 45, p 18-19.

140. SHAEF, Joint Intelligence Committee, Political Intelligence Report, 2 Jul 45, p 3.

141. See above, pp 11, 12.

142. One poster was translated as follows: "German women! One may call it what one wishes; it would be best though if one remained

completely silent, for what the German women are doing is no laughing matter. A bar of chocolate, a piece of gum, hide the name: GERMAN WHORE! How many German men have given their lives for these same women? Instead of thinking of those who have fallen, they can only give their love to another. Just as the times will change, so will many a love end. And then these same pretty ones can WAIT IN LINE FOR GERMAN MEN. But these will be cold and uninterested, and will choose a faithful woman, and no whore. Dedicated to the German women who take to their hearts!" (see USFET, Office of the AC of S, G-2, Weekly Intelligence Summary, No 12, 4 Oct 45, p 46.)

143. "Frat Resentment May Bring Organized Resistance," Stars and Stripes, 1 Nov 45.

144. Table IV was compiled from the following sources: USFET, Office of the AC of S, G-2, Weekly Intelligence Summary; Seventh Army, Office of AC of S, G-2, G-2 Bulletin, Weekly G-2 Report, and Weekly Intelligence Summary; Third Army, Office of AC of S, G-2, G-2 Weekly Intelligence Report; USFET, G-3 Div, Daily Sitreps.

145. Third Army, Office of AC of S, G-2, G-2 Weekly Intelligence Report, No 9, for week ending 25 Jul 45, p 7; USFET, Office of the AC of S, G-2, Weekly Intelligence Summary, No 2, for week ending 24 Jul 45, p 2; No 7, 30 Aug 45, p 40; No 14, 14 Oct 45.

146. USFET, Report of Operations, 8 May - 30 Sep 45, annex No 11, Preventive Medicine Div, Quarterly Report, 8 May - 30 Sep 45, sec III, "Venereal Disease Control."

147. USFET, Office of the Theater Chief Surgeon, Report of Operations, 1 Oct - 31 Dec 45, Preventive Medicine Div, "Venereal Disease Control," par 2a.

148. Third Army, After Action Report, vol II, Med Sec Report, Apr 45, p 60.

149. Third Army, Eastern Military District, Report of Operations, 8 May - 30 Sep 45, Historical Report of Medical Section for Aug 45, p 6.

150. Seventh Army, Western Military District, Report of Operations, 8 May - 30 Sep 45, annex 21, pt 1, Office of the Surg Gen, p 21.

151. Cf n. 146, and see Cir 17, Seventh Army, 27 May 45, subj: "Venereal Disease Control." An order of about 10 Jun 45 issued by Third Army required prophylaxis stations to be set up; see special report on fraternization from 6th Cav Gp (Mecz).

152. Cf n. 150. See special reports on fraternization from 759th MP Bn, 309th Inf, and 850th Engr Aviation Bn.
153. Cf n. 146, above.
154. AR 40-210, par 23f(2).
155. Cf n. 145, above.
156. IRS, SHAEF, G-1 to JA, 15 May 45 (copy in GALA Docs, G-1 Div, file 250.1-10).
157. Ibid, Minute No 3, 17 May 45.
158. Ltrs, ETOUSA, 4 and 11 Jun 45, file AG OLA.13 Op GA, subj: "Policy on Relations between Allied Occupying Forces and Inhabitants of Germany."
159. Ibid.
160. Ltr, USFET, 2 Aug 45, file AG 726 GEC-AGO, subj: "Venereal Disease Control among Civilians in Germany."
161. Seventh Army, Western Military District, Report of Operations 8 May-30 Sep 45, annex 21, Med Sec, Sep 45, p 2.
162. Ibid.
163. Cable W-10871, 2 Jun 45, AGWAR to SHAEF for Eisenhower; cf n. 165, below.
164. Dispatch No 74168, Leiser to Stars and Stripes, Liege, Paris, with Ninth Army, 14 Mar 45 (copy in GALA Docs, G-1 Div, file 250.1-1). Publication of this dispatch was stopped by PRD, SHAEF.
165. Ltr, 12th A Op, 12 May 45, subj: "Administration of Military Justice as to Rape and Murder Cases in Occupied Territory," sgd O. N. Bradley, Gen, USA, Commanding.
166. History, Branch Office of the Judge Advocate General, United States Forces European Theater, 18 Jul 42 - 1 Nov 45, vol 2.
167. Compiled from data in ibid.

168. Ibid, vol 1, p 242.
169. Stars and Stripes, 19 May 45.
170. Cf n. 166, above, vol 2, par 6.
171. Stars and Stripes, 19 May 45.
172. Cf n. 166, above, vol 1, p 245.
173. CM ETO 9083 Berger and Baniford (1945), 20 BR (ETO) 107.
174. Cf n. 166, above, vol 2, par 6.
175. CGS 551 "Directive for Military Government in Germany Prior to Defeat or Surrender," 28 Apr 44, app "A", par 1.
176. Ambassador William Phillips, "Conduct of American Military Personnel in Germany," 28 Mar 44 (copy in CALA Docs, G-1 Div, file 250.1-3).
177. SHAEF, Provisional Handbook for Military Government in Austria, Apr 45, chap 1, sec 1, par 11.
178. Ltr, Allied Forces Hq, 13 May 45, file AG 387/023 JFS-O, subj: "Relations with the Austrian Population."
179. See special reports on fraternization from 14th Inf, 771st Ord L Maint Co, and 3d Inf Div Arty.
180. Ibid from 607th PA Bn, 371st Med Bn, and 3d Inf Div Arty.
181. Ibid from 2d Cav Gp.
182. Ibid from 10th Armd Gp.
183. Ltr, 12th A Gp, 5 Mar 45, file 091 (G-1), subj: "Nonfraternization Policy (copy in AG Inactive Records 092, vol 1, 44, Internal Affairs and Relations, No 31).
184. Cable FWD-25190, 15 Jun 45, SHAEF sgd SCAEF to major commands.
185. Stars and Stripes, 3 Jul 45.
186. Ltr, "DP Association," Stars and Stripes, 18 May 45; ltr,

SHAEF, 23 May 45, file AG 312.1-4 GAP-AGE, subj: "Letter to 'B Bag,' Stars and Stripes.

187. See AP dispatch from Ingolstadt, Germany, in Baltimore Sun, 12 Jun 45.

188. Adm Memo, SHAEF, May 45, subj: "Relations with the Civilian Population in Germany," par 3 (copy in CALA Docs, G-1 Div, file 250.1-1).

189. See special reports on fraternization from 514th QM Gp, 3104th Engr Fire Fighting Pltn and 761st Tank Bn.

190. Ibid from 343d Engr Regt.

191. Ltr, SHAEF, 10 Oct 44, Lt Gen John C. H. Lee to Gen Eisenhower, (copy in AG Inactive Records 092, vol 1, 1944, International Affairs and Relations No 18); Basic Directive, par 9a.

192. See original draft, Basic Directive, par 9.

193. Final draft, Basic Directive, par 9. See app 1, this study.

194. Ltr, ETOUSA, 12 May 45, file AG 352/2 GpGC, subj: "Post R-Day Orientation Program," par 3.

195. Basic Directive, par 7d.

196. Ibid.

197. Basic Directive, par 9d(3).

198. Basic Directive, par 9g.

199. Henry Wales writing in Chicago Tribune, 13 Dec 45.

200. Basic Directive, par 7d.

201. Basic Directive, par 6b.

202. Basic Directive, par 9f.

203. John O'Donnell writing in New York Daily News, 9 Jun 45; John Mecklin writing in Chicago Sun Foreign News, 22 May 45; see special reports on fraternization from 343d Engr Regt, 26th Inf Regt, 14th Inf, 564th PA Bn, 29th Med Bn, and 3d Inf Div Arty.

204. Cf n. 188, above; see special reports on fraternization from 608th FA Bn, 3405th Ord MAM Co, 102d Inf Div, 1151st Engr C Gp, and 504th MP Bn.

FOOTNOTES

Chapter III

1. See special reports on fraternization from Hq Comd, ONGIUS and 407th Inf Regt.
2. Cable FWD-23970, 8 Jun 45, ETOUSA, sgd Eisenhower to major commands.
3. Interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46; memo for Gen Eisenhower, 23 May 45, subj: "Nonfraternization Policy," sgd Lucius D. Clay, Lt Gen, USA, D Mil Gov.
4. Cf n. 2, above.
5. Ltr, Lt Gen W. B. Smith to Field Marshal Montgomery, 10 Jun 45 (copy in CALA Docs, SGS, file 250).
6. Memo for Gen Eisenhower, 23 May 45, as cited in n. 3, above.
7. Stars and Stripes, 13 Jun 45.
8. See above, chap II, par 39g.
9. Cable M-1195, 10 Jul 45, 21st A Gp to SHAEF (copy in files of G-1 Div, SHAEF).
10. Cable S-12371, 14 Jul 45, USFET Main sgd Eisenhower to major commands.
11. Cable S-12682, 16 Jul 45, USFET Main sgd Eisenhower to ACWAR for CCS.
12. Staff study, USFET, 19 Jul 45, subj: "Amendments to Directives on Nonfraternization," sgd W. S. Paul, Maj Gen, AC of S, G-1 (copy in SGS, USFET, file 250, vol I).
13. See special report on fraternization from 3d Inf Regt.
14. See ibid from 91st Ord Bomb Disposal Sqd.
15. See ibid from 3d Inf Regt.
16. See ibid from 3d Inf Regt, VI Corps Arty, and 6th Tank Destroyer Gp.

17. John Mecklin writing in Chicago Sun, 19 Jul 45; ltr, Berlin District, Maj Gen F. L. Parks, to CG, USFET, 29 Aug 45, file 330.11 (BDA).
18. Ltr, Maj Gen H. R. Bull, GSC, DC of S, to CG, Berlin District, 31 Jul 45, subj: "Social Association with Germans."
19. USFET, Weekly Intelligence Summary, No 4, 9 Aug 45.
20. Cable WX-31657, 13 Jul 45, AGWAR from CCS to SHAEF Main for Eisenhower; cable W-32357, 14 Jul 45, AGWAR from Craig to USFET Main for Gen Mull; IRS, USFET, G-1 to AG, 23 Jul 45 (copy in AG Active Records, O14.13, vol 1, 1945, No 4, Relations with Civil and Military Authorities).
21. Cable S-12682, 16 Jul 45, USFET Main sgd Eisenhower to AGWAR for CCS; cable S-12683, 16 Jul 45, USFET Main sgd Eisenhower to CG, 15th Army Gp, USFA; IRS, USFET, G-1 to AG, 23 Jul 45 (copy in AG Active Records, O14.13, vol 1, 1945, No 4, Relations with Civil and Military Authorities).
22. Cable V-307-BG-364, 25 Jul 45, US Forces Berlin from JCS to USFA for Clark.
23. Cable P-1253, 21 Aug 45, USFA from Clark to USFET for Eisenhower.
24. USFET authorized marriages between Americans and Austrians by cable S-33211, 29 Nov 45, USFET sgd McNarney to CG, USFA.
25. See above, chap I, par 3b.
26. Interview with Maj Gen R. W. Barker, Berlin, Germany, 9-11 Apr 46.
27. Cable WX-31657, 13 Jul 45, AGWAR from CCS to SHAEF Main for Eisenhower.
28. Cable V-301-BG-361, 25 Jul 45, Berlin Conference Hq from JSC to USFET Main for Eisenhower.
29. Third Army, Eastern Military District, Report of Operations, S MAM - 30 Sep 45, pt 19, Historical Report of the Provost Marshal Section for Jun 45.
30. Ibid.

31. Cf ns. 12 and 18, above; draft, "Social Association with Germans," Jul 45 (copy in AG Active Records, OI4.13, vol I, 1945, No 18, "Relations with Civil and Military Authorities").
32. Ltr, Maj Gen Parks, as cited in n. 17, above.
33. Ltr, USFET, Lt Gen W. B. Smith, 15 Sep 45, subj: "Revocation of Nonfraternization Policy in Germany," US Group Control Council.
34. See AP Dispatch in Baltimore Sun, 21 Sep 45.
35. Ibid; New York Times, 21 Sep 45; Stars and Stripes, 21 Sep 45.
36. AP dispatch in Baltimore Evening Sun, 21 Sep 45.
37. Cable CC-16803, 27 Sep 45, US Group CC sgd Clay to USFET.
38. Cable SC-4458, 29 Sep 45, USFET sgd McWarney to major commands.

FOOTNOTES

Chapter IV

1. Cable FWD-23970, 8 Jun 45, ETOUSA, sgd Eisenhower to major commands; cable S-12371, 14 Jul 45, USFET Main sgd Eisenhower to major commands; staff study, USFET, 19 Jul 45, subj: "Amendments to Directives on Nonfraternization," sgd W. S. Paul, Maj Gen, AG of S, G-1 (copy in SGS, USFET, file 250, vol I); cable U-301-BC-361, 25 Jul 45, Berlin Conference, Hq from JSC to USFET Main for Eisenhower; cable SC-4458, 29 Sep 45, USFET sgd McNarney to major commands.
2. SOP 37 ETOUSA, 1 Jan 45, par 9g, and as revised in atchd "approved draft," nd; ibid, USFET, 15 Aug 46, par 1d, pt II; the prohibition on billeting did not appear in the original issue of this SOP, dated 1 May 44.
3. For some reports of early cases, see special reports on fraternization from 2d Chem Mort Bn, 3d Inf Div, 350th PA Bn, and 39th Inf.
4. See files containing reports of inspections, IG Div, USFET, especially a series of reports on discipline, based on surveys made in March 1946.
5. Cir 29, USFET, 6 Mar 46, sec IV, par 3; cir 58, USFET, 30 Apr 46, sec I, par 2; cir 162, USFET, 4 Nov 46, sec I par 6a(4).
6. Cir 109, USFET, 30 Jul 46, sec V.
7. Cir 162, USFET, 4 Nov 46, sec I, par 6a.
8. Cir 58, USFET, 30 Apr 46, sec II; Stars and Stripes, 30 Apr 46.
9. Ltr, A. H. Corley, Jr, Lt Col, Asst AG to SCAEF, 7 Mar 45, subj: "Legal Requirements for Marriage in Germany" (AG Inactive Records, file 291.1).
10. Adm Memo No 59, SCAEF, 28 Jun 45, subj: "Procedures to Facilitate the Marriages of Certain Persons in Germany."
11. Cir 94, USFET, 20 Jun 46.
12. "Memo by the Attorney General on a Discussion on a Draft SCAEF

Military Government Order dealing with Marriage with Members of the Allied Expeditionary Force," 8 Dec 44.

13. See par 35, this study.

14. Cf n. 12, above.

15. Ibid.

16. Ibid.

17. Ibid.

18. Memo for G-5, SHAEF, 22 Dec 44, subj: "Memorandum for British Attorney General re Draft SHAEF Military Order Dealing with Marriages in Occupied Germany," sgd E. C. Betts, Brig Gen, Theater JA.

19. Ltr, SHAEF, to SHAEF Missions of Allied governments, 12 May 45, file AG 291.1, subj: "Marriage Laws for Germany."

20. Note for record, sgd D.S.G. (copy in JA, USFET, file 291.1(1), sec B 8).

21. IRS, USFET, JA to G-1, 6 Sep 45, (copy in JA, USFET, file 291.1(1), sec B 8).

22. The only Military Government law on the subject of marriage enacted until the end of 1946 was Law No 16, 1 Mar 46, which is a reenactment of the German marriage code. It deals only in a general way with the marriage of aliens in Germany, and does not in any sense prohibit the marriage of Germans with Americans.

23. USFET, Theater Commander's Weekly Staff Conference Report, No 8, 12 Feb 46, par 59, p 17; staff study, OMGUS Z, 15 Feb 46 (copy in USFET SGS, file 291.1).

24. IRS, Director, OMGUS Z, to G of S, USFET, subj: "Procedures to Facilitate the Marriage of Certain Persons in Germany" (copy in USFET SGS, file 291.1).

25. See "Report of Investigation Concerning Marriages of War Department Civilian Employees to German Nationals" conducted by Col I. L. Peterson, IG Div, Asst IG, USFET, 12-27 Jun 46, pars 16 and 23; memo, USFET, to G-1, 10 Jul 46, subj: "Marriage of US Nationals to German Civilians," sgd M. G. White, Maj Gen, DC of S, USFET.

26. Winifred Van Duyer writing in Philadelphia Inquirer, 24 Feb 46.
27. IRS, DC of S to G-1, 20 Sep 46, minute 2, on case of T/4 Michael A. Kokoehak.
28. IRS, USFET, G-1 to JA, 24 Oct 45, subj: "Illicit Marriages - Gerlach" (copy in JA, USFET, file 291.1(1), MI, IRT).
29. Cable S-33211, 29 Nov 45, USFET, sgd McHarney to CG, USFA.
30. Cir 41, ETOUSA, 17 Apr 44, and Cir 89, ETOUSA, 14 Aug 44, were rescinded by Cir 51, USFET, 15 Apr 46.
31. Stars and Stripes, 26 May 46; cf n. 25, above.
32. Ibid; staff study, USFET, Office of AG of S, G-1, 22 Jun 46, subj: "Transportation of German Wives of Military Personnel" (copy in USFET SGS, file 291.1); ltr, OMCUS, Legal Div, 3 Jun 46, subj: "Validity of Marriage of US Military and Civilian Personnel to Germans" (copy in USFET SGS, file 291.1).
33. USFET, Theater Commander's Weekly Staff Conference Report, No 8, 12 Feb 46, par 39, p 17; IRS, G-1 to AG thru G-5, 15 Jul 46 (copy in USFET SGS, file 291.1).
34. Winifred Van Duyer writing in Philadelphia Inquirer, 24 Feb 46; Stars and Stripes, 25 Jan 46, 18 Feb 46, 7 Sep 46; ltrs, USFET SGS, file 291.1.
35. Cir 51, USFET, 15 Apr 46, sec V, par 4g; cable SC-2394, 18 Jan 46, USFET, sgd McHarney to major commands.
36. See staff study in n. 32, above; Stars and Stripes, 26 May 46. Prohibited by Cir 128, USFET, 12 Sep 46, sec IV, par 2d.
37. Cir 128, USFET, 12 Sep 46, sec IV, par 3; Stars and Stripes, 23 Jul 46.
38. Cir 128, USFET, 12 Sep 46, sec IV, par 7d.
39. See IRS, USFET, JA to G-1, 7 Sep 45, subj: "Non-Marriage Policy" (copy in USFET JA, file 243(1), sec E-1).
40. Ibid. Military Government Law No 2 provided total immunity of members of the US Forces from the jurisdiction of German courts.

41. Ltr, Brig Gen R. B. Lovett, AG, USFET, to AG, Washington, 16 Oct 45, file AG 291.1 GAP-AGP, subj: "Non-Marriage Policy" (copy in USFET JA, file 243(1)).

42. The letter stating the policy of Theater Headquarters on adoption of alien children applies only to children of nonenemy nationality. See ltr, USFET, 5 Mar 46, file AG 158 GAP-AGO, subj: "Paternity Claims by Non-Nationals."

43. Ltr, USFET, to USFET Missions in Allied countries, 23 Oct 45, file AG 010 GAP-AGO, subj: "Adoption of European Children by American Military Personnel."

44. While the ban on immigration from Germany was lifted by proclamation of President Truman on 22 December 1945, (qv New York Times, 23 Dec 45), facilities for the exit from Germany of emigrants have been provided only for displaced persons, German fiancées of ex-servicemen, and the German brides of ex-members of the forces of occupation who married according to the rules promulgated by Theater Headquarters.

45. OMS, Land Württemberg-Baden, 30 Jun 46, Report No 61 (Mg/CG.1/D), "Weekly Military Government Report," p 10; Stars and Stripes, 8 Mar 46, 9 Apr 46.

46. USFET, Weekly Intelligence Summary, Nos 49 and 50, 20 and 27 Jun 46.

47. See staff study, n. 32, above.

48. Ibid.

49. Cir 128, USFET, 12 Sep 46, sec IV, par 3a. Punishment was escaped, however, if the marriage was contracted during a previous enlistment, or not discovered by the authorities until after the discharge of the individual from the armed forces.

50. Cir 51, USFET, 15 Apr 46, sec V, par 7b.

51. The Theater regulation prescribing that German wives be denied exit permits was adopted in spite of the full realization that the statutes permitted them to enter the United States, and that the State Department could not deny visas. See staff study, USFET, Office of the AC of S, G-1, 22 Jun 46, subj: "Transportation of German Wives of Military Personnel" (copy in USFET SGS, file 291.1); cable W-86789, 3 Dec 46, AGWAR sgd Eisenhower to USFET personal for McNarney.

52. Basic Directive, par 7a; Eighteenth Meeting of the Theater Commander with Major Commanders and Deputy Military Governor, 18 Dec 46, par 9(4).
53. Eighteenth Meeting of the Theater Commander with Major Commanders and Deputy Military Governor, 18 Dec 46.
54. AR 35-5540, par 29, as changed by CI, 28 Apr 44.
55. Stars and Stripes, 6 Aug 46; Cir 128, USFET, 12 Sep 46, sec IV, par 4.
56. IRS, USFET, SGS to AG, 26 Sep 46 (copy in USFET SGS, file 291.1).
57. See B-Bag, Stars and Stripes on 18 Oct 45, 11 Feb 46, 1 Mar 46, 19 Mar 46, 26 Mar 46, 11 Apr 46, 12 Apr 46, 31 May 46, 25 Jun 46, 13 Jul 46, 28 Jul 46, 4 Aug 46, 18 Aug 46. Also, Stars and Stripes articles, 21 Feb 46, 26 Feb 46.
58. Stars and Stripes, B-Bag, 25 Jun 46, 13 Jul 46.
59. Stars and Stripes, 25 Jan 46; ltrs and memos, SGS file 291.1; Stars and Stripes, B-Bag, 10 Jan 46, 11 Apr 46, 18 Aug 46.
60. USFET Press Release No 1355, 15 Mar 46 (report of radio program that date - Bevan et al).
61. Maj Gen Bevans and Brig Gen Betts, as reported by Sidney Gruson in New York Times, 16 Mar 46, and in Stars and Stripes, 17 Mar 46; report of press conference of Gen McNarney, Stars and Stripes, 22 May 46; Stars and Stripes, 31 Jul 46, 2 Aug 46.
62. Stars and Stripes, 15 Dec 46.
63. Cir 181, USFET, 19 Dec 46.
64. Basic Directive, par 7g.
65. Cir 120, USFET, 1 Sep 45, sec I, par 5a(3).
66. See special reports on fraternization from IX AF Sv Comd.
67. Cf n. 65, above.

68. Cir 177, USFET, 7 Dec 46, sec I.
69. See special reports on fraternization from 102d Inf Div and 3d Inf Regt.
70. See memo for record, Gen Bull to Col Eyster, 3 Jul 46, subj: "Statements by Theater Commander for Press, Radio, etc"; ltr, USFET, 26 Jun 46, file AG 331.3 GAF-AGO, subj: "Operation of Clubs for US Personnel."
71. See special reports on fraternization from 318th Ord Bn.
72. Cir 81, ETOUSA, 15 Jun 45, sec II, par 4a(5); Cir 103, USFET, 25 Jul 45, sec V, par 2; Cir 159, USFET, 1 Dec 45; Cir 131, USFET, 14 Sep 46, sec VII, par 18; on snack bars see Cir 159, 1 Dec 45, and Theater Commander's Weekly Staff Conference, No 40, 24 Sep 46, par 36.
73. Cir 166, USFET, 9 Nov 46, sec III, par 2.
74. Theater Commander's Weekly Staff Conference, No 1, 18 Dec 45, par 36.
75. Ltr, USFET, 6 Sep 46, file AG 333 SGS-AGO, subj: "Questionnaire and Inspection of Small Units"; Stars and Stripes, 6 Feb 46, 1 Mar 46; Theater Commander's Weekly Staff Conference, No 40, 24 Sep 46, par 36.
76. SOP 65, USFET, 28 Nov 45, subj: "Motor Vehicle Operation," par 5h(3).
77. Interview with Capt D. E. Cannon, Office of PM, May 1946.
78. Cir 11, ETOUSA, 29 Jan 45, sec IV, par 2; Cir 1A7, USFET, 1 Nov 45, sec V, par 2.
79. Cir 163, USFET, 14 Dec 45, sec III, par 6g.
80. Ltr, Hq Comd, USFET, 22 Apr 46, subj: "Violation of Directives Re Motion Picture Entertainment"; "Fraternization Blunting US Aims," New York Herald Tribune (European edition), 29 Apr 46; Theater Commander's Weekly Staff Conference, No 21, 14 May 46, par 51.
81. Cir 11, ETOUSA, 29 Jan 45, sec IV, par 3; Cir 5, USFET, 8 Jan 46, sec V.

82. The interpretation of the regulations to permit the attendance of Germans was expressly forbidden by ltr, USFET, 12 Jan 46, file AG 230 GAP-AGO, subj: "Civilian Attendance at USO Camp Shows and Soldier Shows."

83. Cir 70, USFET, 23 May 46, sec III, par 3. Also prohibited by ltr, USFET, 12 Jan 46, file AG 230 GAP-AGO, subj: "Civilian Attendance at USO Camp Shows and Soldier Shows."

84. Theater Commander's Weekly Staff Conference, No 1, 18 Dec 45, par 25.

85. Special Report of 3d Inf Div, pt II, p 16; special report on fraternization from 71st Inf Div.

86. Ltr, USFET, 29 Apr 45, file AG 250 GAP-AGO, subj: "Disciplinary Control"; ltr, USFET, 26 Jun 46, file AG 331.3 GAP-AGO, subj: "Operation of Clubs for US Personnel."

87. See constitutions of all clubs in ET, filed with Central Welfare Fund, USFET; Theater Commander's Weekly Staff Conference, No 1, 18 Dec 45, par 36.

88. USFET, G-1 Div, Report of Operations, 1 Oct - 31 Dec 45, p 6; ltr, B-Bag, Stars and Stripes, 12 Aug 46, 13 Sep 46; "Army May Let German Girls in AMG Clubs," Stars and Stripes, 13 Nov 45.

89. Stars and Stripes, 6 Jan 47.

90/ "Soldiers in Frankfurt May Entertain Girls," by Edward P. Morgan, Chicago Daily News, 16 Jan 46.

91. Ltr, WD to CG, USFET, 5 Feb 46, file AGPE-A 032.3, subj: "Report" (copy in AG Active Records OL4.13).

92. 1st Ind, 4 Mar 46, USFET, file AG OL4.13 to ltr, n. 91, above.

93. See papers in AG Active Records OL4.13, vol I, 1946, No 3 (Relations with Civil and Military Authority).

94. Ltr, USFET, 12 Mar 46, subj: "Security Within Headquarters, US Forces, European Theater."

95. See Phillip W. Whitcomb writing in Baltimore Sun, 9 Mar 46. Early in 1947 a new policy called for the replacement of all German billeting clerks by displaced persons.

96. Ltr, USFET, 5 Jun 46, file AG 620 GAP-AGO, subj: "Billets, Quarters and Transient Accommodations."
97. See special reports on fraternization from 318th Ord Bn and 4th Arm Div.
98. Note the manner in which progress in the denazification program was later linked with the relaxation of the rules on nonfraternization. See cable S-12371, 14 Jul 45, USFET Main sgd Eisenhower to major commands.
99. Seventh Army, Western Military District, Report of Operations 8 May - 30 Sep 45, annex 16, Historical Sec, Daily Historical Report.
100. Tenth Meeting of the Theater Commander with Major Commanders and Deputy Military Governor, 16 Jan 46.
101. IRS, USFET, Actg C of S to G-1, 1 Jun 46, subj: "Control of Fraternization," sgd M. G. White, Maj Gen.
102. Cable, S-5154, 4 Jun 46, USFET sgd McHarney to CG, International Military Tribunal Command.
103. Ltr, USFET, 11 Jul 46, file AG OLA.13 GAP-AGO, subj: "Control of Fraternization."
104. USFET Press Release No 2205, 17 Oct 46.
105. Staff study, USFET, G-1 Div, 20 Jul 46, subj: "Control of Fraternization"; staff study, USFET, G-1 Div, 20 Jun 46, subj: "Control of Fraternization" (copies in SGS, USFET, file 250).
106. Ltr, USFET, 5 Nov 46, file AG OLA.13 GAP-AG), subj: "Control of Fraternization."
107. See special report on fraternization from 476th QM Gp.
108. Seventh Army, Report of Operations, Log V-1, incl 4, p 24.
109. Ltr, USFET, 25 Oct 45, file AG OLA.1 GEC-AGO, subj: "Amendment to Part I (Education), Section VII (Education and Religious Affairs), Administration of Military Government in the US Zone in Germany, 7 Jul 45."
110. Ltr, Seventh Army, Western Military District, 10 Dec 45, file AG 322 CA, subj: "Youth Activities."

111. Ltr, USFET, 15 Apr 46, file AG 353.8 GGT-AGO, subj: "Army Assistance to German Youth Activities, US Zone."
112. See special reports on fraternization from 18th Inf Regt and 84th FA Bn.
113. IRS, USFET, JA to C of S, 4 Apr 46, subj: "Trading with the Enemy Act" (copy in USFET JA, file 250.7, sec A7).
114. Cable S-1445, 8 Apr 46, USFET sgd McNarney to ACWAR.
115. Cir 67, USFET, 18 May 46, sec III.
116. Cir 140, USFET, 26 Sep 46, par 2.
117. Ibid, par 4b.
118. Ibid, par 4b(3).
119. Ibid, par 4g.
120. USFET, G-2 Div, Weekly Intelligence Summary, No 4, 7 Jun 46.
121. USFET, G-2 Div, Weekly Intelligence Summary, No 27, 17 Jan 46, p 51; ibid, No 32, 21 Feb 46, p A6.
122. See special report on fraternization from 41st Engr GS Regt.
123. Special Report of 3d Inf Div, pt II, p 8.
124. Eleventh Meeting of the Theater Commander with Major Commanders and Deputy Military Governor, 22 May 46.
125. See special reports on fraternization from 302d Sta Hosp and 102d Div Arty.
126. Cf n. 124, above.
127. Cable S-4932, 31 May 46, USFET sgd McNarney to major commands.
128. Cable S-5354, 8 Jun 46, USFET sgd McNarney to major commands.
129. Seventh Army, G-2 Div, Weekly Intelligence Summary, No 1, 18 Jul 45; Special Report of 3d Inf Div, pt 2, pp 27, 38; special

reports on fraternization from 1st Armd Div.

130. USFET, G-2 Div, Weekly Intelligence Summary, No 25, 3 Jan 46, p 53; ibid, No 27, 17 Jan 45, p 51.

131. Ibid, No 26, 10 Jan 46.

132. Cf n. 124, above; Tenth Meeting of the Theater Commander with Major Commanders and Deputy Military Governor, 17 Apr 46.

133. Special Report of 3d Inf Div, pt 2, p 26; special report on fraternization from 905th Ord Hqs Co.

134. Ltr, OMG, Stadt and Landkreis Fürth/Bavaria, to Air Inspector, USFET, 12 May 46, subj: "Report of Incident Concerning US Troops and German Civilians"; ltr, OMG, Kreis Weissenburg, to Director, OMG for Bavaria, 5 Jun 46, subj: "Situation in Weissenburg Regarding Relations between Female Civilians and Colored Occupational Troops" (copies in USFET, Office of C of S, file 250.1).

135. Special Report of 3d Inf Div, pt IV, p 4; special reports on fraternization from 318th Ord Bn and 4th Armd Div; interview with Maj Gen. R. W. Barker, Berlin, 9-11 Apr 46.

136. See special reports on fraternization from 318th Ord Bn, 4th Armd Div, 374th Engr Gen Sv Regt, and 476th QM Gp; interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46.

137. See interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46; Special Report of 3d Inf Div, pt IV, pp 2, 12; special reports on fraternization from 4th Armd Div, 1120th Engr C Gp, and 332d Engr Gen Sv Regt.

138. See interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46; special reports on fraternization from 16th Inf Regt, 4th Armd Div, 71st Inf Div, 344th Bomb Gp and 478th Air Sv Gp.

139. See special reports on fraternization from 70th Ord Gp.

140. See interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46; special reports on fraternization from 17th FA Bn.

141. Report of the Negro Newspaper Publisher's Association to Secretary of War Patterson, 18 Jul 46; ltr, USFET, IG, 14 Mar 46, subj:

"Standard of Discipline in the ETO"; see additional papers in AG, USFST, file 291.2; interview with Maj Gen R. W. Barker, Berlin, 9-11 Apr 46.

142. "Ray Scores Senate Report on Negro GIs," Stars and Stripes, 23 Dec 46.

143. Dorothy Thompson in Boston Daily Globe, 11 Jul 45; special reports on fraternization from 1101st Engr C Gp and 1st CM Gp.

144. See special reports on fraternization from 1st Armd Div and 68th AAA Gun Bn.

145. Basic Directive, par 1d.

146. See special reports on fraternization from 910th Ord Heavy Automotive Maint Co, 627th FA Bn, 3d Inf Regt and 659th FA Bn.

147. See special reports on fraternization from 4th Armd Div, and 71st Inf Div.

148. See special reports on fraternization from 34th AAA Gp, 774th Tank Bn, 10th Armd Gp, 36th Ftr Gp, and EATS.

APPENDIX

Appendix I

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCE
Office of the Supreme Commander

12 September 1944

SUBJECT: Policy, Relationship Between Allied Occupying Troops
and Inhabitants of Germany

TO : Commander-in-Chief, 21 Army Group
Allied Naval Commander, Expeditionary Force
Air officer Commander-in-Chief, Allied Expeditionary Force
Commanding General, 12th Army Group
Commanding General, Communications zone, European
Theater of Operations, U.S. Army
Commanding General, United States Strategic Air Force
Commander, U.S. Naval Forces in Europe
Commanding General, Sixth Army Group

1. Upon the successful termination of the present campaign in Northwest Europe, specified areas of Germany will be occupied by the Allied Armies. If the purposes of this occupation are to be attained, it is necessary:

- (a) That the German people be not permitted to minimize the consequences of their defeat or to prepare the way for a resurgence of power by influencing the thoughts or actions of our troops.
- (b) That a pattern for the conduct of the occupying Allied troops be established, which will insure that they maintain the desired attitude toward the population, and that this be uniform throughout the Allied command.
- (c) That adequate measures be taken, in advance, to inform all concerned as to the policy adopted, and to make preparation for putting it in effect, particularly that measures be taken for the provision of necessary supplies and equipment.

2. Attached hereto, Appendix "A", is a directive setting forth the policy which will govern the relationship of Allied personnel to the inhabitants of those parts of occupied Germany under the control of the Supreme Allied Commander, and the measures which will be adopted to implement that policy.

3. The British commanders concerned, having agreed to the policy set forth in this directive, will take the necessary steps to make it effective.

4. (a) The Commanding General, 12th Army Group, in consultation with other United States commanders indicated above, will prepare necessary instructions to give effect to this policy.
- (b) Orders and instructions on this subject, issued by commanders of other elements of United States forces in occupied Germany, will conform to those issued by Commanding General, 12th Army Group.

/s/ Dwight D. Eisenhower
DWIGHT D. EISENHOWER
General, U.S. Army.

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCES

APPENDIX "A"
to letter 12 September, 1944

POLICY ON RELATIONS BETWEEN ALLIED
OCCUPYING FORCES AND INHABITANTS OF
GERMANY

1. German Attitude and Propaganda

(a) The German mental attitude during the previous occupation of Germany ranged from hatred, through friendliness, to fawning subservience. In the coming occupation all attitudes of mind may be encountered, differing with persons and localities, and changing from time to time. However, because of this war's greater air-bombing damage and possibly ground combat within Germany, and because of the intense Nazi indoctrination, German hatred may be far deeper and more universal than in 1918. Also, the whole country will be occupied, as compared to only a small fraction in 1918.

(b) The German conception of themselves as a "Master Race" has been too deeply implanted to be eradicated outright; many Germans will accept defeat as only a temporary phase of a continuing struggle, and strong efforts will no doubt be directed towards regaining a commanding position in Europe. Plans for underground continuation of the struggle are believed to exist.

(c) Aside from initial resistance by any German military forces not immediately under control, the occupying forces must be prepared for civil disorders, including sniping and assaults on individuals, sabotage, provoked riots, perhaps even organized raids. Hidden arms will undoubtedly be available.

(d) Later there is likely to be deliberate, studied and continuous effort by the Germans to influence the sympathies and thoughts of the occupying forces, with a view to minimize the consequences of defeat and preparing the way for a resurgence of German power. Propaganda in widely differing forms may be expected. It will probably endeavour to weaken the Allied solidarity; to undermine the Allied determination to exercise supervision and enforce the surrender terms; to induce a reduction in the occupying forces and to lower Allied morale and military effectiveness.

(e) While open propaganda through press and radio will probably be ineffective because of Allied supervision, it is expected that word-of-mouth propaganda, under the direction of underground agencies, will be attempted unceasingly by the population wherever it contacts Allied personnel. Its methods will include attempts at fraternization by civilians (especially by children, women, and old men); attempts at "soldier-to-soldier" fraternization; and social, official, and religious contacts. The propaganda may include appeals to generosity and spirit of fair play; appeals to pity for victims of devastation; appeals to racial and cultural similarities between Germans and Anglo-Saxons; organization of sympathy for an allegedly misled and oppressed people and its starving children; sowing of discord between British and American forces and between them and the Russians; and attempts to prove that Nazism was an alien idea implanted against the general will in the cultured and unaggressive minds of Germans. The propaganda will be universal, insidious, and dangerous, and will require extensive means to avoid and combat it.

2. General Conduct.

(a) Allied personnel will so conduct themselves in their relations with the inhabitants of Germany as to command respect for themselves and for the countries which they represent.

(b) The Germans, as a nation, hold the armed forces and all things military in deep respect. A high standard of conduct and discipline must therefore be maintained by Allied personnel.

(c) Acts of violence committed when not in the lawful course of military duty are forbidden, as are acts of pillage and oppression. If such transgressions occur, offenders will be severely punished.

3. Drinking.

Strict measures to control the consumption of liquor by Allied personnel will be exercised by commanders. Cases of drunkenness will be firmly dealt with.

4. Non-fraternization.

Definition: "Non-fraternization" is the avoidance of mingling with Germans upon terms of friendliness, familiarity, or intimacy, whether individually or in groups, in official or unofficial dealings. However, non-fraternization does not demand rough, undignified or aggressive conduct, nor the insolent overbearance which has characterized Nazi leadership.

5. General Policy of Non-fraternization

(a) There will be no fraternization between Allied personnel and the German officials or population.

(b) This policy of non-fraternization is necessary in order to emphasize the relationship between the occupation forces and themselves and to circumvent their efforts to defeat the objects of our occupation. They must learn this time that their support and tolerance of militaristic leaders, their acceptance and furtherance of racial hatreds and persecutions, and their aggressions in Europe have brought them to complete defeat, and have caused the other people of the world to look upon them with distrust.

6. Attitude toward Germans in Official Contacts

(a) Allied personnel dealing with Germans on official business will be just, but firm. They will adopt an attitude of stern courtesy. They will make it clear by words and attitude that immediate compliance with orders and instructions will be required and enforced. In official, as in personal matters, there must be no fraternization. The definition laid down in para. 4 above, applies to both.

(b) Contacts on official matters with Germans, both military and civilian, will be restricted to the minimum necessary to insure adequate supervision of execution of the surrender terms and other official business. There will be no entertaining, "official" or otherwise.

(c) Germans holding or appointed to official positions, such as police, administrative or military positions, will be made to understand that they hold office by consent of Allied authorities, and only so long as they conform to Allied instructions and requirements.

7. Administrative Measures Implementing "Non-fraternization"

The policy of non-fraternization will be implemented by the adoption of the following measures:

(a) Segregation in Quarters

The billeting of officers or men in the homes of the population is forbidden. Separate quarters for troops will be obtained by the use of permanent barracks, schools, and other public buildings, by requisition of hotels, private buildings and houses, or by the use of hatted or tented camps. Permanent quarters will be so located as to minimize contact with the German population.

(b) Marriage

Marriage with Germans or personnel of other enemy countries is prohibited.

(c) Religious Services

Whenever possible, church services conducted by Allied chaplains will be provided. When this is not possible, attendance at German churches will be permitted; in such cases, separate seating will be provided for the troops.

(d) Restrictions on Contacts

The following must be prohibited: Visiting German homes, drinking with Germans; shaking hands with them; playing games or sports with them; giving or accepting gifts; attending German dances or other social events; accompanying Germans on the street, in theaters, taverns, hotels, or elsewhere (except on official business); discussions and arguments with Germans, especially on politics or the future of Germany.

(e) Execution and Enforcement

Commanders will take energetic action to implement and execute the policies and instructions contained in this section. Uniform enforcement of non-fraternization is especially important throughout the zones of the Allied armies.

8. Orientation of Troops

Prior to their arrival in Germany, Commanders will take all practicable measures to inform their troops as to:

- (a) The mission of the occupying forces, their attitude towards the German people, and the standard of conduct required of them.
- (b) The characteristics of the German people, their probable attitude towards the forces of occupation, and the types of propaganda which they are liable to employ. Emphasis should be laid upon the necessity for non-fraternization and the means by which this policy is to be effected.

9. Training and Recreation

(a) Policy

The policy of segregation from the civilian population is a difficult one to maintain, entailing as it does considerable sacrifice upon the part of our troops of many of the amenities to which they are accustomed. Every endeavour must be made by commanders to provide a full and varied program of training, education, and recreation with which to occupy the time of the troops, interspersed by as frequent periods of leave as are permitted by operational conditions.

(b) Military Training

Military training must continue as vigorously as practicable and consistent with maintenance of morale. The highest state of discipline and smartness must be attained.

(c) Education

General educational work should be undertaken, to cover subjects of general culture and military or civilian utility (arts, sciences, handicrafts, etc.).

(d) Recreation

(1) Recreation under control of Allied forces will be strongly encouraged. All facilities practicable will be provided.

(2) Forms and means of such recreation may well include:

Military competitions and shows

Athletic sports, including tournaments.

Entertainments:

Motion pictures and theater, the latter including both professional and military amateur talent.

Restaurants, cafes, cafeterias, canteens and beer gardens.

Service clubs, with facilities for reading, writing, games, radio, refreshments, dancing, entertainments, etc.

Development of other forms of entertainment, including as many bands as can be made available.

(3) Facilities

Commanders are authorized to take over suitable local entertainment facilities wholly or partly and to prescribe, in

accordance with the circumstances of each case:

(a) Allied attendance at separate hours

(b) Exclusive Allied use

(4) Recreation Centers

Recreation centers ("leave Centers"), well organized, staffed and equipped, should be established; preferably outside of Germany, where the men will have greater freedom from restraints imposed by non-fraternization. Planning therefor should be initiated shortly after the surrender in order that the centers may be ready early.

(e) Leaves

Initially, the situation will not permit a liberal leave policy. Leaves for over 28 hours' duration will normally be for destinations outside of Germany. Neither then nor later will leaves be granted if they entail staying at private houses, hotels, or other establishments controlled by Germans. However, with arrangements for recreation centers and improvement of the military situation, it is expected that the leave policy will be liberalized as soon as practicable. Leaves, however, will still be primarily for destinations outside of Germany, to leave centers or to home countries.

(f) Women's Services

It is desirable that, as early as the situation permits, the Women's Services, whether belonging to the forces, or a voluntary character (Red Cross, Y.M.C.A., etc.) should be included in the occupying forces, and in relatively large numbers.

10. Application to All Allied Personnel

The provisions of this memorandum will apply to all personnel of the Allied Expeditionary Forces, including Army, Navy, Air Forces, and all civilians under military control.

APPENDIX II

SPECIAL ORDERS FOR GERMAN-AMERICAN RELATIONS

1. To remember always that Germany, though conquered, is still a dangerous enemy nation.

a. It is known that an underground organization for the continuation of the Nazi program for world domination is already in existence. This group will take advantage of every relaxation of vigilance on our part to carry on undercover war against us.

b. The occupational forces are not on a glad-hand mission.

2. Never to trust Germans, collectively or individually.

a. For most of the past century, Germany has sought to attain world domination by conquest. This has been the third major attempt in the memory of men still living. To many Germans, this defeat will only be an interlude—a time to prepare for the next war.

b. Except for such losses of life and property suffered by them, the Germans have no regrets for the havoc they have wrought in the world.

c. The German has been taught that the national goal of domination must be obtained regardless of the depths of treachery, murder and destruction necessary. He has been taught to sacrifice everything—ideals, honor, and even his wife and children for the State. Defeat will not erase that idea.

3. To defeat German efforts to poison my thoughts or influence my attitude.

a. The Nazis have found that the most powerful propaganda weapon is distortion of the truth. They have made skilful use of it and will re-double their efforts in the event of an occupation in order to influence the thinking of the occupational forces. There will probably be deliberate, studied and continuous efforts to influence our sympathies and to minimize the consequences of defeat.

b. You may expect all manner of approach—conversations to be overheard, underground publications to be found; there will be appeals to generosity and fair play; to pity for "victims of devastation;" to racial and cultural similarities; and to sympathy for an allegedly oppressed people.

c. There will be attempts at sowing discord among Allied nations; at undermining Allied determination to enforce the surrender; at inducing a reduction in occupational forces; at lowering morale and efficiency of the occupying forces; at proving that Nazism was never wanted by the "gentle and cultured" German people.

4. To avoid acts of violence, except when required by military necessity.

For you are an American soldier, not a Nazi.

5. To conduct myself at all times so as to command the respect of the German people for myself, for the United States, and for the Allied Cause.

a. The Germans hold all things military in deep respect. That respect must be maintained at all times or the Allied Cause is lost and the first steps are taken toward World War III. Each soldier must watch every action of himself and of his comrades. The German will be watching constantly, even though you may not see him. Let him see a good American soldier.

b. Drunkenness will not be tolerated. Penalties will be severe.

6. Never to associate with Germans.

a. We must bring home to the Germans that their support of Nazi leaders, their tolerance of racial hatreds and persecutions, and their unquestioning acceptance of the wanton aggressions on other nations, have earned for them the contempt and distrust of the civilized world. We must never forget that the German people support the Nazi principles.

b. Contacts with Germans will be made only on official business. Immediate compliance with all official orders and instructions and surrender terms will be demanded of them and will be firmly enforced.

c. American soldiers must not associate with Germans. Specifically, it is not permissible to shake hands with them, to visit their homes, to exchange gifts with them, to engage in games or sports with them, to attend their dances or social events, or to accompany them on the street or elsewhere. Particularly, avoid all discussion or argument with them. Give the Germans no chance to trick you into relaxing your guard.

7. To be fair but firm with Germans.

a. Experience has shown that Germans regard kindness as weakness. Every soldier must prove by his actions that the Americans are strong. This will be accomplished if every soldier treats the Germans with firmness and stern courtesy at all times.

b. Firmness must be tempered with strict justice. Americans do not resort to Nazi gangster methods in dealing with any people. Remember, your fair but firm treatment of the German people will command the proper respect due a member of a conquering nation.

Appendix III

SOCIAL PASS SECTION
Gesellschaftspass Buero

Frankfurt (M), den

~~CONFIDENTIAL~~

Pass application Passantrag:	NAME :	Date of birth Geb.-Datum:	Residence Wohnung:
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1.) U. g. R.
C I C im Hause

mit der Bitte um Feststellung, ob Nachteiliges gegen die Antragstellerin dort vorliegt, evtl. ob die Ausstellung eines Social Passes von dort befuerwortet oder abgelehnt wird.

1.) Information is requested that would deny the applicant a Social Pass.

2.) U. g. R.
Strafaktensammlung und Steckbriefkontrolle
im Hause

mit der Bitte um Feststellung, ob Antragstellerin steckbrieflich gesucht wird bzw. ob Strafakten von der Antragstellerin vorhanden und evtl. Beifuegung solcher Akten gegen Rueckgabe zu dem Vorgang.

2.) Official punishment document and Control of warrant of apprehension. Information is requested to verify whether or not a warrant has been issued against the applicant, if so such report are to be attached, and will be returned.

3.) U. g. R.
dem Kommando der Schutzpolizei
Polizei-Revier

mit der Bitte um Auskunft, ob dort gegen die Antragstellerin oder deren Familie Unguenstiges bekannt geworden ist. Ist Antragstellerin sowie deren Familie bei ihren Nachbarn bzw. in ihrem Wohnbezirk gut beleundet?

Auskunft innerhalb 4 Tagen erbeten!

3.) Headquarters City Police.

Any known unfavorable comment is requested of the applicant of their family. Can the neighbours of the applicant verify her good conduct. Information to be given four (4) days.

Evtl. Rueckseite fuer Beantwortung benutzen!
Use reverse side for reply!

Name: _____
 Zuname _____ Vorname _____

Postanschrift: _____

1. Geburtsdatum: _____ 4. Geburtsort: _____ 5. Grösse: _____

6. Haarfarbe: _____ 7. Haarfarbe: _____ 8. Augenfarbe: _____

9. Arbeitsstelle: _____

10. Name des Vorgesetzten: _____ 11. Telefon: _____

12. Zugehörigkeit: _____ Welche Ihrer Angehörigen

13. bekleideten ein Amt in der NSDAP. oder einer ihrer Gliederungen: _____

In der folgenden Liste ist anzuführen, ob Sie Mitglied einer der angeführten Organisationen waren und welche Aemter Sie bekleideten:

	ja / nein	von	bis	Nummer	Höchstes Amt oder Rang	Antritts-Datum
NSDAP.						
NS.-Frauenshaft						
NS.-Jugendbewegung						
Studentenschaft						

14. Sind Sie Mitglied der _____

15. Sind Sie jemals in Diensten der Gestapo: ja / nein 21. Der SS: ja / nein 22. Des SD: ja / nein

16. In welchen anderen Organisationen sind Sie jemals dienstverpflichtet gewesen, oder freiwillig hinzugetreten: _____

17. Sind Sie Stabs- oder Luftwaffenhelferin: _____

18. Waffen: _____

19. Sind Sie jemals Geschlechtskrank gewesen: _____

20. Wann sind Sie in Frankfurt a. M. ansässig: _____

21. Wann und bei welchem Polizei-Revier sind Sie in Frankfurt a. M. polizeilich gemeldet: _____

Ich bestätige die in diesem Formular gemachten Angaben sind wahr, und ich bin mir bewusst, dass jegliche Auslassung oder falsche oder unvollständige Angabe ein Vergehen gegen die Verordnungen der Militär-Regierung darstellt und mich der Anklage und Bestrafung aussetzt.

Eigenhändige Unterschrift _____ Datum _____

22. Genehmigt: _____

23. Unterschrift: _____

APPENDIX V

