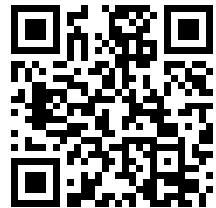

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**HISTORY OF
THE SECOND WORLD WAR
UNITED KINGDOM MILITARY SERIES
Edited by SIR JAMES BUTLER**

The authors of the Military Histories have been given full access to official documents. They and the editor are alone responsible for the statements made and the views expressed.

CIVIL AFFAIRS AND
MILITARY GOVERNMENT
CENTRAL ORGANIZATION
AND PLANNING

BY

F. S. V. DONNISON, C.B.E.

LONDON: 1966

HER MAJESTY'S STATIONERY OFFICE

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First published 1966

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HER MAJESTY'S STATIONERY OFFICE

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49 High Holborn, London W.C.1
423 Oxford Street, London W.1
13A Castle Street, Edinburgh 2
109 St. Mary Street, Cardiff
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PRICE £2 15s. od. NET

Printed in England

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PREFACE

SELECTION of a title for the present volume has been difficult, since it has not proved possible to achieve both brevity and sufficient accuracy. Under the general scheme for the United Kingdom Military History of the Second World War, three volumes have appeared dealing with military administration in various theatres of war – *British Military Administration in the Far East, 1943–46*, *Allied Military Administration of Italy, 1943–45*, and *Civil Affairs and Military Government, North West Europe, 1944–46*. In addition, a volume on *British Military Administration in Africa, 1941–47*, by Lord Rennell of Rodd, has been published by H.M.S.O., although not formally a part of the series referred to above. To complete the picture drawn by these ‘theatre’ histories of military administration, the present volume is designed as an account of the central direction of this administration of territories liberated or occupied by British military forces during the Second World War. It is intended to include more particularly an account of the organization evolved in London for this purpose, of the machinery created for Anglo-American co-operation, of the preparation of general plans, of planning for a particular theatre of war if this was undertaken at levels higher than those which have come under attention in the ‘theatre’ volumes, and of the general purpose and principles of this aspect of the British war effort. It is the whole of this field that the title should suggest. A volume of the history of the U.S. Army in World War II covers somewhat similar ground, and it is clear that the authors of this encountered similar difficulties. Their volume is entitled *Civil Affairs: Soldiers become Governors* but their Preface opens – ‘The title of this volume may not convey the precise scope of its contents but the authors could think of no other that would be more suggestive without being over-ponderous.’ With some misgiving, and with apologies for its length, it has been decided, for the present volume, to adopt *Civil Affairs and Military Government; Central Organization and Planning*.

It may be noticed that there is no reference to General Principles, which was the sub-title originally intended. The reason is that few of these emerge. Indeed, one of the chief lessons of this, and of the ‘theatre’ volumes, is the need for the utmost flexibility of thought and organization so that the endlessly varying tasks facing civil affairs and military government may be undertaken each on its merits. Equally important, as it seems to me, is the need that thought should be devoted to the subject, and instruction provided, in

peace-time to prepare the Services for the performance of these tasks. The pressing necessity for both is dealt with at greater length in Chapter XIV.

The nature of the ground to be covered has made this a difficult and in many ways unsatisfactory volume to write. Many of the more interesting matters have been dealt with to a conclusion in the 'theatre' volumes. And whereas in those volumes there was a narrative thread round which a coherent and developing account could be woven, in the present volume it has been necessary to make the best of the somewhat disjointed topics that fell to be treated at the centre and of the uneven and sometimes rather frayed ends of threads coming up from below. Furthermore, although the 'theatre' volumes are, in the main, written from the standpoint of the theatre Commander, the authors were not all equally firm in confining themselves to this if an account of developments at the centre might facilitate understanding of events in the theatres.¹ Accordingly the boundary between the fields of the central and the 'theatre' volumes does not always run at a consistent level in the several theatres of war. The principle I have sought to apply in the present volume is set out at the end of Chapter II.² The table of contents shows the result.

It is really only in regard to Chapters V and VI that any question arises over the point at which to end the account in this volume. Since both the chapters mainly concern Germany I have throughout kept in mind the method adopted in the relevant 'theatre' volume, under which 'the account has been gradually faded-out in step with the progressive transfer of responsibility, on various dates at the normal levels of command, from the War Office and the military formations to the civil authorities.'³

It has been suggested, and it is possible, that the present account insufficiently brings out the untidiness of war, resulting from the size of operations, from the extension of the responsibility of commanders to fields previously quite outside the military purview, from the technical and political considerations arising, and also, perhaps from the unorthodox methods employed by the two great British and American war leaders. In reply I can only say that some rationalization and simplification were necessary to enable me to understand what took place, and that I hope they may do the same for the reader.

¹ The present writer was perhaps particularly guilty of straying outside the 'theatre' field in parts of his *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961.

² Cf. p. 43.

³ Donnison, *Civil Affairs and Military Government North-West Europe, 1944-46*, H.M.S.O., 1961, p. xiv. For more detail, cf. *ibid.*, pp. 274-277.

The practice in other volumes of this series, of not giving in the text detailed references to sources not open to public inspection, has been followed in this volume also. Such references are printed, however, in a confidential edition.

I have received help in the writing of this book from more persons than it is practicable to mention by name. My gratitude to them is none the less real and warm. But the following I cannot omit to thank individually for information, comment, criticism or encouragement: Sir Frederick Bovenschen, Brigadier A. E. Hodgkin, Professor R. Y. Jennings, Sir Charles Key, Major-General S. W. Kirby, Sir Edward Playfair, Brigadier T. Robbins, Colonel T. E. St. Johnston, Mr. R. J. Stopford, Field-Marshal Sir Gerald Templer, and Lieutenant-General C. W. Wickersham. I would also like to add my special thanks to many police officers who, some of them in response to an appeal by Colonel T. E. St. Johnston in *The Police Review*, placed much material at my disposal for the chapter on the Police Contribution. This ranged from personal diaries to an unpublished book on the writer's experiences in Allied Military Government in Italy. If specific use does not always appear to have been made of particular items this material was nevertheless most valuable in building up the picture I have sought to convey.

Finally, as in two previous volumes, I owe a very special debt of gratitude to Sir James Butler for his wise counsel and sympathetic encouragement.

GLOSSARY OF INITIALS AND ABBREVIATIONS

A	Adjutant-General's Branch.
A.4	Section of Staff of D.C.C.A.O. North-West Europe.
A.C.A.	Armistice Terms and Civil Administration Committee (Ministerial).
A.C.A.O.	Armistice Terms and Civil Administration Committee (Official).
A.F.H.Q.	Allied Force Headquarters.
A.M.G.	Allied Military Government.
A.M.G.O.T.	Allied Military Government of Occupied Territories.
A.P.W.	Armistice and Post-War Committee (Ministerial).
A.T.(B)	Administration of Territories (Balkans) Committee.
A.T.(E)	Administration of Territories (Europe) Committee.
A.T.S.	Auxiliary Territorial Service.
B.M.A.	British Military Administration.
C.4, 10	Branches of the War Office.
C.A.	Civil Affairs.
C.A. 8, 9, 10	Branches of the Directorate of Civil Affairs in the War Office.
C.A.O.	Civil Affairs Officer.
C.A.S.C.	Civil Affairs Staff Centre.
C.C.A.C.	Combined Civil Affairs Committee.
C.C.A.C/B	Billing Sub-Committee of C.C.A.C.
C.C.A.C/L	London Sub-Committee of C.C.A.C.
C.C.A.C/S	Supplies Sub-Committee of C.C.A.C.
C.C.A.O.	Chief Civil Affairs Officer.
C.C.S.	Combined Chiefs of Staff.
C.I.G.S.	Chief of the Imperial General Staff.
C.O.S.S.A.C.	Chief of Staff to Supreme Allied Commander.
C-in-C.	Commander-in-Chief.
D.C.A.	Director of Civil Affairs.
D.C.C.A.O.	Deputy Chief Civil Affairs Officer.
D.D.C.A.	Deputy Director of Civil Affairs.
D.E.(CA)	Director of Economics (Civil Affairs).
D.Q.M.G.	Deputy Quarter-Master-General.
D.S.	Directors of Studies.
E.A.C.	European Advisory Commission.
E.I.P.S.	Economic and Industrial Planning Staff.
E.N.S.A.	Entertainments National Service Association.
F.1, 5	Branches of the Finance Department of the War Office.
G	General Staff Branch (British Army).
G-1, 2, 3, 4, 5	General Staff, Divisions 1, 2, 3, 4, 5 (U.S. Army).

xiv GLOSSARY OF INITIALS AND ABBREVIATIONS

G.H.Q.	General Headquarters.
G.S.O. 1, 2, 3	General Staff Officer, First, Second, Third Grade.
H.Q.	Headquarters.
L.C.C.	London County Council.
L. of C.	Line(s) of Communication.
M.G.O.	Master-General of the Ordnance.
M.I.6	Branch of the Directorate of Military Intelligence in the War Office.
M.O. 5, 11	Branches of the Directorate of Military Operations in the War Office.
M.P.	Member of Parliament.
N.A.A.F.I.	Navy Army Air Force Institutes.
N.C.O.	Non-Commissioned Officer.
O.E.T.A.	Occupied Enemy Territories Administration (Administration or Committee concerned therewith).
O.R.C.	Overseas Reconstruction Committee (Ministerial).
P.H.P.	Post-Hostilities Planning Sub-Committee.
P.U.S.	Permanent Under-Secretary of State.
Q	Quarter-Master-General's Branch.
R.A.F.	Royal Air Force.
S.C.A.E.F.	Supreme Commander Allied Expeditionary Force.
S.H.A.E.F.	Supreme Headquarters Allied Expeditionary Force.
S.L.A.	Committee on Supply Questions in Liberated and Conquered Areas (Ministerial).
S.L.A.O.	Committee on Supply Questions in Liberated and Conquered Areas (Official).
S.O. 1, 2, 3	Staff Officer, First, Second, Third Grade.
S.S.	<i>Schutzstaffel</i> (Nazi Security Service).
U.N.R.R.A.	United Nations Relief and Rehabilitation Administration.
U.K.	United Kingdom.
U.S.A.	United States of America.
U.S.S.R.	Union of Soviet Socialist Republic.
V.C.I.G.S.	Vice-Chief of Imperial General Staff.

ACKNOWLEDGEMENTS

Acknowledgement is made in respect of quotations from the works listed below:

- Barker, *Age and Youth*, Oxford University Press, 1953
- Bryant, *Turn of the Tide*, Wm. Collins, Sons and Co. Ltd., 1959
- Callwell, *Life of Sir Stanley Maude*, Constable and Co. Ltd., 1920
- Churchill, *The Second World War, Volumes II, III and IV*, Cassell and Co. Ltd., 1949, 1950, 1951
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PART I

Organization

CHAPTER I

BACKGROUND

SHORTLY after eight o'clock on the evening of 7th December, 1940, a telegram was received in the War Office from the Commander-in-Chief of the British forces in the Middle East (at that time General Sir Archibald Wavell) addressed personally to the Chief of the Imperial General Staff. It began:

' Question of administration of enemy territory in Italian East Africa when occupied, needs immediate attention. Among problems which will have to be tackled are administration of the country, currency, trade. In addition it is possible that certain areas will have to be fed. Experienced administrator is immediately required on my staff to examine problem and formulate plans.'

This telegram, sent first to the Directorate of Military Intelligence, soon gravitated to the Directorate of Military Operations where it fell to be dealt with by M.O.5 Branch in virtue of a charter under which the Branch was required to deal with operations in the Mediterranean, Africa, India, Colonies and Mandated Territories. The charter included the application of international law in these areas.

It became clear that there was not in the War Office anyone specifically responsible for dealing with the subject raised by General Wavell. A general concern with the application of international law, in this case mostly the laws of war, was not at all the same as particular responsibility for that small part of those laws which governed the administration of territory under military occupation. In the circumstances it was not surprising that there was extremely little on record in the War Office to help in formulating a reply to the Commander-in-Chief. There was an excellent chapter in the Manual of Military Law on the laws and usages of war on land. Included in this was a lucid ten-page exposition of the provisions of articles 42 to 56 of the Hague Rules governing the occupation of enemy territory. But it contained no positive instructions, and placed no responsibility on anybody. In Field Service Regulations it was laid down that the Commander-in-Chief ' . . . is responsible . . . for the military government of all territory under martial law' (a somewhat misleading

statement),¹ and that a subordinate Commander '... is ... responsible for the local administration and, if so directed, the military government of the territory within his command.' There was not another word relating to military government except that it was defined as 'The government by military authority exercised by the Commander-in-Chief in the place of, or supplementary to, the civil government in occupied enemy territory.' There was no manual of military government. Indeed, so little did the War Office feel itself involved that, as will be seen later,² an early reaction was to propose that responsibility should rest upon the Colonial Office. It is true that as early as December, 1939, a minute recorded in the Department of the Chief of the Imperial General Staff had led to the holding of a series of courses to train officers for liaison duties with the governments of liberated territories. But these courses looked to a time that was described as 'the post-war reconstruction period,' and were primarily concerned with liaison, not administration.³ With this somewhat doubtful exception, it may be accepted that no thought had been given in the War Office, up to this time, to the problems that must arise on the occupation of enemy or other territory. That commanders in the field were not unaware of these problems is clear from General Wavell's telegram.

Let us look for a moment outside the walls of the War Office. The communiqué issued by the Air Ministry and Ministry of Home Security on 8th December, 1940, ran: 'There was no enemy air activity over this country last night'. The communiqué was described as one of the shortest issued since the raids began.⁴ But through October and November London had suffered its heaviest air-raids. Towards the end of these months the weight of attack had shifted to the ports, especially to Bristol, Southampton and Liverpool. But occasionally the bombers switched back to London. On Sunday night 8th December, there was a heavy raid in the course of which high explosive and incendiary bombs were dropped on many parts of London. 'The heaviest barrage for more than a fortnight rocked London as wave after wave of raiders came in'.⁴ On 29th December one of the fiercest raids came to the capital. 'All the painfully-gathered German experience was expressed on this occasion. It was an incendiary classic. The weight of the attack was concentrated upon the City of London itself. It was timed to meet the dead-low-water hour. The water mains were broken at the outset by very heavy high-explosive parachute-mines. Nearly fifteen hundred fires had to be fought. The damage to railway stations and docks was

¹ *Field Service Regulations Vol. I, 1930*, amended up to 13th December, 1939, Ch. II, section 6, para 1.

² Cf. p. 21.

³ There is fuller reference to these courses in a later chapter, Chapter XIII.

⁴ *Times*, 9th December, 1940.

serious. Eight Wren churches were destroyed or damaged. The Guildhall was smitten by fire and blast, and St. Paul's Cathedral was only saved by heroic exertions.¹ For six months Great Britain, desperately rearming and re-organizing, had stood alone in the face of these violent German attacks. It is not surprising, perhaps, if there had been no recent thought in the War Office on the subject raised by the Commander-in-Chief, Middle East.

Yet military government was no new thing, and the omission of such study before the Second World War was unfortunate, particularly since, as we shall shortly see, the South African War and the First World War had made some of its perplexing and important problems apparent. It takes place when the authority of the state passes into the hands of a military commander in any of several ways, some recognized or accepted by the law, some not. It may occur in war on the occupation of enemy territory on the grounds that the authority of the hostile State has passed *de facto* into the hands of the occupying forces. Military government in such circumstances is recognized and governed by international law and usage which place certain duties upon the commander of these forces and certain restrictions upon the exercise of his temporary authority. Military government may also occur within the state, in war or in peace, if the responsibility for the government of a given area passes in an emergency from the civil to the military authority, whether under automatic provisions of the constitution, or by means of special legislation, or by other delegation. The constitution of the United Kingdom has no such provision for the proclamation of martial law and military government, but the common law recognizes the right of the Crown, in time of invasion or rebellion, to assume exceptional powers, usually through its military forces, which in that case may amount to a proclamation of martial law and establishment of military government. It is also accepted under international law and usage that in war military government may be established anywhere, that is to say in occupied enemy territory or elsewhere, on grounds of military necessity, which justifies a military commander in taking any measures necessary to the success of his operations. Military governments of the kinds so far described all enjoy a measure of recognition under international or other law. Military governments have also come into existence through arrogation of authority by military commanders on grounds of public interest, or by naked seizure of power—generally also alleged to be in the public interest. The law, obviously, cannot recognize such governments, which involve subversion of the constitutional authority, though history may do so. They are unhampered by any need to comply with the requirements of the law (except to the

¹ Churchill, *The Second World War*, Vol. II, London, 1949, p. 333.

extent that compliance may support their claims to be acting in the public interest) and for this reason are not a profitable field of study for this book. But of the recognized forms of military government, examples of all kinds were to come into existence during the Second World War.

Looking back into history, an early example of military government, with which we need not long concern ourselves, occurred in 1654 when England was placed by Cromwell under the control of ten 'military governments', each with a major-general at its head. So far as this episode is relevant to our purpose, which, indeed, is not very far, it may be looked upon either as an example of the establishment of military government within the State in time of emergency by delegation of authority from the executive civil government, or as an example of despotic arrogation of power.

A more relevant example is afforded by the manifesto or proclamation issued on 7th June, 1758, by the Duke of Marlborough, a descendant of the great Duke, the second day after the landing of his forces at Cancele in Brittany. This ran:

' Make known to all the inhabitants of Brittany that the descent on their coast, with the powerful army under our command, and our formidable armament by sea, is not made with an intention to make war on the inhabitants of the country, excepting those who shall be found in arms, or shall otherwise oppose the just war, which we wage against His Majesty the most Christian King.

Be it known, therefore, to all who will remain in peaceable possession of their habitations and effects, that they may stay unmolested in their respective dwellings, and follow their usual occupations; and that, excepting the customs and taxes, which they pay to the King, nothing will be required of them, either in money or merchandizes, but what is absolutely necessary for the subsistence of the army; and that for all the provisions they shall bring in, they shall be paid ready money.

On the contrary, if, notwithstanding this declaration which we have been pleased to make, the inhabitants of the towns or villages carry away their furniture, effects, or provisions, and abandon their houses or dwellings, we shall treat such delinquents as enemies, and destroy by fire and sword, or such other methods as shall be in our power, their towns, villages, dwellings, or houses. Given at the headquarters at Paramé.'

The Commander-in-Chief saw himself as taking and exercising the authority which passed into his hands from those of His Majesty the most Christian King. But, in fact, most of His Majesty's subjects had fled and the Commander-in-Chief wrote to 'the magistrates and echevins' at St. Malo:

' We being in possession of all the country between Dinan, Rennes, and Doll, as far as St. Maloes, and finding that all the

inhabitants of the towns and villages, in this extent of country, have abandoned their habitations; probably to avoid the payment of the usual contributions: and as we are informed that the inhabitants have, by your orders, been compelled to go to St. Maloes; we give you notice, that if they do not return peaceably to their houses, and send their magistrates to our headquarters to settle the contributions, we shall think ourselves obliged to set fire to them without further delay.'

Here, in principle at least, was a clear case of the exercise of military government in occupied enemy territory because authority had passed *de facto* from the hostile state to the military commander of the occupying forces. But only in principle, for the 'powerful army' and 'formidable armament' withdrew hastily and somewhat ignominiously, on the approach of French forces, and re-embarked within a few days of landing.

The Peninsular War in Portugal and Spain affords examples of the far more difficult situation that faces a military commander when the territory occupied by his forces is that of an ally, not of a hostile state and any necessary assumption of authority can be justified not as the temporary exercise of the sovereignty of the enemy state but only on grounds of military necessity, or by consent of the ally. The British commanders in that empty country were able to set their faces against any general assumption of political or administrative functions. But from time to time they were nonetheless driven to assume a certain local and temporary responsibility. On 13th May, 1809, the Duke of Wellington issued a proclamation to the inhabitants of Oporto which concluded:

'I have appointed Colonel Trant to command in this town till the pleasure of the [Portuguese] government shall be known; and I have ordered him to take care that this proclamation is obeyed.'¹

But in Spain in the words of the historian of the British army:

'Hardly less interested than Spain herself in the establishment of a government of some kind, which should represent the whole country, was her ally Great Britain; for it was of vital importance to the latter to possess a single accredited agent who could concert arrangements with a single executive body.'²

These words might have been written of the Allies and France in 1944-45.

It does not seem that any military government was established in the Crimean War. When Sir George Brown landed forces on the

¹ *Wellington Despatches*, London, 1852, Proclamation of 13th May, 1809. Vol. III, p. 231.

² Fortescue, *History of the British Army*, Vol. VI, London, 1910, pp. 256.

Peninsula of Kertch, the inhabitants implored him to protect them from the 'Tartars' or Cossacks. 'This Sir George refused flatly to do, protesting that he was not governor of the country; and for any other protection than such as might be rendered appropriate by the conduct of his troops, he told them they had no claim upon him.'¹ But when some of his troops followed the example of the Cossacks and began to loot and plunder, Sir George still refused to take any efficacious steps, thereby incurring the criticism of the historian of the invasion.² This was fifty years before the Hague Convention where it was agreed that 'the authority of the power of the State having passed *de facto* into the hands of the occupant, the latter shall do all in his power to restore, and ensure, as far as possible, public order and safety . . .' But the Hague Rules were no more than a codification of the well-established laws and customs of war, and it is clear from the events of 1758 and 1809 quoted above that military responsibility in such a case was already well-recognized long before the Crimean War. Sir George would certainly appear to have shrunk from his responsibilities under international law. It is possible that he did not wish to spoil the Tartars' sport because he hoped to raise them in arms against the Russians.

There were occasions in the Second World War, also, when the need to establish administration and to maintain order came into painful conflict with the policy of aiding any man who would fight the enemy ('If Hitler invaded Hell I would make at least a favourable reference to the Devil in the House of Commons' said Mr Churchill just before the German attack on Russia).³ But nowhere did the military authorities refuse to accept responsibility – though in Burma the conflict was only resolved by the reluctant grant of an amnesty to many known and wanted criminals because they had been fighting the Japanese.⁴

In the American Civil War, 1861–65, President Lincoln appointed five military governors for Tennessee, North Carolina, Louisiana, Arkansas, and Texas. One was a senator, one was a lawyer, the rest were congressmen. They were commissioned as brigadier-generals of volunteers, but clearly they were not integrated into the military chain of command or given any military assistants. One never reached his charge. Three threw in their hands because of difficulties with the military commanders. One only, the military governor for Tennessee, continued in office, coming out on top in his many disputes with the military because of his own vigorous and combative character, and because of President Lincoln's support.

¹ Kinglake, *Invasion of the Crimea*, Edinburgh, 1887, Vol. 8, p. 49.

² *Ibid.*

³ Churchill, *The Second World War*, Vol. III, London, 1950, p. 331.

⁴ Donnison, *British Military Administration in the Far East, 1943–46*, H.M.S.O., 1956, p. 349.

Major-General Halleck wrote to General Sherman: I have always opposed the origination of civico-military government, under civilians. It merely embarrasses the military government, without effecting any good.¹ General Grant wrote: 'Please advise the President not to attempt to doctor up a State government for Georgia by the appointment of citizens in any capacity whatever. Leave Sherman to treat all questions in his own way, the President reserving his power to approve or disapprove of his actions'.² In the Second World War the appointment of civilians, with *ad hoc* military rank to take charge of military government created just such difficulties and, as in the Civil War, only the most combative and characterful escaped being replaced by military officers. Attempts by the military commanders in the American Civil War to govern through the local civil authorities proved abortive and in most cases ended in suppression of these authorities, elimination of the civilians appointed as military governors, and assumption of direct control by the military through military courts. Confiscation of property, the taking of hostages, banishment were all utilized in enforcing the will of the military commanders.

* * *

The South African War is near enough in time to allow us our first detailed view of military government by British forces, and sufficiently modern in character to allow of profitable comparison. And, indeed, it is probably the first occasion on which British forces had ever undertaken extensive occupation of enemy territory, as opposed to mere invasion, which does not necessarily amount to occupation.

Military government began in South Africa, as it did later in both the First and Second World Wars, with improvisation. When Kimberley was about to be besieged by the Boers in October, 1899, Colonel Kekewich commanding the British garrison proclaimed martial law within the town and assumed control of the civil population.³ But Kimberley was, in practice, the De Beers Company. Cecil Rhodes, a Director, was present throughout the siege, and it will surprise no one that in the words of the official history '... both from the political and financial aspect he was virtually the dictator of Kimberley...'⁴

As the tide showed signs of beginning to turn in favour of the British, Field-Marshal Lord Roberts, the Commander-in-Chief, was authorized by a commission, dated 21st March, 1900, to annex and

¹ *Military Affairs*, Journal of the American Military Institute, 1951, Vol. XV, p. 184.

² *Military Affairs*, 1951, Vol. XV, p. 184.

³ Maurice, *History of the War in South Africa*, London, 1907, Vol. II, p. 48.

⁴ Maurice, *History of the War in South Africa*, London, 1907, Vol. II, p. 51.

administer the Orange Free State. Annexation in virtue of this commission was effected on 24th May, 1900, in flagrant defiance of the well-established provision of international law that the outright assumption of sovereignty, as opposed to its temporary exercise by a military occupant in place of the lawful government, must await the conclusion of a treaty of peace, or the complete subjugation of the enemy. Two years of bitter fighting were to pass before the British were able to bring about the conditions which alone would have justified annexation. The authority to administer was given in the following words:

‘ And we do hereby constitute and appoint you to be thereupon Administrator of the said territories provisionally and until Our pleasure is more fully known. And we do authorise and empower you as such Administrator to take all such measures, and to make and enforce such laws as you may deem necessary for the peace, order and good government of the said territories.’¹

In March, 1900, before the annexation but after the occupation of Bloemfontein and the greater part of the Orange Free State, Field-Marshal Roberts appointed Major-General Pretzman Military Governor of occupied territory. Major-General Pretzman in due course assumed control of the whole of the Orange Free State, renamed the Orange River Colony after annexation. Some three months later, as British forces continued their advance and entered into the South African Republic, the Commander-in-Chief appointed Lt.-Col. Colin Mackenzie Military Governor of Johannesburg and Major-General Maxwell Military Governor of the rest of the republic, which in due course was also annexed, with equal disregard of international law, and renamed the Transvaal. In the matter of military government South Africa offers an example of the straightforward occupation and administration of enemy territory, distinguished from others mentioned in this book only by the intention present from the outset to annex the occupied territory permanently. This intention, and the belief that early annexation would tend towards pacification of the country by removing uncertainty as to its future explain, though they cannot excuse, annexation before the conclusion of a peace treaty or the subjugation of the enemy. In the case of the Transvaal it could by special pleading have been contended that the British had retained a vague suzerainty; in the case of the Orange River Colony not even this was possible.

The military governors and the district commissioners under them were regular military officers. Heads of departments and magistrates were sometimes initially military officers, but these appointments were increasingly filled by civilians, whether ex-officials of the Boer

¹ Cmd. 261, 1900. p. 137.

Government, British officials on loan from neighbouring colonies, or civilians recruited *ad hoc*.¹

It was by Boer invasion of the British territory of Cape Colony that the South African War was actually precipitated. And Cape Colony was the base for the British forces employed in the ensuing operations to repel and defeat the invaders. There Sir Alfred Milner was both Governor of the Colony and High Commissioner for South Africa. As High Commissioner he had been responsible in South Africa for the conduct of British relations with the Orange Free State, the South African Republic, and other foreign states, as well as for the exercise of certain powers within British territories other than the Cape and Natal. It soon became clear that to him would fall the task of setting up civil administration in the Orange River Colony and the Transvaal when military administration could be discontinued. The Cape, under its vigorous Governor and High Commissioner was as much the base for the introduction of civil administration as for the conduct of military operations. It was from the Cape that many civil officials were lent to the military administrations, and in Cape Town that the High Commissioner made his plans and waited for his entry.

The editor of the Milner Papers, writing in 1933, after long study of his material, recorded the following comment on the work of the military government:

‘Unfortunately there were no British regulations defining the powers and duties of a Military Governor. General Pretzman found himself in an uncharted sea, whilst few of his soldier subordinates had any experience of civil administration under South African conditions.’²

Nor, we may suppose, under any other conditions, either. One of Sir Alfred Milner’s letters to Mr. Chamberlain written on 22nd August, 1900, ran:

‘Lord Roberts always shows consideration for my difficulties. But he is fully occupied with the conduct of six separate little campaigns . . . and he has no adequate control of his subordinates in regard to civil administration. The result is necessarily unsatisfactory. There is no regular system. The abler men are paralysed for want of a clear lead; the less able do absurd things, which excite needless resentment and make us look ridiculous . . . But it is no use grumbling about the inevitable.’³

Perhaps the picture is a little too dark. Sir Alfred was thirsting to take over from the soldiers. But a less committed observer, Mr.

¹ Cmd. 547, 1901, p. 36.

² Headlam, *Milner Papers*, London, 1933, Vol. II, pp. 132-133.

³ *Ibid.* p. 122.

Amery, the author of the *Times* history of the South African War, put the matter still more plainly:

‘The first and most obvious [lesson] is the necessity of defining the duties of a military governor and of his subordinates, and their position with regard to other officers exercising military command within the area of their jurisdiction. Similarly, the military and civil staff required to assist in the administration should be worked out, and officers who possess the requisite qualifications should be noted in peace time, and, once appointed, should not be removed without strong reason.’¹

It may be accepted that military administration in South Africa did not go well, even by its own necessarily rough and ready standards, and that this was because nobody had given any thought or study to the subject and because there was a total absence of instructions. There are strange resemblances between the courses of events in South Africa from 1899 to 1902 and in Burma from 1942 to 1945. Some forty years after writing the words just quoted Mr. Amery was to be a member of the Cabinet Committee responsible for communicating to the head of the military government set up in Burma during the Second World War, the policy to be followed towards the Burmese nationalist leaders. It also fell to this committee to consider the arrangements to be made for the progressive re-transfer of responsibility in Burma from the military to the civil authorities when war ended. A period of military administration was to be followed by a not-too-short period of direct or crown government during which preparation would be made for the full transfer of responsibility to the Burmese. Such were the steps proposed in South Africa also. And in both countries events were to move a great deal faster than the framers of policy had ever contemplated. But there are further resemblances. There was the improvised establishment of small-scale military government under the pressure of adverse military operations both in Kimberley and in Arakan. This was in both cases followed by more considered and formal establishment of military government as the tide of operations turned. There was Sir Alfred Milner in Cape Town, lending civil officials, advising on problems of administration, pressing for an early hand-over from military to civil government, but pressing also for a not-too-short period of Crown government so as to allow the re-establishment of ordered existence before any grant of independence. Chamberlain wrote to Milner from the Colonial Office:

‘I am dying to hear that you have commenced some sort of civil administration anywhere in the two colonies. I utterly distrust military administration and believe that it is calculated to

¹ Amery, *Times History of the War in South Africa*, Vol. VI, London, 1909, pp. 586–587.

increase the number of our enemies and to exacerbate their hostile feelings. Even the most skeleton form of civil government is better than none, and would be an earnest to the world of our intentions to carry out our ideas as they have been publicly declared.¹

Milner himself wrote:

‘ With few exceptions, wherever soldiers are now doing civilian work, things are going badly. The muddling of the various military commandants under Martial Law in the Colony causes endless and needless trouble. In the Free State the military administration is already rendering itself unpopular, and the prejudice against the military among loyal South Africans is becoming very strong. It is not against the soldiers themselves . . . , it is against the military, hard-and-fast, follow-your-instructions and never-take-local-advice, spirit in the management of civil affairs.’²

It is difficult to believe that these words did not flow from Simla, expressing the views of the emigré Government of Burma.

The military governors in South Africa were soldiers, responsible without reservation to the Commander-in-Chief. It was natural enough, however, that the Commander-in-Chief and his assistants in military government should from time to time seek advice on the unfamiliar problems of civil administration with which they were faced, from the High Commissioner and his experts in Cape Town. The High Commissioner had lent a number of his civil officers for the purpose of the military administration. The High Commissioner would become responsible for government of the annexed territories after the military period. The High Commissioner was Sir Alfred Milner. It was equally natural that the High Commissioner should hold and press strong views on the policy and manner of the military administration. There was here a foretaste of the civil-military contention that was to arise in Mesopotamia in the First World War and, to some extent, in Burma during the Second World War. Although this contention often found expression in clashes of personality, and was indeed partly caused by these, it nevertheless raised a fundamental issue regarding the channels, civil or military, through which responsibility for the government of occupied territories should properly flow. The question will be more fully considered in a later chapter.³ But mainly the problem in South Africa was one of complete unpreparedness for military government.

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¹ Headlam, *Milner Papers*, London, 1933, Vol. II, p. 181.

² *Ibid.* p. 143.

³ Cf. Ch. XIV.

Notwithstanding these shortcomings and the strictures of the *Times* historian it is clear that no further thought was given to the problems of military government before the outbreak of the First World War. Mr. Amery's criticisms, it must be admitted, could not have become known until 1909, when the last volume of the *Times* history was published. And it was not until 1907 that the principles of the occupation of enemy territory were reduced to conventional form in the Hague Rules. But these rules were for the most part only a codification of laws and customs of war well-known and established before 1907.

The First World War afforded four examples of the establishment of military administration by British forces. The first occurred in Mesopotamia. The operations initiated by the sailing of an Expeditionary force from Bombay on 16th October, 1914, were mounted in India, indeed the force was known as Indian Expeditionary Force 'D', and was organized and despatched by the Government of India under the general control of the India Office, not the War Office. The Indian character of this expedition resulted in the introduction into the field of military government of a conception familiar enough to the Indian Army, and to the many officers of the British Service who had served in India, but less well-known to the British Army itself. A long-established feature of military operations conducted by the Indian Government, most of which were frontier campaigns, many of a punitive character, was the attachment to the military force of a political officer (with such assistant political officers as might be necessary) to handle political and civil administrative questions. Such officers were normally provided by the Indian Political Service, a body of specialists recruited from the Indian Army and the Indian Civil Service. The 'politicals', a product of distillation from two services each of which considered itself second to none in India, enjoyed great prestige and, when attached to a military expedition, it was well understood that although their activities must be carried on within the limits set by military requirements, their basic loyalty was to the Foreign Department of the Government of India.

Accordingly, as soon as it was decided to send Indian Expeditionary Force 'D', the Viceroy, Lord Hardinge, telegraphed to the Secretary of State for India 'when the expedition starts I shall send Cox to the Gulf to control all political matters'. Sir Percy Cox was a member of the Indian Political Service; indeed he was at that time no less than the head of the Foreign Department of the Government of India.¹ The appointment was made on the initiative of the Viceroy and of Sir Percy Cox himself, not at the request of the Army. It is

¹ Graves, *The Life of Sir Percy Cox*, London, 1941, p. 179.

not clear whether the military commander was even consulted. Quite clearly the Chief Political Officer's loyalty to the Viceroy must in these circumstances, have flowed through the Foreign Department rather than through military channels, although it is at the same time clear that Sir Percy recognized the paramountcy of the Commander-in-Chief's authority in matters of military import. This somewhat anomalous situation was understood and accepted readily enough by the early commanders of the expeditionary force, members of the Indian Army and bred in the tradition of the political officer. It was only when Lieutenant-General Sir Stanley Maude became Commander-in-Chief in Mesopotamia that difficulty arose. On taking over command General Maude wrote: 'The political questions' of which there are many too in connection with Persia and Arabistan, will be peculiarly interesting, and with them I shall have to deal very largely.¹ But General Maude was a Coldstreamer, steeped in the traditions of the British Army, to whom the idea of the political officer was quite foreign. Maude's biographer, in surveying the army commander's headquarters staff, wrote: 'There is also always a "Political Officer" in Asiatic campaigns which are being carried out under the orders of the Indian Government . . .' A little later General Maude himself wrote to his family:

' My chief political officer, Sir Percy Cox, has been off touring with a Potentate who lives some two hundred miles west from here, and whom we are anxious to get to help us in that direction. He has been presenting him with K.C.S.I's and things like that, and now he is bringing him to Basra where we have to get up a great programme for him. He is to have salutes fired for him (which those sort of people love), an aeroplane display, an artillery display, a tour to see the development of the Port of Basra, etc., so that I think he will be impressed. I have sent him a personal message regretting my absence, and Cox wired yesterday to know whether he might present him with a jewelled sword from me to which I replied ' certainly, provided that I do not have to pay for it.' Such a funny thing to be able to produce at a few minutes notice on active service; but I suppose that political officers are rather like the professional ladies who make long journeys on liners, and who produce the most elaborate fancy dresses for dances on board.'²

Admittedly this was in a private letter to the family, and should not be allowed too much weight, but there seems little doubt that to the new Army Commander a political officer was a figure of fun, difficult to accept in an army environment. The situation was naturally made no easier by the fact that in February, 1916, the War Office had

¹ Callwell, *Life of Sir Stanley Maude*, London, 1920, pp. 239-40.

² Callwell, *Life of Sir Stanley Maude*, London, 1920, p. 251.

taken over the direction of operations in Mesopotamia from the Indian Government, and that the reason for this change was widespread lack of confidence in the ability of the India Office and the Government of India to handle the campaign in Mesopotamia. The change meant that Sir Percy Cox's channel of correspondence, however informal and unofficial, in civil and political matters ran, not merely to another department of the Government controlling the Commander-in-Chief, but to a different government altogether – and the suspect Indian Government at that. It soon became clear that General Maude ' . . . considers the whole system a wrong one. There should be no Political Officer; all that is needed is Intelligence Officers under himself.'¹ There were no political officers in France, therefore none were necessary in Mesopotamia, ran the argument. It appeared that the Commander-in-Chief was ' . . . incapable of grasping the fact that an occupied territory is not on all fours with the position in France, where we have no administration to undertake.'² The Commander-in-Chief began to ignore the existence of his Chief Political Officer, taking decisions and sending telegrams to the War Office on political and administrative matters without consulting or informing Sir Percy Cox. A completely intolerable situation developed which was remedied only by the intervention of Lord Curzon in London and by the decision in August, 1917, to authorize Sir Percy to conduct civil administration in the occupied territory under the authority of, and in direct correspondence with the Secretary of State for India, although such administration was to be carried on 'under such military supervision as the General Officer Commanding-in-Chief considers essential, with due regard to local conditions and prejudices, if only to prevent disorder which might necessitate the detachment of troops urgently required elsewhere.'³ Sir Percy's partial emancipation was established by alteration of his appointment from that of Chief Political Officer to that of Civil Commissioner. It will be noted that he was placed, no longer under the Foreign Department of the Government of India, but under the India Office of the U.K. Government. The administration of Mesopotamia was thereafter conducted by civilians under the authority of the India Office under general military supervision. It almost becomes a question whether this can legitimately be described as a military administration. It should in fairness be added that, however unsatisfactory the relations between Maude and Cox may have been, Maude was a military commander of outstanding ability who, with the backing of the War Office and the General Staff, for

¹ Letter from Miss Gertrude Bell quoted in Graves, *The Life of Sir Percy Cox*, London, 1941, pp. 226–27.

² *Ibid.*

³ Cmd. 1061, 3rd December, 1920.

the first time set the Mesopotamian operations militarily on a sound basis. The Mesopotamian campaign emphasized and sharpened the problem that had emerged in South Africa of the channels, civil or military, through which responsibility for the government of occupied territories should flow.

A second example was afforded by the campaign in German East Africa. Active operations in this theatre were in progress from March, 1916, until January, 1917. During this period responsibility for the government of occupied territory rested squarely upon the Commander-in-Chief, General Smuts, who had been instructed that it was

‘ . . . within your discretion to make such provisional arrangements as may seem desirable for the civil control of the districts which you occupy . . . probably find it desirable to borrow civil officers for this purpose from the Governor of East African Protectorate, who has already placed at your disposal the services of a number of Protectorate officials as political officers to accompany your forces . . . ’

A number of such officials were borrowed and the Commander-in-Chief appointed one to be Chief Political Officer and the others Political Officers. These officers were commissioned and placed under the orders of the Commander-in-Chief. As territory was occupied political officers were placed in charge of districts, and these officers administered in somewhat rough and ready fashion, German law as modified by proclamation under martial law.¹

With the conclusion of the period of active operations it was considered desirable to establish a provisional civil government which could, on the termination of the war, become the substantive government of a British protectorate – though the South African illegality of premature annexation was eschewed. For this purpose Mr. H. A. Byatt was made available by the Colonial Office, and the Commander-in-Chief appointed him, by proclamation, as Administrator of the territory occupied,² and delegated to him ‘ . . . the exercise of all powers previously vested in him under Martial or other Law in the area of occupied German territory where operations have ceased.’ Mr. Byatt took over control of districts and their political officers as operations passed on and the Commander-in-Chief considered this practicable. The Administrator derived his authority from the Commander-in-Chief, under whose general responsibility administration was carried on, but on matters of civil administration was, by order of the British Government made directly responsible to the Secretary of State for the Colonies. On

¹ Ferndall, *The East Africa Force, 1915-19*, London, 1921, pp. 175-179.

² *Ibid.*

matters of military import he was, of course, required to consult the Commander-in-Chief. The channels of responsibility so created were exactly similar to those informally recognized in Mesopotamia before the arrival of General Maude and later formally established after difficulty had arisen between the Chief Political Officer and the Commander-in-Chief.

A third example is to be found in Palestine. Here Brigadier-General Sir Gilbert Clayton was appointed by the War Office to be Chief Political Officer to General Allenby.¹ Brigadier-General Clayton was a regular soldier by training but had for a considerable time worked in political appointments. He had been Private Secretary to the Governor of the Soudan and later Soudan Agent in Cairo. He, like Sir Percy Cox, was an expert on the problems of the Middle East and it was for this reason that he was appointed. Notwithstanding his designation, it does not appear that his position was comparable to that of a political officer in India for no department other than the War Office appears to have been actively concerned with his appointment and there is no suggestion that he owed administrative responsibility elsewhere than to the War Office – though naturally there would be many matters requiring consultation with the Foreign Office. Much depended, probably, on which department of the U.K. Government had a reversionary interest in the territory occupied. If it happened to be the India Office, the Colonial Office, or later the Burma Office, all of which were organized and accustomed to administer, there was a very natural desire to assume responsibility for administration at the earliest practicable date, and in the meantime to exert some influence on the development of events. If on the other hand, it happened to be the Foreign Office, then this was not organized or desirous to carry on an administration and was likely to require only that it be kept fully informed and be consulted in any manners that might affect foreign policy.

In the autumn of 1917, as General Allenby advanced against the Turks, Brigadier-General Clayton was placed in charge of the military administration in Palestine and his appointment was changed to that of Chief Administrator. In April, 1918, he was relieved in this post by Major-General Sir A. W. Money, a regular officer who had been Chief of Staff to General Maude in Mesopotamia. The important district of Jerusalem was placed under Colonel Ronald Storrs, formerly an Egyptian official.²

The administration in Palestine was far more exclusively military in character than were the administrations in Mesopotamia or

¹ Falls, *Military Operations, Egypt and Palestine*, Vol. II, Part I, H.M.S.O., 1930, p. 300.

² Falls, *Military Operations, Egypt and Palestine*, Vol. II, Part I, H.M.S.O. 1930, p. 300. Bentwich, *England in Palestine*, London, 1932, pp. 18-42.

German East Africa. Indeed there was none of the dual responsibility, to both civil and military authorities, that was a striking feature of the administration of the two latter countries.

The last example from the First World War is quite different. The war ended on 11th November, 1918, with the signing of an armistice between the Allied and the German forces. There were no longer any military operations. There was no unconditional surrender, and the terms of the armistice provided for the occupation not of the whole of Germany, but of a part only, up to the west bank of the Rhine, together with certain bridgeheads on the east bank, as a guarantee of observance of the conditions agreed. And it early became clear that even this portion of Germany was to be occupied, not governed. General Foch's proclamation 'establishes the occupation of the country by the Allied Armies'.¹ It did not assume legislative, executive, or judicial authority – although it did refer to the Allies 'taking over the command of the country'.² Field-Marshal Haig's proclamation made no reference to the assumption of supreme authority, or even of command of the country. Its theme was 'I warn all persons in this place that they must not imperil the safety of any officer or man . . .' The limited scope of the occupation contemplated was further made clear by the fact that no military government or civil affairs field staff whatever was provided through which any direct administration of the occupied area could have been undertaken, or any indirect administration have been supervised. Lieutenant-General Sir Charles Fergusson was appointed Military Governor for the British zone of occupation. This designation, in the circumstances, proved misleading both to the Germans and to the British Corps Commanders since the Military Governor commanded no troops and could issue no orders to the Corps Commanders. He was, in fact, the senior staff officer for military government at Army Headquarters and would in the Second World War have been designated Chief Civil Affairs Officer or Director of Military Government. The real Military Governor, to the limited extent that there was one, was the Commander-in-Chief. In the absence of any military government officers, the only field staff upon which the nominal Military Governor had a call, for dealings with the German administration and public, was the Security Section, and the Assistant Provost Marshal of Amiens. At headquarters he was better served, a small Civil Affairs Branch of the General Staff being formed with sections for the following subjects – civil government, policy, personnel, circulation and war material, censorship, economics, labour, motor cars, imports and exports, publicity. It is improbable that any of this staff had received any special training, or been recruited on

¹ Quoted in Edmonds, *The Occupation of the Rhineland*, H.M.S.O. 1944, pp. 66–67.

² *Ibid.*

account of qualifications that would fit them for civil affairs work. They were not political officers or other civilians placed at the disposal of the military commander because of their expert knowledge. The Military Governor was a regular officer. His staff would appear to have been soldiers first and administrators afterwards. In the words of the official historian 'No special preparations had been made by the Allies to deal with the problems of occupation and control of enemy territory'.¹

It is tempting to suppose that the Indian Army, with its tradition of the political officer, would not have been so unprepared for this particular task. But the fact is, of course, that the Allies never in the First World War intended to occupy and govern Germany. It was considered that once the German armies had been defeated and brought to sue for peace, the task of the Allied forces would be completed. It only became necessary to occupy a part of Germany in order to be able to ensure compliance with the terms of the surrender, not in order to destroy the government or re-educate the people.

This very dilute form of military government lasted until the ratification of the peace treaty on 10th January, 1920. Responsibility was then taken over by a civilian authority, the Inter-Allied Rhineland High Commission. It is perhaps of interest to record that the officer selected to become secretary to the British representative on the commission (though in the event he did not take up the appointment) was destined in the Second World War, as Colonel, later Brigadier T. Robbins, to play a leading part in the formulation of civil affairs principles and the planning and execution of civil affairs operations, first as Commandant of the Civil Affairs Staff Centre at Wimbledon, and then as Chief Civil Affairs Officer at 21 Army Group Headquarters.

Clearly there was here no military government in the generally accepted sense, only an ineffectual attempt to exercise indirect control over a part of the German administration, with no means of ascertaining whether this was complying with the requirements of the occupying forces, or of enforcing these requirements if it was not. There are no lessons to be learnt here, except that even the very restricted task attempted was impossible with the resources available.

* * *

Notwithstanding the warnings at the conclusion of the South African war of the pressing need for study, and notwithstanding also the introduction from India during the First World War of the novel conception of the political officer with his dual allegiance, and of

¹ Edmonds, *The Occupation of the Rhineland*, H.M.S.O., 1944, p. 60.

the resultant difficulties, it is very clear that, when General Wavell's telegram arrived in the War Office on 7th December, 1940, there had been no preparation or previous thinking, and that there was no detailed doctrine to fall back upon, for dealing with the problems involved in the occupation of enemy territory. The temptation to quote, for the second time, the words of the historian of British Military Administration in Africa during the Second World War is too great: '... this singular absence of study, direction and material led the more cynical to conclude that the British Army was not designed, and never expected, to occupy enemy territory.'¹ For indeed the cynics were not far from the naive truth. A war of aggression was quite outside British political or military thinking during the twentieth century. It never occurred to anyone that the task of the armed forces would not be complete when they had repulsed an aggressor from the frontiers of the Empire or of its allies. Not until the explosion of Nazi barbarism in Germany did the possibility arise that the defence, not only of the Empire, but of those principles of tolerance and fair play upon which, in the last resort the British way of life is based, might make it necessary to destroy and eradicate the government of an evil aggressor, and to police and re-educate its subjects.

There are other reasons for the total neglect of all preparation for military government. One is peace-time economy in defence expenditure, which inevitably tends to compel neglect of preparation against all but the most important risks. Another lies behind the following remark, made to the writer when the preparations to be made for the government of Burma after the Japanese had been dislodged were under discussion. 'Surely we don't speak of military *government*? we have civil *government* but only military *administration*.' In a free, democratic community there is a tendency to feel that administration is something inferior to government, because government is an art requiring political skill, judgment, finesse, something live and organic. In contrast, administration, and more especially *military* administration is felt to be something rigid and inorganic, mere heavy-handed enforcement of rules, to be undertaken without regard to the feelings of the governed. There is, of course, a measure of truth in this view of administration as something requiring less dexterity than government and politics. But it is a dangerous misconception, both generally and more particularly in regard to military administration, for, as the writer has tried to point out in the preface to an earlier volume,² military government is apt, in the

¹ Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, p. 15, quoted by the present writer in *British Military Administration in the Far East, 1943-46*, H.M.S.O. 1956, p. 435.

² Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956, p. xiii.

nature of things, to be exercised when the fire of battle has melted down the social and political framework and ' . . . there was still time perhaps to mould the elements a little before they hardened into a fresh phase of history.' Military governments are sometimes granted this fleeting opportunity to shape the stuff of history in a way that is generally denied to civil governments. It is dangerous therefore not to be prepared for these occasional critical moments.

In countries where there is no democratic political life, the difference between government and administration largely disappears, and the need for military administration is correspondingly less likely to be overlooked. Russian plans and preparations for the occupation and administration of Berlin may or may not have been better and more thorough than those of the Western Allies; they were certainly better understood and more efficiently executed. However, as the war went on, the importance of military government came gradually to be realized even in western circles.

CHAPTER II

UNITED KINGDOM ORGANIZATION

GENERAL WAVELL'S request of 7th December, 1940, for an experienced administrator went on to suggest that Sir Kinahan Cornwallis, if available, 'would suit admirably'. The Foreign Office were unable to release this officer. Instead, Sir Philip Mitchell was offered by the Colonial Office and accepted by the War Office on 2nd January, 1941. A few days later the papers in the case reached Sir Frederick Bovenschen, then Deputy Under-Secretary of State in the War Office, over a question of financial responsibility. He recorded the following exploratory minute:

'There is more to this than the settlement of routine finance questions at a branch level. The first question is who is to be responsible for the Civil Administration of occupied territories. Sir Cosmo Parkinson's line is apparently to leave this difficult question with the military authorities, but I do not think this right. Is not the responsibility definitely one for civil authorities, preferably the Colonial Office who did similar work in German East Africa in the last war?'

The information placed before Sir Frederick when he put this question was not altogether accurate. It had been noted for his use that 'the precedents of the last war show that the administration of occupied territories, i.e. Cameroons, Tanganyika, Palestine, is the responsibility of the Colonial Office'. This was totally untrue of Palestine, only partially true of Tanganyika, more nearly correct of the Cameroons. There was no mention at all of Mesopotamia which was really the leading case on the respective responsibilities of civil and military authorities, and which had been no concern whatever of the Colonial Office. It was true that the War Office had in most cases succeeded in maintaining the position that charges and receipts on account of the administration of occupied territory should be kept out of army accounts, with a view to their being passed on to the civil administrations eventually to be set up. It was true also that the War Office had been able in varying degrees to call upon the experience and resources of the appropriate civil authorities. But in all cases, with the possible exception of the Cameroons, there had been an initial period of fundamentally military responsibility.

It was decided to ask General Wavell for his views after he had consulted Sir Philip Mitchell. The telegram doing this went on:

‘ . . . War Office are strongly inclined to the view that although Mitchell will be working under you and in harmony with local military requirements the problems with which he will deal are essentially those of colonial government. Suggest therefore that subject to your general control Mitchell should have power to deal with administration of occupied enemy territory. Do you think that he should have direct access to Colonial Office ? ’

It was proposed to hold a meeting, on receipt of a reply, to ascertain the views of the interested departments in London. General Wavell’s reply quickly brought the hitherto somewhat ill-defined picture into focus by reference to the fundamental provisions of international law. It ran:

‘ Until settlement after war responsibility for government of enemy occupied country must rest with Military Commander by recognised rules of war. In order to ensure that policy does not conflict with military exigencies final decision on all matters of policy and form of government must be given by Military Commander . . . Subject to foregoing no objection to Mitchell seeking help from Colonial Office in details of administration or personnel ’.

The meeting was held in the War Office under the chairmanship of Sir Frederick Bovenschen on 30th January, 1941, the War Office, the Treasury, the Foreign Office, the Colonial Office and the India Office being represented. The meeting was required to consider two quite different matters. The first was the question where responsibility should lie, both in the field and in Whitehall, for the administration of territories about to be occupied by General Wavell. The second was the question of the economic and currency policy that should be adopted in these territories. With the second of these questions we are not at present concerned – it will be dealt with in later chapters.¹ As to the first, the War Office representatives proposed that, during ‘the operational stage’ at least, the responsibility in the field for the administration of occupied enemy territories must lie squarely on the Commander-in-Chief. In Whitehall, they urged that administrative and financial responsibility should be placed upon the Colonial Office which had the specialised knowledge and experience necessary. The Commander-in-Chief would then owe a dual responsibility, to the War Office in military matters, to the Colonial Office for civil administration. The Colonial Office representatives were reluctant to accept such a responsibility ‘while military operations were the governing factor in the situation’.

¹ Cf. Chapters VII, XI.

Instead they suggested the appointment of military governors with civil advisers. Since the original request to them from the War Office had asked if they ' . . . could provide a suitable administrator for attachment in the very near future to General Wavell's staff . . . ' they had not unnaturally assumed that the War Office would bear responsibility for the administration of territories to be occupied by General Wavell. They also pointed out that if the Colonial Office were to be made responsible this might suggest that the British Government was looking acquisitively upon the territories invaded. The Foreign Office were prepared to consider accepting responsibility, but this complaisant offer was largely nullified when, in the next breath, they added that if they were made responsible they would, of course, have to call upon the Colonial Office to provide the staff for administration. As for responsibility in the field, there was no difficulty in agreeing that at this level 'the Commander-in-Chief must, for operational reasons, be responsible for both civil and military administration in the territories, having under him Military Governors who would be responsible for the civil administration'. As for Whitehall there seemed to be the following four possible solutions:

- (1) The War Office to be responsible, expenditure, both civil and military, being met from army funds and accounted for to Parliament by the Accounting Officer of the War Office. The Colonial Office and other interested departments would in this case act only in an advisory capacity.
- (2) The Colonial Office to be responsible for the civil administration and to be required to account for all civil expenditure on the Colonial Office vote.
- (3) The Foreign Office to be responsible, in place of the Colonial Office.
- (4) The responsibility to be exercised in some territories by the Colonial Office and in others by the Foreign Office.

It was the need to decide as to the incidence of responsibility in Whitehall that caused the War Cabinet to be concerned for the first time with the subject of military government. The possible courses were considered by the War Cabinet on 20th February, 1941, and the custody of this unwanted foundling was firmly awarded to the War Office. The decision was taken on the grounds that one department, and one department only, must be responsible for the administration of the occupied territories, that this was most properly the War Office, that the Foreign Office was not organized to carry on administration, and that if the Colonial Office were put in charge suspicions would be aroused of an intention to incorporate the

territories in the Empire. It was recognized that the War Office would need the support and co-operation of other departments and suggested that this might most effectively be provided through a standing inter-departmental committee, under War Office auspices.

With the taking of this decision the subject of military government disappeared from the War Cabinet agenda for some two years. During that period it was in the War Office, and at the War Office level, that the full weight of responsibility rested.

* * *

Once the decision had been taken that responsibility for the administration of enemy territories to be occupied in Africa must in the first instance lie upon the War Office, steps were immediately taken to set up a branch to handle the discharge of these new duties. This was placed within the Directorate of Military Operations, a part of the General Staff, and was designated M.O.11. Matters requiring to be considered at a higher level went rather to the V.C.I.G.S. than to the C.I.G.S. in accordance with the policy that the latter should suffer the least possible distraction from his task of controlling the conduct of the war. The new branch came into existence on 31st March, 1941, and consisted of two officers and clerical staff. Its head was Lieutenant-Colonel F. G. French, originally a regular officer, at one time a member of the Indian Educational Service in Burma, later the judge, senior magistrate, and administrative head of the government of Alderney, and in that capacity the very successful organizer of the evacuation of the island when occupation by the Germans became inevitable in 1940.

The branch had been formed primarily for the administration of territories occupied in Africa and for two years there was little mention of other countries in the business transacted by it – indeed the state of the war rendered academic the question of the government of any other areas – and there was no change in the strength or organization of M.O.11. But in July 1942, after the setting up of the Administration of Territories (Europe), or A.T.(E) Committee¹, the month before, a new subject raised its head, the ‘steps necessary on military grounds to ensure efficient civil administration of the territory liberated in Europe as the result of operations by forces of the United Nations’. In January, 1943, the horizon was further widened as the policy to be adopted regarding the division of responsibility between British and Americans, for the administration of territory in North Africa, came under discussion. Then in February, 1943, as the tide of war began to turn, the need arose to prepare for

¹ This will be referred to more fully later in the present chapter.

the administration of Burma and Malaya. These were two countries, populous, rich, and civilized, by the standards of North Africa. It was clear that a branch of two officers was altogether insufficient to deal with these expanding problems and the further questions that must arise when the Allies were able to take the offensive in earnest. It was decided to form a separate Directorate of Civil Affairs, and meanwhile to expand M.O.11 in anticipation.

The style adopted for the new directorate requires brief explanation. When General Wavell's advance into Italian East Africa first led to the establishment of military administration in 1941, it was enemy territory that was occupied. Military government was proclaimed and the staff responsible for its execution was designated the Occupied Enemy Territories Administration, or O.E.T.A. And it was in order to deal with problems of military government that M.O.11 was formed in the War Office. The occupation a few months later of Ethiopia and British Somaliland, a re-emergent independent territory and British territory respectively, made it necessary to omit the 'E' from O.E.T.A., and the Occupied Enemy Territories Administration became the Occupied Territories Administration. Its activities continued to be referred to as military government. A year later, in London, when thoughts turned to the invasion of North-West Europe, it was quickly realized that in the allied or friendly countries of Europe, although the occupying forces would inevitably be required to assume a measure of responsibility for civil administration, this would be far less direct and complete than in enemy, or more primitive, even if friendly, territories and, further, that to describe such administration as military government would certainly affront proud and sensitive nations trying to re-establish their self-respect. Some more acceptable designation must be devised. When the Rhineland had been occupied in 1918 a Military Governor was appointed for the British zone; his staff, for the administration of the ineffective control that indeed bore little likeness to military government, was named the Civil Affairs Branch. A similar terminology was adopted by the United States forces at the time. Here was a designation free from the dictatorial connotations of military government, yet sufficiently descriptive of the gentler control that might be expected to satisfy military requirements in friendly territories. Accordingly, when, in the summer of 1942, the Administration of Territories (Europe) Committee entered upon its task of considering 'the steps necessary . . . to ensure efficient civil administration of territory liberated in Europe', it was to civil administration and civil affairs that the committee referred, not military government, and it was a Chief Civil Affairs Officer for North-West Europe that the committee proposed should be appointed, not a Chief Political Officer or a Military Governor.

Similarly, when, in the summer of 1943, M.O.11 was to be elevated to the status of a directorate, it was the Directorate of Civil Affairs that came into existence, not a Directorate of Military Government. Yet, in principle, it was with military government that the new Director would be concerned, however tempered, at first, to the liberated countries, so long shorn of their sovereignty. And he would continue responsible, notwithstanding his designation, when more rigorous military government was proclaimed in enemy territories.

It was accepted that the General Staff had an interest in civil affairs and the new directorate that was described as 'fundamental' – for in fact civil affairs was military government by a force commander. But it was considered undesirable to burden the General Staff with problems of day-to-day administration; for other departments of the War Office were also concerned with civil affairs – the Permanent Under-Secretary of State (Finance) with currency, banking and trade questions, the Quarter-Master-General with shipping and transport, the Adjutant-General with legal questions; and, furthermore, most of the other government departments in Whitehall were also interested. The new directorate was therefore placed, not under the General Staff or any other branch of the staff (M.O.11, it will be remembered, had been responsible to the V.C.I.G.S.), but, as a compromise, under the co-ordinating member of the Army Council, the Permanent Under-Secretary of State, now Sir Frederick Bovenschen – who added, when the matter was under consideration 'I assure you that I have no desire to grab work and that if the Director did find a home with me I should regard myself as trustee for the interests of all the Councillors concerned'.

It was planned that M.O.11 should become a branch within the new directorate, controlled by a Deputy Director of Civil Affairs, retaining responsibility for questions of policy and principle in the field of military government and civil affairs, and for the creation and working of the organization required, but shedding responsibility for more technical matters on to other branches, also controlled by Deputy Directors, which would be brought into existence. The anticipatory expansion was effected by multiplying the original branch into three. These branches were placed under Lieutenant-Colonel French, who became first a colonel, later a brigadier, and was designated Deputy Director of Civil Affairs, or D.D.C.A. (Military Government)—Deputy, that is to say, to a Director yet to be appointed. The strength had now risen from two officers to ten.

In June, 1943, the new directorate came into existence and a regular officer, Major-General S. W. Kirby (late Royal Engineers) with considerable experience of staff work who had recently returned from India where he had been Deputy Chief of Staff at G.H.Q., was

appointed Director. In the next three months, three more Deputy Directors were appointed in technical fields, to take their place alongside, and on a level with, the Deputy Director of Civil Affairs (Military Government). These were the D.D.C.A. (Personnel and Training), the D.D.C.A. (Technical), and the D.D.C.A. (Economics).

The D.D.C.A. (Personnel and Training) was Brigadier P. D. W. Dunn, a regular officer of experience and ability, debarred only by health from taking a more active part in the war. Three branches, constituted immediately after the appointment of the Director, were placed under him, to handle problems of recruitment and training, including the preparation of training manuals.

The D.D.C.A. (Technical), who was in the early stages known as the Deputy Director of Civil Affairs (Engineering), was Colonel C. C. H. Brazier, and was mainly concerned with the rehabilitation of transport, communications and public works.

The D.D.C.A. (Economics) was Mr. R. J. Stopford, a civilian, with the rank of Assistant Secretary. Mr. Stopford's experience had been gained in the world of banking, but it included also periods spent in other fields. He had been Private Secretary to the Chairman of the Indian Statutory Commission in 1930, and Financial Counsellor to the British Embassy in Washington from 1940 to 1943. He was at first given two branches but these were quickly expanded into no less than eleven. The main task of the D.D.C.A. (Economics) came to be the preparation of estimates, the planning of procedure, and the initiation of procurement in connection with supplies needed for the prevention of disease and unrest.¹ He also became responsible for the purchase of supplies in occupied territory both for immediate army use and for export to the United Kingdom for civilian needs. The former was a normal military function. The latter was potentially more important but in practice never amounted to a great deal – largely because the occupying troops found the cupboard pretty bare.

The framework of the directorate was now complete and remained unchanged, in essentials, for the rest of the war. There were, however, a number of minor changes, as pressure of work increased or decreased, this way or that, and some of these should perhaps be briefly mentioned, though they are of less than general interest.

In September, 1943, a branch came into existence, under the D.D.C.A. (Military Government) to accommodate certain specialists. The most important of these was the Chief Legal Adviser. Advice was available from the Judge Advocate General on questions of military law and from the Legal Adviser to the Foreign Office in the field of international law. But there remained many specialised

¹ These matters will be further considered in a later chapter, Ch. VII.

and detailed subjects in regard to which it was considered that the directorate should have the services of its own Adviser. The other specialists were the Archaeological Adviser (an appointment held by Sir Leonard Woolley), the Chief Fire Adviser (for a time) and later the Adviser, A.T.S. Two months later, in December, 1943, this branch was placed under the direct control of the D.C.A. The great increase in the work of the D.D.C.A. (Military Government) led to the appointment of a colonel (C.A.) to relieve and assist the D.D.C.A. This was Colonel F. G. Drew, another Royal Engineers officer.

Also in December, 1943, there was brought into existence a branch known as C.A.7. This was a separate branch under the Deputy Director for Military Government. It was headed at first by a lieutenant-colonel, later by a brigadier. This was, in fact, to become the nucleus of the British component of the Army Sub-Commission of the Inter-Allied Control Commission that would eventually be set up in Germany. Its work, though not its staff, was taken away about July, 1944, when General Kirby was transferred from the Directorate of Civil Affairs to become Deputy Commissioner in charge, until the appointment of a Commissioner, of the British Element of the Control Commission for Germany. The work of the branch was concerned exclusively with the creation of the Army Sub-Commission and the disarmament of the German Land Forces. It had no responsibility for the establishment of military government or of the Inter-Allied Control Commission generally.

Two other temporary additions should be mentioned. A Deputy Chief Civil Affairs Officer for North-West Europe, Brigadier S. S. Lee, appointed earlier in October, 1942, to plan and prepare for the restoration of civil administration on invasion, was loosely attached to M.O.11 and later to the Directorate of Civil Affairs, until he and his staff could be transferred to the headquarters of the Commander-in-Chief eventually to be appointed for the invasion of Europe. This took place in the summer of 1943. A Malayan Planning Unit was similarly attached to the Directorate of Civil Affairs from July, 1943, until April, 1945, when it moved to India in readiness for the invasion of Malaya. These units were not integral parts of the Directorate of Civil Affairs, being housed in the directorate only as a matter of convenience until the force commanders concerned were ready to take them into their headquarters. Accounts of the work of these two units are to be found in the appropriate theatre volumes.¹

Later, in July, 1944, as the horrifying extent of the displaced persons problem began to be realised a separate branch was formed

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, and *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956.

within the Deputy Directorate of Military Government and designated C.A. (Displaced Persons). Just at this time the responsibilities of C.A.7 were passing to the British Element of the Control Commission so the staff of the branch became available for transfer to the new Displaced Persons Branch.

The organization under the D.D.C.A. (Economics) underwent a number of changes. In view of increases in responsibility its head was raised in rank from Deputy Director to Director with the designation of Director of Economics (Civil Affairs) or D.E. (C.A.). Although theoretically subordinate to the D.C.A., the Director of Economics at first worked immediately under the Permanent Under-Secretary of State and was required only to consult the D.C.A. on all matters of policy. He was given two Deputy Directors of Economics (Civil Affairs). One of these had been the D.D.C.A. (Technical). The latter, together with the branches and subjects for which he had been responsible, were transferred to the D.E. (C.A.)'s sphere of responsibility. Throughout the directorate, sections were appended to branches when necessary.

At its largest, towards the end of 1944, the officer strength of the directorate was about 90. This figure takes no account of the Malayan Planning Unit which was at that time still attached to the directorate. The growth of the organization and scope of the directorate to their maximum size is shown in the tables on pages 30 and 31. The descriptions of the functions of the various parts of the organization are not exhaustive but are intended to indicate the extent and distribution of responsibilities. The elaborate and far-reaching machinery of 1944 all developed from the single branch, M.O.11, and its two officers which had been set up in 1941.

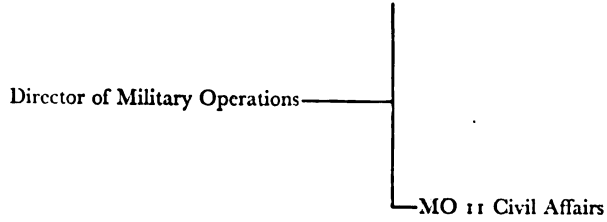
When, in July, 1944, General Kirby left the Directorate of Civil Affairs, he was succeeded as Director by Major-General A. V. Anderson, also late Royal Engineers, and also with staff experience, who remained in charge until the directorate was dissolved.

When M.O.11 was first constituted, the financial aspects of civil affairs matters were handled by a branch of the War Office Finance Department known as F.1. But as the vast, varied and unusual nature of civil affairs financial problems became clear a specialist branch, F.5, was created in June, 1942. Financial matters and the work of these branches will be more fully considered in a later chapter.¹

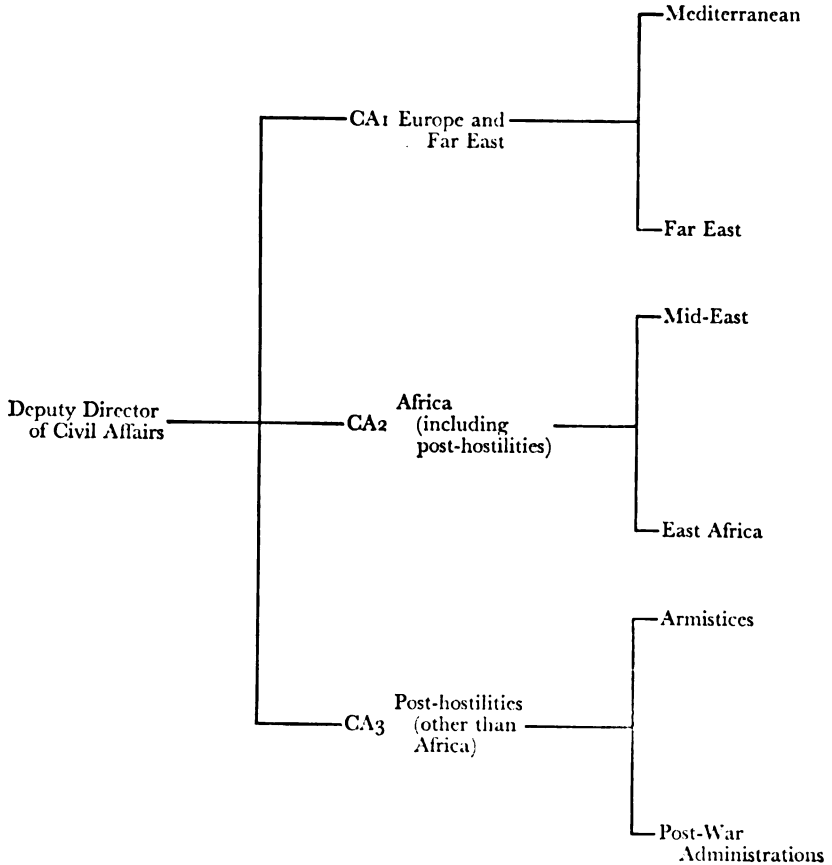
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¹ Cf. Ch. XI.

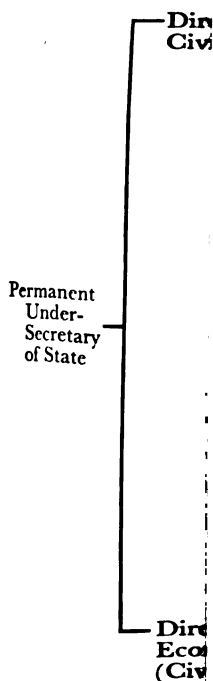
MARCH 1941 TO
APRIL 1943



MAY 1943



END OF 1944

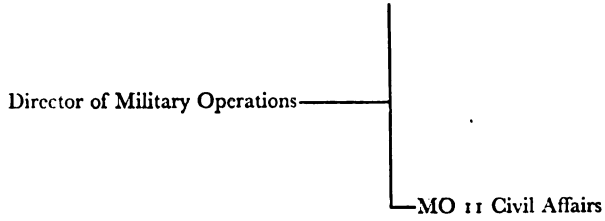


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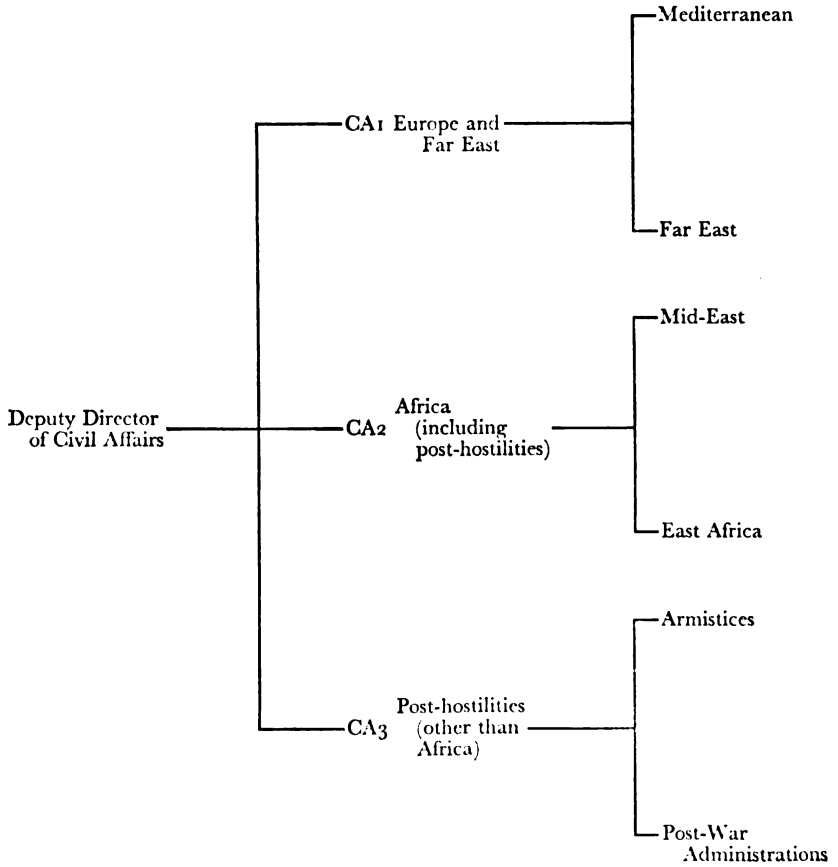
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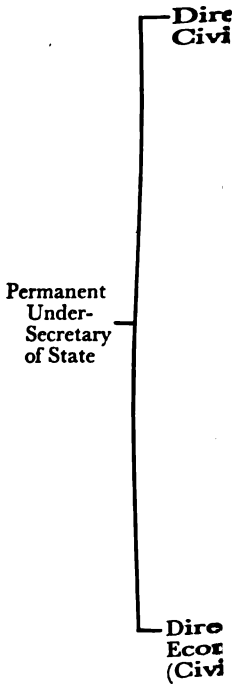
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The growth of machinery for the handling of civil affairs matters within the War Office has been described. But if the War Office was the department of government mainly concerned it was not the only one. This had become clear when General Wavell's first telegram raised the question of where responsibility should lie for the administration of occupied territories. The Lord Privy Seal had recommended to the War Cabinet that if responsibility was to be placed upon the War Office 'The War Office will need the active help and co-operation of several other Government Departments. The most effective way in which this can be given remains to be worked out in detail'. Co-ordination would be necessary, and, under the British system of government, this meant the establishment of a committee or committees. The necessary organization developed piecemeal and sometimes confusingly in response to the emergence of successive needs. It may help the reader to find his way through the undergrowth of early arrangements if the fully developed machinery of co-ordination, which was in fact reached in November, 1943, is briefly outlined before attempting any account of the steps by which it was built up. For the committee organization finally evolved was simple and logical. Under this the whole field of civil affairs was divided into two sectors, the first comprising general civil affairs matters not specifically included in the second, the second concerning all matters of supplies, whether to or from liberated or occupied areas. For each of these two sectors there were ultimately established two committees, a committee of officials for the examination of questions of detail, and a committee of ministers to which the official committee could refer questions of policy or principle and from which it could receive guidance. With this picture in mind of the organization towards which the earlier arrangements were tending, it may prove easier to follow the intermediate steps by which it was reached.

These steps were linked to well-marked stages in the progress of the war. The first was taken in 1941 in connection with the invasion and occupation of the Italian colonies in North Africa. The second was caused by the approaching prospect of a cross-channel invasion of Europe and the need to plan for the administration of the territories liberated. The third which brought the co-ordinating machinery essentially into its final shape, was taken as the eyes of the planners lifted once again to the invasion of Germany and Austria. Two later stages in the progress of the war led to modifications of the organization but to no fundamental changes; the four basic committees continued in existence though there was some alteration in the scope, membership, and name of the ministerial committee for civil affairs other than supply matters. These last two steps were taken, one when the attention of the government switched from the invasion to the defeat and surrender of Germany, the other

as interest shifted from the conclusion of hostilities to the problems of the post-war period.

The imminence of the invasion of the Italian colonies in December, 1940, led, as we have seen, to the placing of responsibility for civil affairs upon the War Office and to the formation of M.O.11. It led also to the first step in the creation of co-ordinating machinery. The Lord Privy Seal's recommendation which has already been referred to suggested that a standing interdepartmental committee might be set up with a junior minister from the War Office in the chair. As a result, on 26th March, 1941, the War Office set up the Standing Interdepartmental Committee on Administration of Occupied Enemy Territory. This was a committee of officials, presided over by a junior minister, Mr. Richard Law, M.P., then Finance Member of the Army Council. The committee's terms of reference were 'to consider questions of major importance affecting more than one department arising from the administration of Occupied Enemy Territory by the War Office'. This committee was mostly, in the natural course of events, concerned with questions arising in connection with Africa and the Middle East. It did not make much positive contribution to the formulation of general principles for the conduct of civil affairs. Indeed the whole mood of the committee was passive rather than active for it was required to adjudicate on matters referred to it rather than to initiate action. The formation of the committee was rapidly followed by the establishment of the Occupied Territories (East Africa) Trade and Commerce Sub-Committee. This was concerned exclusively with Africa and the Middle East and for this reason is not greatly relevant to the present book.

The second step in the creation of co-ordinating machinery was taken when planning for the invasion of North-West Europe began. In May, 1942, the staffs responsible drew attention to the need for this to include also planning for civil affairs. In June, as a result of suggestions by Sir Edward Bridges, Secretary of the War Cabinet, there was set up by the War Office a committee that was to play by far the most important part in shaping policy and principles for civil affairs and military government. This was another interdepartmental committee, also at official level and also sponsored by the War Office, which was required:

'to consider, in conjunction with Force Commanders concerned and with other Government Departments at the appropriate stages the steps necessary on military grounds to ensure efficient civil administration of the territory liberated in Europe as the result of operations by the forces of the United Nations.'

In theory this committee, with positive responsibility in the limited field of liberated Europe, and working in the active rather than the

passive mood, covered somewhat different ground from the initial interdepartmental committee on Administration of Occupied Enemy Territory. In practice it largely superseded it, the latter never meeting again after October, 1942. The new committee was known as the Administration of Territories (Europe) Committee (or A.T.(E) Committee) and it was under the Chairmanship of Sir Frederick Bovenschen, who cherished, and fought for this unwanted baby with great skill and the utmost devotion. Permanent membership included representatives of the War Office, the Foreign Office, the Board of Trade, the inter-allied relief organizations, the American Embassy, the United States Army, and the military headquarters preparing for the invasion of Europe, but other departments and organizations were represented as required, and there were times when most of Whitehall seemed to be present. The committee's interest was limited, under its terms of reference, to Europe. Later, its responsibility was still further narrowed when the committee was instructed to regard operations aimed at the Mediterranean coast of Europe as outside its sphere. The need then arose to co-ordinate plans by the committee with such other plans for Mediterranean Europe as might be under preparation by other authorities elsewhere. The Commander-in-Chief, Middle East, was accordingly informed of the existence and work of the A.T.(E) Committee, and of the limitation of its charter. This led to the establishment, in February, 1943, by the Commander-in-Chief of an Administration of Territories (Balkans) Committee in Cairo, broadly similar in purpose and constitution to the Administration of Territories (Europe) Committee in London. In addition to the appropriate military officers its membership included two representatives of the Minister of State in Cairo, and an American military observer. Representatives of the Political Warfare Executive, the Middle East Supply Council, the Middle East Relief and Rehabilitation Administration, and the British Ambassador to Greece, attended when necessary. The committee was active until September, 1943, when the surrender of Italy fundamentally changed the whole basis of planning by making it extremely unlikely that an Allied military force would be deployed in the Balkans at all. The need was accordingly unlikely to be for a military administration of occupied territory but rather for a Military Liaison Mission. It was accepted that the A.T.(B) Committee would, whenever possible, follow the line taken by the A.T.(E) Committee in London in all matters of policy.

Planning by the A.T.(E) Committee for the administration of the liberated territories of Western Europe raised many questions of policy and principle which were of general, not merely of local European relevance. Since there was at this stage no other convenient forum in England for their discussion, and since this was indeed the

formative period in civil affairs thinking, it came about that much of the ground work on the general policy and principles of civil affairs and military government was, in fact, carried on within the A.T.(E) Committee, although the committee was strictly speaking concerned only with a part of Europe.

Much study was undertaken of the measures that would be required for the establishment and maintenance of law and order by the military authorities; of the legal justification for the assumption of responsibility by them in varying circumstances, including the manner in which these authorities should declare their assumption of responsibility and establishment of control; and of the administration of justice by military courts. The committee surveyed the various agencies responsible for relief and reconstruction; it did much work on the preparation of estimates of relief requirements; and it studied the problems of security and organization created by the desire of many voluntary societies to play a part in relief work. Study was undertaken of the United States organization for civil affairs and for the co-ordination of the work of civil agencies in liberated territories. Financial questions occupied much of the committee's time. Many questions of policy and principle arose in connection with the 'politico-military' courses at Cambridge University, which were the first attempt at dealing with the problem of training officers for the formidable task of governing considerable parts of several continents, and with the later courses at the Civil Affairs Staff Centre at Wimbledon¹. The draft of a War Office Manual of Civil Affairs was closely scrutinised and approved by the committee. All these matters will be more fully dealt with in later specialised chapters, and from them the outstanding part played by the A.T.(E) Committee will become clear, in the focusing of thought on the problems of military administration at large and the formulation of policy and principles in this field.²

In March, 1943, the A.T.(E) Committee gave birth to two sub-committees. There was the Legal Sub-Committee, under the chairmanship of the Judge Advocate General, formed for the particular and limited purpose of conducting negotiations with the Allied Governments and the French National Committee on the restoration and maintenance of law and order. These negotiations resulted, eventually, in the civil affairs agreements that were to form the basis of civil administration in the liberated countries, so completing the task of this sub-committee.

The second sub-committee was the Shipping and Supply Sub-Committee established primarily to relieve its parent body of much

¹ These will be further discussed in Ch. XIII.

² For law and order, cf. Ch. XII. For relief work, cf. Ch. VII, Civil Affairs Supplies, and Ch. IX Displaced Persons. For United States organisation cf. Ch. III and Ch. IV. For 'politico-military' courses and the W.O. Civil Affairs Manual, cf. Ch. XIII.

detailed work in connection with the provision and shipment of civil affairs supplies for Europe, so introducing for the first time the division of the civil affairs field into the general and the supplies sectors. The terms of reference of this sub-committee were:

‘ To consider and draw up in conjunction, whenever practicable, with the Force Commanders concerned, the necessary detailed plans to deal with the shipping and supply problems likely to arise out of the civil affairs planning which the A.T.(E) Committee or the Force Commanders concerned are undertaking, and also as opportunity offers, to cover similar problems likely to arise out of the general liberation of territories from the enemy ’.

Although the scope of the parent committee was restricted to Europe, and later to only a part of that, it will be noticed that there was no territorial limitation placed upon the activities of this sub-committee. There was recognition of military and post-military periods of responsibility. For, as will be seen in a later chapter¹ responsibility for the provision of civil supplies during an initial military period, expected to last about six months, was placed upon the War Office. Thereafter civilian agencies would take over. The chairmanship was to alternate between the D.Q.M.G. and Mr. Dudley Ward of the Relief Department of the Board of Trade, according to whether consideration was being given to supplies for the period of military responsibility, or for the subsequent wider field of relief in which the Relief Department of the Board of Trade were interested. The activities of the sub-committee will be more fully considered in a later chapter¹.

It should be noted at this stage that the A.T.(E) Committee and its Shipping and Supply Sub-Committee (but not the Legal Sub-Committee), which both began as British committees, included American representation and later, in July, 1943, were understood by the British to have been accorded a certain combined Anglo-American standing and authority. Since this proved not to be the American view, this understanding was to raise difficult problems which will be considered in a later chapter on the creation of Anglo-American machinery for the control of civil affairs².

* * *

The third step in the creation of co-ordinating machinery for civil affairs was taken in two stages during the second half of 1943, as the Government began to look beyond the invasion of Europe to the defeat and surrender of the Axis Powers. Early in 1943, it had in any

¹ Cf. Ch. VII.

² Cf. Ch. IV.

case become clear, as a result of the operations in French North Africa, of the approach of the invasion of Sicily, and of the decision to prepare for a full-scale invasion of North-West Europe in 1944, that a great increase must be expected in the number and difficulty of civil affairs problems that would arise. In February, 1943, by way of preparing the War Cabinet for the new problems of administration with which it would undoubtedly be faced, the Secretary of State for War submitted a paper containing an account of the military administration in the African territories occupied by British forces. In the following month he laid before the War Cabinet a memorandum on the origins and work of the A.T.(E) Committee and the Shipping and Supply Sub-Committee, the two official committees at that time covering the general and the supplies sectors of the civil affairs field. It was clear that the War Cabinet could no longer expect the immunity from civil affairs problems it had enjoyed for the two years which had passed since it had been required to allocate departmental responsibility for the subject. Accordingly, a few months later, on 4th August, 1943, the Prime Minister set up a ministerial committee, the Armistice Terms and Civil Administration Committee, (or A.C.A. Committee), of which the terms of reference were:

‘ to consider and where necessary, advise the War Cabinet on matters of detail and execution connected with armistice terms and instruments of surrender; with the Military administration of occupied enemy territory; with the liberation, administration and handing over to territorial governments of enemy occupied territories; and with the discussion of such matters with our Allies.’

The committee was to operate at ministerial level over the whole of both sectors of the civil affairs field. It would be served at the official level, and in their respective sectors, by both the A.T.(E) Committee and the Shipping and Supply Sub-Committee.

The committee was under the chairmanship of Mr. C. R. Attlee, the Deputy Prime Minister. Whereas the earliest committee, the Standing Interdepartmental Committee on Administration of Occupied Enemy Territory set up by the War Office in March, 1941, had been a convenient device for relieving the War Cabinet from the need to resolve questions arising between departments in connection with an unforeseen and unwelcome commitment, the A.C.A. Committee was now given the positive duty to advise and keep the War Cabinet informed on all aspects of what was clearly going to develop into a major undertaking. With the establishment of this committee the War Cabinet assumed an active responsibility for the central direction of civil affairs which for two years had been largely delegated to the War Office.

The establishment of the A.C.A. Committee, however, was only the first stage in the third step, which was to bring into being the final machinery, already described earlier in this chapter, of a ministerial and an official committee for each of the two sectors of the civil affairs field. The second stage was reached and the step was finally taken some three months later, in November, 1943, when a second ministerial committee was set up, the Committee on Supply Questions in Liberated and Conquered Areas (or S.L.A. Committee). It relieved the A.C.A. Committee of responsibility for the supply sector of civil affairs, the latter retaining responsibility, at ministerial level, for the general sector. The final symmetrical pattern was completed by the appointment at the same time of two committees of officials to handle matters of detail and execution in the two sectors, under their respective Ministerial committees. These were the Official Committee on Armistice Terms and Civil Administration, or A.C.A.O. Committee, and the Official Committee on Supply Questions in Liberated and Conquered Areas, or S.L.A.O. Committee.

The ministerial A.C.A. Committee was in practice concerned during 1943 mainly with problems arising out of the Italian campaign and during 1944 with plans for the occupation of Germany. These matters have been referred to so far as appeared necessary in the appropriate theatre volumes.¹ The two chief matters of more general interest that were handled by it were the creation of the British and of the Anglo-American organizations for civil affairs; an account of which is given in this and the next two chapters.

With the establishment of the A.C.A.O. Committee, the need for the A.T.(E) Committee disappeared. Its last meeting was held in December, 1943, and the committee then faded out, leaving a most impressive record of work done. By the time the new committee came into action most of the fundamental problems of civil affairs and military government had been faced by the A.T.(E) Committee and if they had not been solved, at least some workable answer had been evolved. Continuity was assured by the appointment as chairman of the A.C.A.O. Committee of Sir Frederick Bovenschen who had chaired the A.T.(E) Committee throughout its existence. The War Office and the Foreign Office continued to be represented on the new committee, and the departments invited to send representatives for the discussion of particular subjects were inevitably broadly the same as had contributed to the work of the A.T.(E) Committee. There was no American participation or representation. Interest had by now moved on to a series of directives which were being drafted by the War Office and the other departments concerned, in order to

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961.

express the British Government's ideas of the principles that should inform the inter-Allied directives on many subjects that must be drawn up for the guidance of the Control Commissions that were being planned for Germany and Austria.¹ By far the greater part of the committee's time was devoted to scrutiny and revision of these draft directives. Another important task undertaken by the committee was the creation of combined Anglo-American civil affairs machinery. With the formation of the United Nations Relief and Rehabilitation Administration (U.N.R.R.A.) came many questions as to the nature and precise extent of the participation of this organization.

The S.L.A. Committee met infrequently, mainly in order to review the mass of detailed work done by the S.L.A.O. Committee. Although the establishment of the A.C.A.O. Committee for the general sector of civil affairs ended the existence of the A.T.(E) Committee, the establishment of the S.L.A.O. Committee for the supplies sector did not extinguish the Shipping and Supply Sub-Committee of the A.T.(E), for the S.L.A.O. Committee was concerned with supplies matters both during the military and during the subsequent civil period of responsibility. The Shipping and Supply Sub-Committee was utilized by the War Office as its agency to ensure satisfactory discharge of its responsibility for this military period; it continued in existence therefore, notwithstanding the establishment of the S.L.A.O. Committee – although the civil side of the work of the Shipping and Supply Sub-Committee, over which it had earlier been agreed that Mr. Dudley Ward should preside, did pass to the S.L.A.O. Committee.

In this wilderness of committees an invaluable contribution to continuity and co-ordination was made by the Army Council Secretariat which, alone or jointly with the War Cabinet Offices, provided secretaries and secretarial services for the A.T.(E) Committee, the A.C.A. Committee, the A.C.A.O. Committee, the Shipping and Supply Sub-Committee, and the S.L.A.O. Committee. And for the S.L.A. Committee these services were furnished jointly by the War Cabinet Offices and the Ministry of Production.

* * *

The British committee organization, with its one-up-and-one-down plan of a ministerial committee and an official committee for each of the two sectors of civil affairs, was now complete and, subject to two modifications which are referred to below, continued unchanged

¹ Cf. Ch. V.

for the rest of the war. It is illustrated in the diagram on the following page.

The two modifications related to the ministerial committee covering the general field of civil affairs, the A.C.A. Committee. As the attention of the Government moved beyond the defeat of Germany to the occupation of enemy territory and to the wider, more political problems that would then arise, it was decided to extend the scope and change the membership of this committee. This was done in April, 1944, the committee being at the same time re-named the Armistice and Post-War, or A.P.W. Committee. This was required:

‘ To consider, and when necessary advise the War Cabinet on questions affecting armistice terms and their execution, and the administration of territories liberated or conquered, and general political and military questions in the post-war period.’

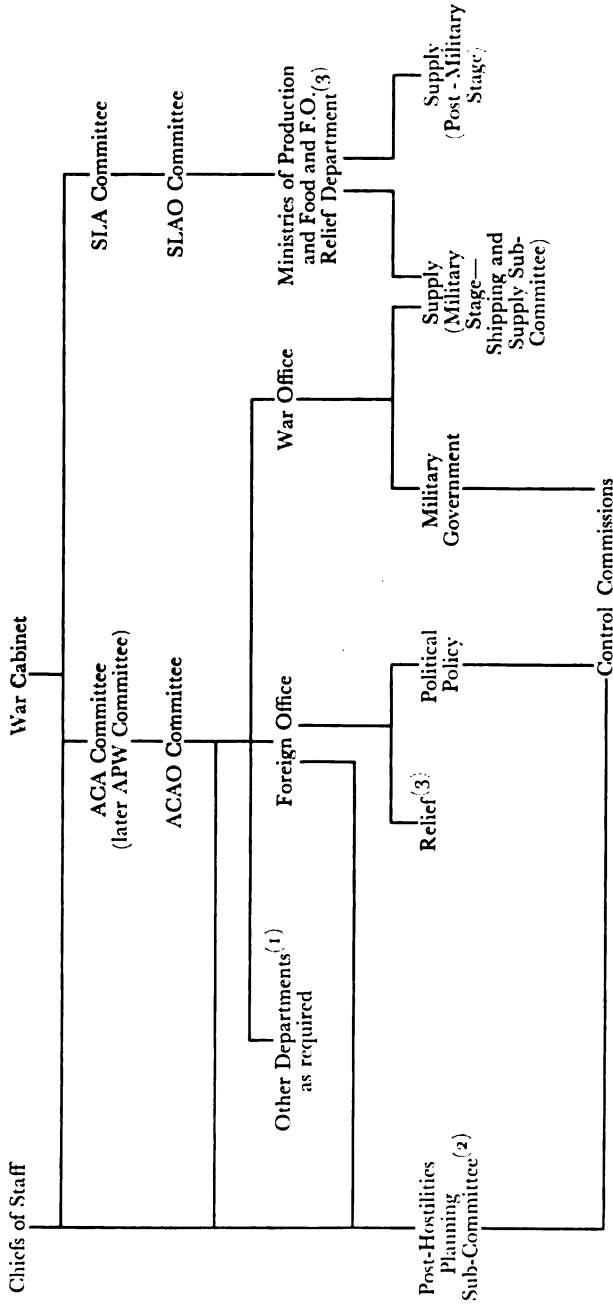
The A.C.A. Committee had consisted of the Deputy Prime Minister (chairman), the Foreign Secretary, and the Secretary for War, with the Chancellor of the Exchequer and other Service Ministers attending as necessary. The new A.P.W. Committee consisted of the Deputy Prime Minister (chairman), the Foreign Secretary, the Minister of State, the Minister of Labour and National Service, the Minister of Production, the Secretary for Dominion Affairs, and the Secretary for Air, when political and military post-war problems were under consideration. Four other ministers were to receive all papers of the committee and to be invited to attend for the consideration of matters particularly affecting them – the First Lord of the Admiralty, the Secretary for War, the Secretary for India, and the Colonial Secretary. The committee was concerned mainly with problems arising out of the planned occupation of Germany and Austria. But much of its time was taken up with consideration of various aspects of the creation of the United Nations organization to replace the League of Nations.

Finally, on 5th July, 1945, as the war drew to its close, and military responsibility grew less, the A.P.W. Committee was, in its turn, replaced by the Overseas Reconstruction, or O.R.C. Committee, charged:

‘ To consider, and where necessary advise, the Cabinet on (a) questions of policy in connection with liberated and ex-enemy countries (excluding questions of supplies to and from those countries) and (b) such other external questions, requiring interdepartmental discussion, as the Foreign Secretary in his discretion may refer to it’.

The members of the committee were the Foreign Secretary (chairman), the Chancellor of the Exchequer, the President of the Board of Trade who was also Minister of Production, the Secretary for

NOVEMBER 1943



This Diagram refers primarily to Europe. For the Far East some modifications would be required. In Europe the diagram, with its reference to Control Commissions, refers particularly to conquered areas. For liberated areas substantial modifications would be required.

Notes.—(1) e.g. Burma Office or Colonial Office for Far East.
 (2) The Post-hostilities Planning Sub-Committee was primarily responsible for preparing instruments of surrender and plans for their enforcement. It was not responsible for military government.

(3) 'Relief' and 'Foreign Office Relief Department' are the same. Formulation of relief policy was a Foreign Office responsibility; implementation of the policy was the responsibility of the Ministry of Production and the Supply Departments.

Dominion Affairs, the Secretary for War, the Chancellor of the Duchy of Lancaster, and the Paymaster-General. The following were to attend when matters affecting their departments were under consideration – the Secretary for India, the Secretary for Burma, the Colonial Secretary, the First Lord of the Admiralty, and the Secretary for Air.

Much of the present chapter has been uncomfortably factual and detailed. But some knowledge of the machinery evolved in London for the administration of territories occupied by British forces is indispensable to an understanding of later chapters in this book. It has been shown how this unfamiliar subject of military administration forced itself upon an unwilling War Office, and how, with the progress of the war, it grew in extent and difficulty, until it forced itself also upon the attention of the War Cabinet. The organization has been described which was evolved within and without the War Office, at departmental and at Cabinet level to deal with these unfamiliar responsibilities. An indication has been given of the fields in which the different parts of the organization operated. As for the particular matters handled, many of these concerned specific theatres of war exclusively and have been sufficiently considered in the volumes dealing with those theatres. To avoid duplication such matters will not be taken up again here. But if these subjects, although mainly of local interest, were predominantly handled at the centre and have for that reason been omitted from consideration in the 'theatre' volumes, they will be dealt with in later chapters, alongside topics of general interest with which this volume is primarily concerned. An example of a matter that seems to require treatment in the present volume for both these reasons is that dealt with in the next chapter. The building up of an Anglo-American organization in the field took place in connection with the Mediterranean theatre but was in fact negotiated mostly at the governmental level and was for that reason not considered in the volume dealing with military administration in Sicily and Italy. It is accordingly included in the next chapter of the present volume. But it would also have required to be treated in the present volume, because of its general interest, as setting the pattern for organization in other theatres. The devising of Anglo-American machinery in Washington and London, on the other hand, was in no sense a 'theatre' matter. It was handled centrally and was of general interest, and falls to be treated in the present volume for that reason. (It may here be noted that the creation of British machinery required for incorporation in the combined Anglo-American organization will be recounted in the chapter dealing with combined machinery.¹)

¹ Cf. Ch. IV.

CHAPTER III

ANGLO-AMERICAN ORGANIZATION IN THE FIELD

ON 7th December, 1941, (a year, to the day, since General Wavell had sent the telegram that set in motion the developments recounted in the preceding chapter) the Japanese, without declaration of war, launched their devastating attack upon the American and British forces in the Far East. The United States declared war and placed herself by the side of the British and the Russians (who, however, did not declare war upon Japan until 1945).

At the earliest possible moment the Prime Minister accompanied by Lord Beaverbrook (a member of the War Cabinet), Field Marshal Dill (who was just handing over the office of Chief of the Imperial General Staff to Sir Alan Brooke), Admiral Pound (First Sea Lord), Air-Marshal Portal (Chief of the Air Staff), and the necessary staffs, sailed for Washington in the 'Duke of York'. At the great conference held in December, 1941, and January, 1942, the whole field of Anglo-American co-operation in defence and attack against the augmented 'Axis' was surveyed, and there was forged a combined Anglo-American organization for the direction of the war. The nucleus of this was the Combined Chiefs of Staff Committee. This consisted in principle of the United States Joint Chiefs of Staff and the United Kingdom Chiefs of Staff sitting together as a Combined Committee. (It was at this time that a standard usage was adopted under which 'Combined' was to connote 'Anglo-American', whereas 'Joint' was to be confined as a description to inter-service organizations of one of the two countries only.) The normal place of sitting for the Combined Chiefs of Staff was inevitably Washington. London might have a uniquely experienced and effective machinery for the conduct of war, might also be the natural centre for the handling of European political matters, but when America came into the war it was inevitable that her vast and predominant potential in men and materials should shift the centre of gravity of the new alliance from London to Washington, economically and geographically centred between the two wars, that on the east against Germany and Italy, that mainly on the west against Japan. The arrangements made at this time for placing the Munitions Assignment Board under

the control of the Combined Chiefs of Staff in Washington have been described as ‘. . . the serving of notice on such proud men as Churchill and Beaverbrook that Roosevelt was the boss and Washington the headquarters of the joint war effort.’¹ Fundamentally this was true, despite the expert and decisive contribution of the British. But we shall see in a later chapter² how difficult it was, and for what good reasons it was difficult, to accept in the field of military government the swing of authority across the Atlantic. Sitting normally in Washington, the Combined Chiefs of Staff occasionally met elsewhere, as events required, in the now famous series of meetings at Casablanca, Quebec, Teheran, Cairo, Malta, and the Crimea. In practice for day to day work in Washington the places of the United Kingdom Chiefs of Staff were taken by their representatives permanently stationed there. These were the head of the British Army Staff (which had been formed in July, 1941, by the amalgamation of a number of military missions and representatives of British military organizations already working in the United States of America), the head of the Admiralty delegates, and the head of the Air Force delegates. These three Service heads functioned collectively as the Joint Staff Mission. At the first conference Field Marshal Dill rapidly established such excellent relations with the President and other United States authorities that he remained in Washington, becoming head of the British Joint Staff Mission and an additional member of the Combined Chiefs of Staff Committee. He rendered incalculable service to the cause of Anglo-American unity and friendship.

In time a number of other combined committees grew out of the Combined Chiefs of Staff Committee and worked under its guidance and control. Such, to mention but a few, were the Combined Intelligence Committee, the Combined Administrative Committee, the Combined Munitions Assignment Board, and the Combined Staff Planners.

Of the complex organization thus set up one of its chief architects has written: ‘It may well be thought by future historians that the most valuable and lasting result of our first Washington conference . . . was the setting up of the now famous “Combined Chiefs of Staff Committee” . . . There never was a more serviceable war machinery established among allies . . .’³ Its leading British member, the C.I.G.S., who at first viewed the committee with distrust, ‘. . . grew to have the greatest faith in the Combined Chiefs of Staff organization as the most efficient that had ever been evolved for co-ordinating and correlating the war strategy and effort of two

¹ Sherwood, *The White House Papers of Harry L. Hopkins*, London, 1949, Vol. I p. 485.

² Cf. Ch. IV.

³ Churchill, *The Second World War*, Vol. III, London, 1950, pp. 608–9.

allies.¹ The leading American member, General Marshall, Chief of Staff of the United States Army, wrote that the Combined Chiefs of Staff organization secured 'the most complete unification of military effort ever achieved by two allied nations.'² In this machinery the two great allies were ready to lay aside their national identities and to share their resources to a degree that, if not complete, was altogether without precedent.

The logic of events was inevitably, though not immediately, to require the development of combined civil affairs machinery within the general framework of Anglo-American co-operation in military matters, and we shall see how, in due course, a Combined Civil Affairs Committee came into existence.³

* * *

But the first move towards setting up combined civil affairs machinery, came from the field, not the centre.

Anglo-American invasion of Sicily was decided upon at the Casablanca Conference in January, 1943. On 8th February, 1943, General Eisenhower in Algiers, Allied Commander-in-Chief for the invasion, sent a telegram to General Marshall. Mr. Macmillan, then British Resident Minister in Algiers, sent a copy to the Prime Minister. The telegram was of such importance that no apology is required for quoting the greater part of it:

'Guidance from the Joint Chiefs of Staff and the President is sought in connection with important matters of policy affecting operation 'Husky'.⁴ Planning has started and it is considered essential that the position of the United States be determined at an early date. This is the first United States operation involving the invasion for occupation of enemy territory. It is the first British operation involving the invasion and occupation of enemy territory other than colonial. It is as well the first joint operation against enemy territory. It will inevitably establish precedents far-reaching in scope and importance and will set the pattern for later operations in Europe. Policies now adopted will affect future throughout the war. We must, therefore, reconcile American and British policy toward Italy in order that there may be a joint and single attitude with respect to the civil and military authority and the civil population of the territory occupied. It must be decided whether a benevolent policy or one of strict military occupation in Sicily will contribute more to the rapid submission of the balance of the country. We must determine whether our attitude is to be a benevolent one from the

¹ Bryant, *Turn of the Tide*, London, 1959, p. 316.

² Marshall, *Biennial Report to the Secretary of War*, 1st July, 1943 – 30th June, 1945.

³ Cf. Ch. IV.

⁴Code name for the invasion of Sicily.

outset or whether consideration of the establishment of a friendly liberal regime is to be postponed until the entire country is occupied. A firm understanding in these matters with Great Britain is necessary. Divergences of opinion which for reasons of past history or future interests are certain to arise, must be definitely resolved well in advance. The British may feel that they should have primary responsibility in this area because of their vital interests in the Mediterranean. This would presumably involve the British form of military government and British administration thereof. The question of responsibility for relief and rehabilitation of the occupied territory then arises. I believe that we should take care that these matters of policy are settled and so clearly understood that opportunity for differences of interpretation be reduced to an absolute minimum and that this be done before the operational planning progresses too far. To permit policy to develop and be set by the progress of events would, in my opinion, be detrimental to the interests of the United States.

I recommend a firm policy of joint Anglo-American responsibility and joint conduct of military government under an agreed system, to function under the Allied Commander. This would include joint participation in (I) its political aspects, that is determining the general and special policies to govern the operation and (II) the implementation of those policies by the preparation in detail of a simple and effective system of military government ready for immediate application on landing.'

The writer of *Allied Military Administration of Italy* in the present series of official histories has written that General Eisenhower's proposals for the administration of Sicily 'implied an altogether new venture in the history of military government, an integrated Anglo-American administration working neither by national zones (an American zone for the area occupied by the American Seventh Army and a British zone for that occupied by the Eighth Army) nor by executive diarchy (British and American 'opposite numbers') but by a complete fusion of personnel divided between the two nationalities on a fifty-fifty basis.'¹

Such a proposal for a fully and genuinely combined Anglo-American organization sprang naturally from General Eisenhower's attitude to the whole problem of allied command, though it can also hardly have escaped him that there was little likelihood of inducing either of his two masters to agree to anything much less. The invasion of Sicily, like that of North Africa, was to be an Allied undertaking, a combined, not a British nor an American operation. The extent to which General Eisenhower put his faith in full genuine fusion of the efforts of the two great nations is clear from what he has

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 2.

himself written of his command arrangements for the invasion of North Africa:

'In the organization, operation, and composition of my staff we proceeded as though all its members belonged to a single nation.'¹

'... I was determined from the first to do all in my power to make this a truly Allied Force with real unity of command and centralization of administrative responsibility.'

'The whole basis of our higher organization was new. Time and again during the summer old army friends warned me that the conception of Allied unity which we took as the foundation of our command scheme was impracticable and impossible; that any commander placed in my position was foredoomed to failure and could become nothing but a scapegoat to carry the odium of defeat for the whole operation. I was regaled with tales of Allied failure starting with the Greeks, 500 years before Christ, and coming down through the ages of allied quarrels to the bitter French - British recriminations of 1940. But more than counter-balancing such doleful prophecy was a daily and noticeable growth of co-operation, comradeship, faith, and optimism in 'Torch'² headquarters. British and Americans were unconsciously, in their absorption in common problems, shedding their shells of mutual distrust and suspicion.'³

It need cause no surprise therefore, that in his proposals for a civil affairs organization General Eisenhower recommended 'a firm policy of joint Anglo-American responsibility and joint conduct of military government under an agreed system, to function under the Allied Commander.' The principle for which General Eisenhower stood was ultimately accepted, but not without contention and stiff negotiations. It was a principle more easily conceded in the field, where the over-riding task was to vanquish the enemy, than by governments which bore responsibility also for the continuing sovereignty and interests of their respective people.

General Eisenhower's telegram raised two distinct questions in regard to Sicily: that of the kind of organization to be adopted for military government and that of the policy to be pursued by whatever organization was in fact set up. With the second of these we are not concerned here for it has been fully considered in one of the volumes of the present series dealing with military government in the several theatres of operations.⁴ As to the first, since the prolonged negotiations that led to the acceptance, in essentials, of General Eisenhower's proposed organization for military government were

¹ Eisenhower, *Crusade in Europe*, London, 1948, p. 85.

² Code name for the invasion of North Africa.

³ Eisenhower, *Crusade in Europe*, London, 1948, p. 99.

⁴ Harris, *Allied Military Administration of Italy*, H.M.S.O., 1957.

for the most part conducted between heads of government and the ministries concerned, they have not been considered in the relevant 'theatre' volume. For this reason, and because, also, of their very great importance in setting the precedent for the Anglo-American civil affairs organization adopted later in Italy, and later still in North-West Europe, it is desirable that the story of these negotiations should be told in the present volume.

* * *

President Roosevelt immediately approved in principle General Eisenhower's proposed basis of organization for military government. But in fact it is clear that he failed to appreciate the essence of it. For he went on to suggest that the 'government might be composed of one British and one American officer'; he was clearly thinking on the lines of what has been described above as 'executive diarchy', a government of opposite numbers. This was not General Eisenhower's conception. He wanted an organic fusing of the two national elements.

Opinion in England on the President's reaction to his understanding of General Eisenhower's proposal was divided. The Foreign Office welcomed it. The Chiefs of Staff rejected it on military grounds; they considered that a 'diarchy composed of one American and one British officer would not be satisfactory. The responsibility should rest with one man who should, preferably be British.' The Foreign Office agreed that if diarchy was unacceptable, the military government to be established in Sicily ought to be British, because of vital British interests in the Mediterranean. It was wishfully hoped that General Eisenhower appreciated these in view of his reference to them in his telegram, but it was quite rightly not expected that the U.S. Government would be so sympathetic. Accordingly on 27th February the Foreign Secretary cabled to Mr. Harold Macmillan, Resident Minister in Algiers, that the British Government was ready to agree that civil affairs planning should be conducted on a joint Anglo-American basis, but that the Government would like to put it to the President and to General Marshall that, owing to vital British interests in the Mediterranean, the British should be allowed responsibility for the execution of plans in this area and that a British administration should be instituted. The Foreign Secretary asked for the views of Mr. Macmillan and of General Eisenhower. Mr. Macmillan replied at once:

'To be quite frank I do not like the terminology of paragraph 4 regarding vital British interests in the Mediterranean. This is the old empire stuff that they hate so. We can get what we want without treading on these particular toes'

He also suggested that to speak of instituting British administration ' goes too far '. If the argument was that an American administration had been set up in North Africa and that therefore a British administration should be set up in Sicily, he pointed out that in North Africa ' we have been busily engaged in the past three months in building ourselves back at least into the position of junior partner '. He urged that the British should press for joint Anglo-American planning for Sicily in Algiers, and Anglo-American administration in Sicily with Britain as senior partner, ' exactly like North African situation the other way round.'

When these suggestions became known in Washington reactions were varied, not to say contradictory. On 12th March the United States Joint Chiefs of Staff telegraphed to General Eisenhower that in the opinion of the U.S. Government ' the Government of " Husky " should be a joint Anglo-American responsibility under the control of the Commander-in-Chief, Allied Forces, for both planning and administration and that *there should be no senior partner* in the joint Government.¹ This was the Eisenhower doctrine. On the other hand, on 16th March, Field-Marshal Dill told the British Chiefs of Staff that General Marshall ' speaking personally is quite clear that *Mediterranean is a British sphere* of strategical responsibility and *it is therefore our business, to decide on what is to be done* in enemy occupied territory *in that area.*'¹ But yet again, on 26th March, a memorandum was sent to General Eisenhower that had been prepared by the State Department and approved by the President, in which there was outlined the organization for a strictly military administration *with emphasis on the American character of the undertaking.*¹ It later became clear that American emphasis would mean an American force commander for this invasion, and an American military commander of the administration of occupied territory. The Resident Minister's restrained comment at this stage was ' I am rather at a loss as to where we are now.'

* * *

While this high-level sparring continued over the question of a controlling interest in the military government of Sicily, detailed plans were under preparation. In the course of March, 1943, after inspection of the system evolved by the British under G.H.Q. Middle East for the government of occupied enemy territory, an ' Appreciation and Outline Plan ' for the military administration of Sicily was drawn up at General Eisenhower's Allied Force Headquarters (A.F.H.Q.). This was prepared ' . . . on the assumption that responsibility of the respective governments will be joint. Joint

¹ Author's italics.

responsibility is taken to mean equal sharing of political, legal, and financial responsibility for both planning and conduct of the military government, as well as by participation by personnel on approximately an equal basis.' It was also assumed ' . . . that where chiefs are appointed from one side the deputy will be appointed from the other.' The outline plan provided for the exercise of military government functions at two levels. At the lower level, in the field, the commander of the Allied expeditionary force for the invasion should be designated Military Governor of Sicily. He should conduct military government of the occupied territory through the Deputy Military Governor and an administration to be known as Allied Military Government of Occupied Territory (or AMGOT). For the higher level of Allied Force Headquarters the appreciation recommended that ' . . . in order to keep the Commander-in-Chief advised on political and policy matters there should be established at Allied Force Headquarters a counterpart of the Headquarters organization of Occupied Enemy Territories Administration at Cairo. For this operation this should comprise a political section of one or more officers and a small executive and advisory staff. Major directives should be communicated by the Commander-in-Chief to the military Governor directly. For the most part, however, the political section should be the channel for political questions and decisions and should relieve the Commander-in-Chief of as much of this administrative burden as possible.' Provision was made in the outline plan accordingly. The reference to the Occupied Enemy Territories Administration (O.E.T.A.), and the fact that the outline plan had been drawn up after a visit to Cairo, made it clear that the weight of responsibility and authority in military government matters was intended to lie at Allied Force Headquarters, not at the headquarters of the expeditionary force which was designated Force Command Headquarters.

In the Middle East this had been the only proper arrangement since there had been, and still were, several military governments, geographically widely separated, whose affairs could be coordinated only at the level of the Commander-in-Chief. For the invasion of Sicily, where only one military government was to be set up, the establishment of AMGOT at Force Command Headquarters, and of an organization on the lines of O.E.T.A. at Allied Force Headquarters seemed likely to result, at best, in duplication of work, at worst, in confusion. But the chief difficulty was that since the Commander-in-Chief was American and it was expected that he would appoint an American officer, Colonel Julius Holmes,¹ as head

¹ Colonel Holmes had accompanied General Mark Clark on his secret mission to make contact with the French in North Africa before the Anglo-American invasion in November 1942.

of the proposed political section, the question of senior partnership was immediately raised again.

On 13th March, Mr. Macmillan made alternative proposals to his government, which he thought might be acceptable to General Eisenhower. These were that the Force Commander for the invasion of Sicily (it was known by then that he was to be British – General Alexander in fact) should be appointed Military Governor; that he should have an Anglo-American Administration of Occupied Enemy Territory to aid him; and that this Administration should be headed by a British Chief Civil Affairs Officer. At Allied Force Headquarters, that is, at the level of General Eisenhower, the Commander-in-Chief, there should be two political advisers, the senior of these American, the junior British. In regard to the Force Commander's Headquarters this proposal differed in no respect from the organization suggested in the Appreciation and Outline Plan, except only that it stipulated that the Chief Civil Affairs Officer should be British. The Chiefs of Staff immediately accepted the proposed organization so far as it related to the Force Commander and transmitted this part of the proposal to the Foreign Secretary, who was then in Washington, to negotiate agreement with the Americans. The purpose of the proposal for the two political officers was at first not clear; it could in fact only have been understood if the Appreciation and Outline Plan had already been received in London, which was not the case. On reference back to Mr. Macmillan he explained that the Appreciation and Outline Plan had been drawn up and was about to be sent to Washington. Mr. Macmillan reported that there were included in this document proposals 'to set up a political section in A.F.H.Q. under American leadership which would concern itself with political questions arising out of 'Husky' generally and also to develop in due course into an organization comparable with headquarters O.E.T.A. at Cairo.' The danger of duplication and confusion and the disadvantage to British interests if a predominantly American organization of this size were to come into existence at Allied Force Headquarters became clear. Mr. Macmillan's proposal for the two political officers had been made in the hope of whittling down these ambitious plans.

His proposal was rejected out of hand by the United States authorities. These in fact, on the initiative of the Operations Division of the War Department, required that the outline plan should be amended in a manner that appeared likely seriously to reduce the powers of the British to influence decisions at the level of the Commander-in-Chief. The advisory Anglo-American political section proposed in the outline plan, was to be converted into a military government section of the headquarters staff, headed by a Deputy Chief of Staff 'who will be the Commander-in-Chief's executive in

all matters pertaining to military government of occupied enemy territory including political questions arising out of military occupation.' There was no Anglo-American flavour here. Furthermore, the Resident Minister was to be eliminated from the organization chart where he had hitherto found an undefined, but nevertheless influential, place. Clearly the British were anxious to secure that the weight of military government authority should centre on Force Headquarters, where their own influence could be expected to predominate. The Americans were equally anxious to swing the balance of authority over to Allied Force Headquarters, for identical reasons.

* * *

The question of senior partnership in the Mediterranean was felt to touch British interests so nearly that the Prime Minister addressed President Roosevelt, on 13th April: 'I hope you may feel that in view of the fact that the Force Commander under the supreme direction of General Eisenhower will be British, we should be senior partner in the military administration of enemy occupied territory in that area. Our proposal would be that under the supreme authority of General Eisenhower a British General Officer should be appointed as military governor of 'Huskyland' and that he should be assisted by a joint Anglo-American staff. Thus there would be no dualism in the actual executive decisions on the spot.' The reference to a 'senior partner' was unfortunate for on this very day, 13th April, Mr. Cordell Hull, Secretary of State, and Mr. Stimson, Secretary of War, had addressed a joint letter to President Roosevelt under the impact of which the President had at once dropped his earlier advocacy of American preponderance in the military administration of Sicily.¹ President Roosevelt replied to the Prime Minister that he had approved the appointment of a British officer, General Alexander, as Allied Military Governor of 'Husky-land', under the Supreme Commander General Eisenhower, but that 'in view of the friendly feeling toward America entertained by a great number of the citizens of Italy and in consideration of the large number of citizens of the United States who are of Italian descent' he saw great advantages in giving to the Allied Military Government as much of an American character as practicable. He concluded however:- 'I believe that this Military Government should be presented to the world as a definitely joint Allied control and that there should be no "senior partner".'

¹ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, pp. 166-67.

The Prime Minister withdrew the offending proposal at once.

‘ I hope that paragraph 3 of my telegram of April 13th made it perfectly clear that I contemplated ‘ Husky ’ as our joint enterprise on terms of perfect equality, with our usual intimacy and confidence and with no question of a “ senior partner ” .’

This expression only applied to actual executive work to be done by Military Governor who would receive his directive from you and me in complete agreement. In the executive and administrative sphere there ought not to be two voices but only one voice which will say what you and I have agreed. General Alexander would be directing the military operations under Supreme Commander and he would delegate power of Military Governor to a British officer mutually agreeable to us both.

I entirely agree with you that utmost advantage should be taken of American ties with Italy and that at least half of the officers of the Allied Military Government should be American and further if in any case or district it is found that American pre-eminence is more useful to the common cause this should at once be arranged. The two flags should always be displayed together and we should present a united and unbreakable front in all directions. All the above is of course without prejudice to United States being supreme throughout the whole of French North Africa and my continuing to be your lieutenant there. I hope I have given satisfaction . . .’

This exchange of telegrams brought quick agreement in regard to the organization for military government at the lower level of Force Headquarters. General Alexander would be Military Governor and would delegate his military government powers to a British officer, who would be assisted by an American Deputy and a joint Anglo-American staff. But, as we have seen, there was in regard to this part of the organization, little or no difference between the proposals of the outline plan and those of Mr. Macmillan, and little or no disagreement. It was the organization at Allied Force Headquarters that raised difficulties between the two Allies, and in regard to this the Prime Minister’s telegram had been silent. Accordingly preparations at the headquarters of the Commander-in-Chief, General Eisenhower, were based on the ‘ Appreciation and Outline Plan ’ submitted to Washington from Algiers. The Commander-in-Chief would appoint a Deputy Chief of Staff as his channel of communication in military government matters with General Alexander. The Deputy Chief of Staff would be American. The views of the British and American Governments on political and fiscal matters would be communicated in agreed form through the Combined Chiefs of Staff to General Eisenhower for General Alexander.

* * *

The organization adopted at Force Headquarters was acceptable to the British, that at Allied Force Headquarters less so. Intentions regarding the position of the Resident Minister were far from clear but did not appear to give grounds for satisfaction. Mr. Macmillan was not included in the diagrammatic representation of the channels of communication to be established for political matters – naturally enough, since these channels were intended to be military, not civil. It was not clear whether his exclusion was a paper formality – purism might be held to demand this – or whether it was really intended to debar him from advising the Commander-in-Chief – which was the main reason for his being in Algiers; it seemed that it might well be the latter. In fact it certainly was. In North Africa the Resident Minister, and Mr. Murphy, personal representative of the President, had been accepted as political advisers, had been kept informed of political developments, and had acted as a channel through which these could be reported to their respective governments and the latter could express their views to the Commander-in-Chief, without the complications of reaching agreement between themselves across the Atlantic and transmitting their views formally through the Combined Chiefs of Staff. Under the arrangements now proposed the Resident Minister would be stultified, and the British Government denied the opportunity to exercise any influence over political developments in Sicily except in Washington, which was ‘remote for matters of day to day interpretation’, or through such unofficial influence as Mr. Macmillan might be able to exercise in Algiers.

The American desire to insist upon an exclusively military organization that would exclude participation by civilians, even of the standing of Mr. Murphy and Mr. Macmillan, was fundamentally a matter of principle. If the military authorities were to be responsible for a military administration there must be a clear cut military chain of command and channel of communication from the Combined Chiefs of Staff to the Commander-in-Chief, to the Military Governor, and to the Chief Civil Affairs Officer. This would be fatally blurred by the insertion of political advisers and the possibility of a dual responsibility to the military commanders and to these advisers. The desire sprang also from a very natural reluctance on the part of the military authorities to expose themselves to difficulty and delay that might result from having to take Mr. Murphy and Mr. Macmillan into their confidence, from having to consider the views expressed by them on behalf of their governments, and indeed from having to balance and reconcile these views in Algiers instead of having this done in Washington, and receiving them in digested and agreed form through the C.C.S. The Commander-in-Chief himself, while paying tribute to the excellent work

done by Mr. Macmillan, feared the unknown factor of the appointment of a politician or a representative of the State Department to act as United States counterpart of the British Minister-Resident. The State Department and War Department, on the other hand, feared the leading influence that Mr. Macmillan might exercise because of the very gifts and qualities that had enabled him to render such valuable service earlier to the Commander-in-Chief. When the British contended that the function of the political advisers would be merely advisory, the Assistant Secretary of War said ' . . . you simply cannot have a Cabinet Minister on the ground, particularly one of Macmillan's character and ability, without his taking part in the play . . . '¹

This clash of views was resolved only when the Prime Minister visited Algiers at the end of May, 1943, after his third visit to Washington. There, in conference with General Marshall, General Eisenhower and the Foreign Secretary, the Prime Minister, cutting through the complications of proposals and counter-proposals, put forward a suggestion under which 'the position at A.F.H.Q. of the British Minister-Resident remains unchanged'. This was supported by the argument that political questions of the highest importance might arise and require immediate decisions by the governments concerned and that these should therefore be kept constantly informed by their representatives on the spot. The broad common sense solution, he suggested, was to continue the arrangements that had worked satisfactorily in North Africa. The proposal was accepted by the conference and later ratified in telegrams exchanged between the Prime Minister and President. The final decision was communicated by the Combined Chiefs of Staff to General Eisenhower in the following words

' Between the President and the Prime Minister has been agreed that the equal status of Murphy and Macmillan should continue without change during the ' Husky ' and ' post-Husky ' periods, and also that they should continue to communicate early and intimate information regarding the political and civil sphere to the heads of their respective Governments, in each case of course informing the Supreme Command.'

The first part of this agreement conceded something that had never been withheld by either party. The second part ensured for Mr. Macmillan continuance of the role that he had originally been sent to Algiers to play.

* * *

¹ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, p. 175.

After the somewhat complicated negotiations described, it will be well to recapitulate the essential features of this 'altogether new venture in the history of military government'.

The instrument of government evolved was an entirely military body, in contrast to the somewhat half-hearted civil affairs or liaison organization for North Africa, which had been part civil part military. It was to be keyed in to the military structure of command at the level of the Force Commander for the invasion. It was accepted, however, that the Supreme Commander, standing above the level of the executive organization for military government, should have constantly available the advice of two political representatives, one American, one British, on political questions arising out of the government of enemy territory. Within the military government proper there were to be no such advisers, the directive from the Combined Chiefs of Staff laying down that 'The military administration . . . shall contain no political agencies or political representatives of either Government.'¹

The military government was to be a joint Anglo-American organization in the fullest and most generous sense. There was to be no duumvirate to blur executive unity, no cadre of opposite numbers. There was to be no 'senior partner', except to the limited extent that, since there was to be no duumvirate, the single head of the military administration must be of one nationality or the other. Even in this respect the balance was to be restored as far as possible by the provision that the head of the administration should have a deputy of the other nationality.

So much emerged from the negotiations described in this chapter. It was accepted also, in the context of Sicily, that the head of the military government organization within a headquarters staff should normally be of the same nationality as the commander of whose staff it formed a part. Later, at the time of the invasion of North-West Europe, where General Eisenhower was once again Supreme Commander, his doctrine of a truly integrated staff reached perhaps its fullest fruition, when his Assistant Chief of Staff for civil affairs and military government was first a British officer and then a Canadian serving in the British Army.

General Eisenhower's own particular contribution, within this congenial framework, was to insist at all times that, subject only to the need to preserve an over-all fifty-fifty balance between nationalities, the military government staff must, like the rest of the Anglo-American staff, be an organically integrated body in which fitness for the job, not nationality, was the criterion for appointment.

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, quoted at p. 10.

In the creation of this Anglo-American instrument of government, much was owed to the efforts of General Eisenhower and Mr. Macmillan. The organization suffered its internal stresses, as any such organization inevitably would have done, but we may, with the official historian of the Allied Military Administration of Italy, note ' . . . the success with which a completely integrated Anglo-American administration was created, in which the difference in nationality really became in practice irrelevant'.¹ The same historian goes on to say ' The tradition initiated by AMGOT was continued in the much larger body of the Control Commission' for Italy.² It was carried forward also, in all essentials to the headquarters, including its civil affairs or G-5 Division, created for the Supreme Command of the decisive invasion of France in 1944.

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 367.

² *Ibid.*

CHAPTER IV

ANGLO-AMERICAN ORGANIZATION AT HEADQUARTERS

IT will have become clear that the negotiations described in the last chapter placed a heavy load of civil affairs matters, both on General Marshall and on the Combined Chiefs of Staff, through February, March and April, 1943. Even before this, however, the invasion of North Africa had somewhat brusquely forced military government upon the unwilling attention of the United States political and military authorities, as a new and largely unexplored field of military activity that must be studied, and for the control of which an organization must be devised.

The invasion of North Africa was undertaken in order to gain control of the southern shore of the Mediterranean, open that sea to Allied use, and in this way ultimately to provide a platform for the invasion of Europe from the south. The operation was planned on two political assumptions. The first of these was that the French, and others, in North Africa, would look upon the invasion as liberation from the Nazi yoke and that the people, the administration, and the armed forces would at once give their support and active co-operation to the invaders. The second was that invasion by American forces would be more acceptable and more likely to attract the hoped-for support and co-operation than invasion by British forces, both because of the traditional friendship between France and America, and because of the bitterness between French and British engendered by the French surrender, by subsequent events in Oran, Dakar, Syria and Madagascar, by the British blockade, and by the British support of General de Gaulle. President Roosevelt telegraphed to the Prime Minister '... I am reasonably sure a simultaneous landing by British and Americans would result in full resistance by all French in Africa, whereas an initial American landing without British ground forces offers a real chance that there would be no French resistance or only a token resistance.'¹

In view of the second of these assumptions pains were taken to give the whole expeditionary force an American frontage. In fact the greater part of the combatant military forces employed was American, though most of the transportation, half the air forces

¹ Churchill, *The Second World War*, Vol. IV, London, 1951, p. 477.

and most of the naval force, were British.¹ The Commander-in-Chief and his Deputy were both American. It was even suggested at one time that British troops employed on the early landings should wear American uniform; the Prime Minister telegraphed to the President 'We have plenty of troops highly trained for landing. If convenient, they can wear your uniform. They will be proud to do so'.² In line with these arrangements, it was planned that the handling of civil affairs matters, which more than any other military activity would involve contact with the people of Algeria and Morocco, should be left entirely to the Americans. There was accordingly no British planning or preparation whatsoever for civil affairs in North Africa.

In view of the first assumption, that the invaders would be received as liberators and that the French in Algeria and Morocco would hasten to their support, the Americans also made little preparation for the positive military administration of Algeria. Indeed there had been no clear decision that responsibility for administration should rest exclusively, or even mainly, on the military authorities: the President was known to dislike the idea of military government, and many civilian agencies tried to interlope.³ The civil affairs organization created was more in the nature of an American-French liaison section designed to establish contact with the French colonial administration which, *ex hypothesi*, would be collaborating with the invaders. At Allied Force Headquarters the Civil Affairs Section just before invasion was part military, part civil, virtually 100 per cent American, headed by an American civilian, an official of the State Department. Initially this was Mr. H. Freeman Matthews but, once the invasion had started, it was to be Mr. Robert D. Murphy, the American Consul-General in North Africa, himself a firm believer in the good will of the French towards the Allies, and largely responsible for forming American estimates in this respect. The strength of the section was forty-nine. Civil affairs personnel in the field for the first phase of the invasion numbered only seventeen officers and five State Department officials, all American. The whole section leaned very heavily upon Mr. Murphy and his knowledge of French North Africa and contacts with personalities of the area. In the words of General Eisenhower:

'Fundamentally the expedition was conceived in the hope that the French forces, officials, and population of north-west Africa would permit our entry without fighting and would join with us in the common battle.'⁴

¹ *Ibid* p. 478.

² *Ibid* p. 486.

³ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, pp. 22, 30-59, 100-101. Cf. Ch. XIV.

⁴ Eisenhower, *Crusade in Europe*, London, 1948, p. 90.

But when the landings took place in November, 1942, the gamble did not come off. Again in the words of General Eisenhower from Algiers 'existing French sentiment here does not remotely agree with prior calculations'.¹ The commander of the British forces taking part wrote later of the French 'I can safely generalize by saying that at first in the Army, the senior officers were hesitant and afraid to commit themselves, the junior officers were mainly in favour of aiding the Allies, the men would obey orders; amongst the people, the Arabs were indifferent or inclined to be hostile, the French were in our favour but apathetic, the civil authorities were antagonistic as a whole.'² Perhaps the Allies had fallen victims to their own propaganda. It is certain that the French had not, and that they were quite unprepared to look upon the invasion as 'liberation'. Nor did it seem to make any marked difference whether the invaders were British or American. General Eisenhower comments 'This was a far cry from the governmental hope that the people of North Africa would, upon our entry, blaze into spontaneous revolt against control by Nazi-dominated Vichy!'³

As is well known, the situation was only saved by the entirely fortuitous presence in Africa of Admiral Darlan, Commander-in-Chief of the French armed forces. Without French co-operation, military and administrative, there was a serious danger that this first Anglo-American expedition might find itself bogged down, literally and figuratively, in Algiers, and fail in its main objective of capturing Tunisia and joining hands with the British forces advancing westwards from Egypt and Libya. The seriousness of such a setback needs no emphasizing. Whether, if Admiral Darlan had not been present in North Africa, any means could have been found to win the French over to support the Allies, it is impossible to say. Probably in the end it would have been done, but not without loss of time and lives; and by then the opportunity to invade Tunisia might have faded. But with Admiral Darlan in Algiers, it was immediately clear, both that the local military commanders upon whom the Allies had depended to bring over the French were powerless to act, and that the Allies held in their power the one man in France, apart from Marshal Petain, who held an official position and enjoyed a personal authority, that would enable him successfully to order the French forces in Africa to cease resistance to the invaders and to induce the Administrations in Algiers and Morocco to co-operate with the Allies, even if reluctantly. For the Allies, a deal with Darlan, distasteful though this might be, was the only way out of their difficulties. For Darlan, the deal was probably equally distasteful,

¹ *Ibid* p. 121.

² Quoted by Eisenhower, *ibid*, p. 124.

³ *Ibid* p. 124.

but even more ineluctable. What could he gain, for France or himself, by refusing to treat, especially once the Germans invaded southern France, which they did as soon as they knew of the Allied landings in North Africa? The deal was made and in the words used by General Eisenhower to Washington:

‘The gist of the agreement is that the French will do what they can to assist us in taking Tunisia. The group [Admiral Darlan and other senior French officers in Algiers] will organize for effective co-operation and will begin, under Giraud, reorganization of selected military forces for participation in the war. The group will exhaust every expedient in an effort to get the Toulon fleet. We will support the group in controlling and pacifying country and in equipping selected units.’¹

Admiral Darlan was accepted by the Commander-in-Chief as the temporary *de facto* head of the French Administration in North Africa. No political recognition or undertaking was given by or on behalf of the U.S. or U.K. Governments. The assassination of Darlan six weeks later delivered the Allies from the perplexing obligations that acceptance of his collaboration inevitably created.

The initial Allied landings prospered and by 12th November, 1942, all fighting had ceased in areas west of Algiers, largely because of the agreement reached with Admiral Darlan. East of Algiers German forces were re-inforced and the Allies failed, though not by very much, to capture Tunis in the first impetus of the invasion, before the winter set in. In the spring, however, Tunis fell to the combined attack of the British forces from the east and the Allied forces from the west, and all fighting ended on 13th May, 1943.

As a result of the agreement reached with Admiral Darlan, the French civil authorities continued to administer, with support from the Allies, the occupied French territories in North Africa. The Allies were guaranteed the use of ports, railways and other facilities. But for the agreement an extremely unhappy situation might have developed, for as we have seen, the Allies had made no serious preparation for the administration of these territories.

* * *

The dangers so narrowly escaped were recognized – indeed it would have been difficult not to do so – and a paper was prepared, under the auspices of the American Office of Strategic Services and laid before the United States Joint Chiefs of Staff in April, 1943.

¹ Eisenhower, *Crusade in Europe*, London, 1948, p. 122.

The paper took the view that:

‘ Many of the difficulties which have since arisen in that area (North Africa) are directly traceable to inadequate consideration of the problem of occupation. The lesson to be learned is that step by step with all preparations for armed invasion must go preparation for Government, after conquest.’

The paper went on to suggest that the Joint Chiefs of Staff should accept overall responsibility for the problem, and that a high-level planning committee, aided by a working committee, should coordinate and supplement all United States planning for military government, maintain liaison with Allied planning and with United States planning in connected fields, and have all plans made for the immediate dispatch to any area to be occupied of an adequate, well trained and well organized staff to undertake military government.

These views were canvassed at a time when the Operations Division of the War Department had already, ever since the landings in North Africa, found itself compelled to spend a great deal of its time on the complex politico-military problems arising out of the landings. General Marshall had been involved in daily consultations over these matters. It had become clear that relief must be afforded. Speedy action was taken and in March, 1943, even before completion of the paper from which quotation has been made, there was set up in the War Department in Washington, the Civil Affairs Division. An additional reason for the establishment of the division was ‘ . . . that a staff with officers giving full attention to questions of civil significance in occupied areas would improve the co-ordination between the many military and civilian agencies interested, or involved in civil affairs.’¹ The need for such improvement was also referred to in the paper for the Joints Chiefs of Staff, and we shall come across it again later in this chapter. Indeed a further reason still for the creation of the division was that the claim of the War Department to exclusive control of the administration of occupied territories during a military period had not yet been conceded by other departments in Washington or by the President; if the War Department was to press this claim with any hope of success it must be able to show that it had put its own house in order and set up an adequate instrument for the discharge of the responsibilities it demanded.² The division was ultimately headed by Major-General J. H. Hilldring who was required to report to the Secretary of War through the Assistant Secretary of War. It was concerned mainly

¹ Ray S. Cline, *Washington Command Post: The Operations Division*, Washington, 1951, p. 321.

² Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, p. 67.

with economic matters, civilian relief, and questions of public administration. It was, of course, the counterpart of the Directorate of Civil Affairs in the War Office, the formation of which was decided upon at almost the same time, although Major-General S. W. Kirby did not in fact assume charge until June, 1943. The War Office directorate, however, had the advantage over the American Civil Affairs Division, that it was not breaking entirely virgin ground, since M.O.11 had been in existence for two years before it was expanded into the Directorate of Civil Affairs. The Civil Affairs Division included a representative of the Operations Division, and all communications from the Civil Affairs Division to commanders in the field were required to pass through the Operations Division in order to ensure co-ordination with military requirements.¹

* * *

But the real lesson of the six months following the invasion of North Africa was the need for combined machinery to co-ordinate the work of the two newly established organizations, the Civil Affairs Division in Washington and the Civil Affairs Directorate in London, and to handle combined civil affairs problems generally. The Combined Chiefs of Staff found themselves required to deal with a vastly increased volume of civil affairs business in connection both with the happenings in North Africa, and with General Eisenhower's proposals for a joint Anglo-American administration of Sicily which have been described in the preceding chapter. There was, in addition, the prospect of an invasion of Italy, which would inevitably raise difficult problems of administration and government. And at the Casablanca conference held in January, 1943, the decision was taken that Anglo-American forces should invade western Europe in 1944. It was clear that another, a civil affairs, cog would need to be added to the unique combined machinery that had been set up after the entry of America into the war. Within a few days of the formation of the Civil Affairs Division in Washington the Combined Chiefs of Staff had under consideration a British proposal to invite the Committee of Combined Boards to prepare outline plans for the handling of civil affairs in areas where military operations were contemplated. This committee, which consisted of representatives of the State Department, the British Embassy, and the civilian combined boards (the Combined Food Board, the Combined Production and Resources Board, the Combined Raw Materials Board, and the Combined Shipping Adjustment Board), had been formed to handle Anglo-American civilian economic matters

¹ Ray S. Cline, *Washington Command Post: The Operations Division*, Washington, 1951, p. 321.

regarding North Africa. When this proposal was rejected by the United States Joint Chiefs of Staff on the ground that responsibility for such planning must lie upon the military authorities, modified proposals were brought forward by the British for an initial period of military responsibility and the appointment of a predominantly civilian combined committee for the period subsequent to the period of military responsibility. The Americans countered with a proposal to set up a military combined committee to assist the Combined Chiefs of Staff, within the period of military responsibility, in planning and directing the provision of supplies, and the handling of non-military affairs generally, in respect of liberated territories. The emphasis of the proposal was upon the supply functions of the committee. The British understandably, but on paper illogically, did not receive this proposal with enthusiasm. Inevitably an element of contention for 'senior partnership', as in the Mediterranean, underlay the stiff negotiations that followed. But mainly the parties were influenced by pragmatic considerations. To the British the untried combined committee appeared likely to duplicate much of the work being done in London by the well-established Administration of Territories (Europe) Committee and its Shipping and Supply Sub-Committee. These committees, as we have seen, had amassed an impressive body of knowledge concerning their unfamiliar field, and had done a great deal of fundamental constructive work on the problems of civil affairs and military government, with relevance by no means only to territories within their particular sphere. The new committee would have a long way to go before it could do as well; and it appeared likely to cause delays, and to lead to a failure to give adequate consideration to the British view. Furthermore the British Government felt, and here they were on firmer ground, that there were many matters in connection with the return to Europe which could only properly be determined in London, owing to the presence there of Allied governments, of experts on European conditions, and of accumulated information not available elsewhere. Nor, felt the Government, should a combined committee in Washington be empowered to settle civil affairs questions regarding liberated territories that were British, such as Malaya, or the Channel Islands.

However, in view of the irrefutable American arguments that the Combined Chiefs of Staff were already in Washington and could not well be anywhere else, and that they ought to have a committee to advise them on civil affairs problems, the U.K. Government agreed, albeit reluctantly, to the setting up of a Combined Civil Affairs Committee in Washington. This was formed in July, 1943, under the chairmanship of Mr. John J. McCloy, Assistant Secretary of War, holding its first meeting on the 15th of the month. It was

hoped by the British that the position of the AT(E) Committee had been safeguarded by the inclusion of paragraph 5 of the charter of the new combined committee. Paragraph 6, it was also hoped, would safeguard British sovereignty in regard to liberated British territories.

The charter as finally approved on 3rd September, 1943, was as follows:

‘ Organisation

1. The Combined Civil Affairs Committee (C.C.A.C.) is hereby established in Washington as an agency of the Combined Chiefs of Staff.

Membership

2. The Combined Civil Affairs Committee will consist of: one representative each of the U.S. Army, the U.S. Navy, the U.S. State Department, the British Foreign Office, two representatives of the British Joint Staff Mission, and two additional civilian members, one of whom shall be designated by the United States and the other by the United Kingdom.

Functions

3. The Combined Civil Affairs Committee shall with respect to enemy or enemy held areas occupied or to be occupied as a result of combined (U.S.–U.K.) operations:

(a) Recommend to the Combined Chiefs of Staff general policies which should be adopted for civil affairs, including supply and related matters;

(b) Under the direction of the Combined Chiefs of Staff, be responsible for the broad civil affairs planning, and the direction in Washington of civil affairs problems presented to the Combined Chiefs of Staff by theatre commanders; and

(c) Under the direction of the Combined Chiefs of Staff, be responsible for the co-ordination of the British and American military and naval establishments with the appropriate civilian departments and agencies of the respective governments which are concerned with civil affairs matters.

Policies

4. (a) Complete plans for a military operation must anticipate the problems which will be presented by local populations. Planning and administration of civil affairs are an integral part of military operations and cannot be separated.

(b) The administration of civil affairs should be delegated to appropriate civilian departments and agencies just as soon as the military situation permits. This may be accomplished gradually, even though the area is still the subject of military

control. The decision as to when and to what extent civilian departments and agencies will assist the military in the administration of civil affairs will be determined by the Combined Chiefs of Staff, upon the recommendation of the military commander in the area. Generally, responsibility for the handling of civil affairs should be relinquished by the military as quickly as this can be accomplished without interference with the military purposes of the occupation.

London Committee

5. At the present time there is established in London an Administration of Territories (Europe) Committee which is engaged in advance planning for civil affairs in areas which are occupied by the enemy. The Commanding General, European Theatre of Operations, U.S.A., has been authorized to designate an officer from his staff to serve on the London Committee with authority (a) to negotiate for the United States with regard to the planning of civil affairs in the European Theatre, U.S.A., (b) to transmit to the War Department studies and problems relating to other theatres of operations and (c) to transmit to the Committee the views of the War Department, co-ordinated, where necessary, with those of other United States Departments and agencies.

Re-Occupation of Territory

6. When an enemy occupied territory of the United States, the United Kingdom or one of the Dominions is to be recovered as the result of an operation combined or otherwise, the military directive to be given the Force Commander concerned will include the policies to be followed in the handling of civil affairs as formulated by the government which exercised authority over the territory before enemy occupation. If paramount military requirements as determined by Force Commander necessitate a departure from those policies he will take action and report through the Chiefs of Staff to the Combined Chiefs of Staff.'

The Combined Civil Affairs Committee was set up in July, 1943. The Allied forces had just invaded Sicily. Six weeks later they were to cross over to the mainland of Italy. A spate of Italian problems descended upon the committee and over the whole period of its existence Italy provided the bulk of its work. Surrender terms, proclamations, directives all came under review. Arrangements for setting up a control commission, for the relief of civilians, for utilizing the services of the Red Cross were considered. These matters have been fully dealt with in an earlier volume of the present series¹ and in other chapters of the present volume.² The next largest slice of the

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957.

² Cf. Chapters V, VI, VII, VIII.

committee's time was taken up by the problems arising out of the provision of relief supplies and their distribution to those in need, including problems that followed the establishment of the United Nations Relief and Rehabilitation Administration or U.N.R.R.A. To the extent that these were 'theatre' problems, they have been dealt with in the volumes concerned.¹ To the extent that they were problems of central direction they will be dealt with in a later chapter of this volume on civil affairs supplies.² The committee was also required to prepare civil affairs or military government directives, as appropriate, for issue by the Combined Chiefs of Staff for the countries within the North-West Europe theatre of operations – France, Belgium, Luxembourg, the Netherlands, Norway, Denmark, Germany and Austria. It also reviewed and approved the civil affairs agreements negotiated with the first five of these countries. These matters also have been fully dealt with in the 'theatre' volume concerned.³ Other topics that claimed the attention of the committee from time to time included currency and financial matters and problems arising in the wake of any operations to be undertaken in the Balkans – for until about July, 1944, the possibility of such operations was always one to be reckoned with.

In all these matters the committee acted as an agency of the Combined Chiefs of Staff, seeking the decisions of the latter when necessary. So far as the British were concerned this involved little trouble or delay since authority from London to agree to a particular line in the Combined Civil Affairs Committee carried with it authority to approve this line in the Combined Chiefs of Staff Committee on behalf of the British Chiefs of Staff. On the American side matters did not go so easily. There was no machinery for keeping the United States members of the Combined Chiefs of Staff Committee aware of the line which the American representatives on the Combined Civil Affairs Committee had taken – although they had been authorized by their Government to take it. Accordingly, when the Combined Civil Affairs Committee made a recommendation to the Combined Chiefs of Staff, it might become necessary for the United States Joint Planning Staffs, quite unfamiliar with civil affairs problems, to cover the whole ground once more in order to demonstrate to the Joint Chiefs of Staff the need for the approval of the recommendation and to persuade them to agree to a course that

¹ Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948.

Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956.

Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957.

Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961.

² Ch. VII.

³ Donnison, *Civil Affairs and Military Government in North-West Europe, 1944-46*, H.M.S.O., 1961.

had already been agreed to by their supposed representatives on the C.C.A.C.

Notwithstanding procedural difficulties however, mutual goodwill and the high calibre and standing of its members, enabled the Combined Civil Affairs Committee to achieve much good work. Never, throughout its existence, did the committee have to submit a divided report.

On the other hand, it has to be admitted that throughout the civil affairs field, and in all theatres of war, top-level directives frequently arrived so late that they had necessarily been anticipated by the military commander in the field. Partly this was ascribable to the complexity of the bureaucratic machine, to the number of headquarters and committees involved, and to the distortion of the normal chain of command and channels of communication which inevitably resulted from the establishment of combined Anglo-American command. The War Office in Whitehall, for example, could not, on matters of principle or policy, directly instruct the Commander-in-Chief, at St. Paul's School, Hammersmith, of the British forces serving within 21 Army Group. On such matters agreement had first to be reached between British and Americans in Washington, and instructions could reach the British Commander-in-Chief only from the Combined Chiefs of Staff, through the Supreme Commander of the Allied Expeditionary Force. In supply matters particularly demands from the field were subject to excessively detailed scrutiny at higher levels. There was also the fact that civil affairs matters, on both sides of the Atlantic, necessarily required consultation with more departments or organizations than purely military matters, because they involved political, fiscal and economic considerations. Then, directives were normally issued by the Combined Chiefs of Staff who naturally tended to regard purely military matters as more urgent than the problems of civil affairs. And in the United States of America there was the difficulty of reconciling the views of the Roosevelt-Morgenthau school with those of the State and War Department schools. Finally, there was the difficulty of reaching an agreed Anglo-American view – for there were fundamental differences of outlook between the two Allies – before directives could be issued. However, issued they were, in anticipation, by the commanders in the field, in the light of what they had learned of negotiations above, and generally none the worse for that.

* * *

It had been hoped in London that paragraph 5 of the charter would save the AT(E) Committee. It soon became clear that this would not be so. The paragraph itself was obscurely worded, bearing

the marks of stiff argument and compromise. What exactly did the authority of the United States officer on the committee '... to negotiate for the United States with regard to the planning of civil affairs, in the European Theatre, United States of America ...' mean? Obviously very different views could be taken. The British had always hoped that the AT(E) Committee might become a piece of combined Anglo-American machinery. They now felt that the Americans had gone back on an agreement to recognize the AT(E) Committee. There had been American representatives on the committee from a very early stage, and the British felt they had done their best to draw the Americans into the discussions of the committee. They now hoped that paragraph 5 of the C.C.A.C. charter would give to the committee a real combined character. But the fatal difficulty, from the American point of view, was that the AT(E) Committee was a War Office committee, responsible to the British Secretary of State for War and not to any Anglo-American authority, such as the Combined Chiefs of Staff. Accordingly the Americans were, understandably, not prepared to let their representatives take a full part in the work of the committee. They took the view that these representatives were on the committee merely to assist in the settlement of purely British questions in regard to which it was desirable that the British should have knowledge of the views of the U.S. Government. The British were disappointed, but if the position had been reversed, would they have taken any other course?

The American authorities stood firmly by their view that all civil affairs matters arising within the sphere of the Combined Chiefs of Staff, must be handled by the Combined Civil Affairs Committee in Washington, even if these matters had been dealt with in detail by the AT(E) Committee, the Shipping and Supply Sub-Committee, or any other London Committee, and even if the Americans had been represented on these committees. The British having created strong workable machinery for this purpose were strongly opposed to civil affairs matters concerning European areas being handled anywhere but in London. Indeed, it was only when they felt they had safeguarded this point that they had been prepared to agree to the establishment of the Combined Civil Affairs Committee at all. They contended that since most of the questions arising out of civil affairs matters were political rather than military, these questions should be determined by the governments affected rather than by the Combined Chiefs of Staff, and that since most of the exiled governments of European states and the French Committee of National Liberation were established in London, such questions should be dealt with in London, not in Washington. In the second place they urged that since the military planning for operations in Europe was being undertaken in the United Kingdom at the Supreme

Headquarters, Allied Expeditionary Force (S.H.A.E.F.), detailed preparation of the connected civil affairs plans should also be undertaken in the United Kingdom, and not have to be referred back to Washington. Lastly, it had very recently been decided, at the Foreign Secretaries' conference in Moscow, to establish a tripartite European Advisory Commission, with American, British and Russian representation, to deal with political questions affecting armistices and the administration of occupied territory in Europe. Since the commission was to be located in London, this was a further reason why all such matters should as far as possible, be handled in London, not Washington.

There was much weight in these arguments but they did not move the Americans. Accordingly, the British proposed instead the creation of a Combined Civil Affairs Committee in London parallel to the committee in Washington, which should relieve this committee of responsibility for civil affairs questions arising from Europe, including the Balkans. This proposal envisaged that the Administration of Territories (Balkans) Committee in Cairo should become a combined committee and work under the general guidance of the London C.C.A.C. It was further proposed that the London committee should deal with civil affairs matters arising out of operations in South-East Asia, and if possible with matters arising out of the operations which had moved out of North Africa into Sicily and Italy. The London committee was also to deal with the arrangements to be made in virtue of paragraph 6 of the charter of the C.C.A.C. for British Territories recovered in any theatre of operations whatever.

There would only be a small slice of the civil affairs cake left. Clearly the arrangements proposed by the British would mean the very considerable eclipse of the C.C.A.C. in Washington. The Americans had put much effort and goodwill into the work of the Washington committee. They had made available as its chairman Mr. John J. McCloy a person of outstanding character and ability, and of wide understanding and sympathy. With the help of its chairman the committee had established easy and intimate liaison with Mr. Hull, Secretary of State, Mr. Stimson, Secretary of War, and even the President. The use of these valuable contacts should not lightly be discarded. But mainly the Americans felt that when the British had agreed to the Combined Chiefs of Staff being located in Washington, where there was already much other combined machinery, they had accepted the broad fact that Washington must become the centre of gravity for such organizations. The British proposals for taking away from the C.C.A.C. in Washington the bulk of its responsibilities and placing these on a new committee in London appeared to the Americans as an attempt to escape the implications of an agreement already made.

Various compromises were canvassed, within British circles, but all were discarded without presentation to the Americans, and deadlock ensued.

With the Cairo and Teheran conferences about to be held, the Prime Minister was briefed to raise the matter with the President. But in the event he never did. There was much other business, and it may be that Mr. Churchill did not feel that he had much of a case to argue. As one of the principal architects of the Combined Chiefs of Staff, and the whole-hearted advocate of the wide and generous pooling of Allied resources, he may well have felt that the British were holding back in this affair. But the pooling of resources in the military field is one thing. The pooling of sovereignty in the political sphere, with which civil affairs was much concerned, is another and far more difficult matter.

However, General Kirby, the D.C.A., who was attending the Cairo conference, was able to discuss the difficulty with Mr. McCloy, also present for the conference. Mr. McCloy took the opportunity to explain some of the facts of American political life. A great section of the American public, he said, especially that not resident on the sea-coast, was abysmally ignorant of European problems, even of the differences of race, language, and outlook between the peoples of Europe. The British were by no means universally popular; in many quarters the 'limeys' were well hated. For these and other reasons there was a widespread tendency in the United States of America towards isolationism. It was a matter of vital importance to the post-war world that this tendency should not be allowed to increase. This was just what would happen if important decisions in the field of combined civil affairs were taken, or were allowed to appear to the American public to be taken, in London rather than in Washington. Mr. McCloy readily conceded that the knowledge, the experience, the skill, for dealing with European political and administrative matters, was in London, not Washington. But if the American public was not to be allowed to slump back into isolationism after the war, he implored General Kirby to persuade the British authorities to drop their proposals for a Combined Civil Affairs Committee in London. Let all the work be done in London, he said. Send us your recommendations. We won't alter their essence, though we may have to translate them from English into American. But let it appear that the decisions are taken in Washington. Then you will have no difficulty. But let the same decision be taken in London, and you will encounter bitter opposition. There are many in America who will immediately protest that the innocent Americans have once more been fooled by the clever British. Furthermore, said Mr. McCloy, if political decisions have to be taken they will be much

more readily accepted by the American public if they can be promulgated by the Combined Chiefs of Staff and be made to wear a military rather than a political aspect.

General Kirby returned to London and the problem was exhaustively discussed at the first meeting of the newly constituted A.C.A.O. Committee. General Kirby explained the American attitude and there was a good deal of support for his plea that the proposal for a C.C.A.C. in London should be dropped. In the view of the Minister of State, Mr. Richard Law, ' . . . if we insisted on a London C.C.A.C. and gained our point, we should only win a theoretical victory, since the Americans would be likely to oppose every suggestion we brought before it.' A number of alternative proposals were considered. One was to create a committee within the combined Anglo-American headquarters that was being set up in London for the invasion of North-West Europe (C.O.S.S.A.C. through 1943, thereafter S.H.A.E.F.) and that this committee should dispose of all civil affairs problems arising in its theatre of operations and not of sufficient importance to require reference to the higher level of the Combined Civil Affairs Committee in Washington.

The objection to this proposal was that whereas the War Office was represented on the Combined Civil Affairs Committee and so could take part in decisions there, it would not be formally represented on the proposed committee. To the extent therefore that the committee acted without reference to the Combined Civil Affairs Committee, the War Office would be unable to influence decisions for which the Secretary of State would be held responsible to Parliament. It was in any case felt that the Americans would be unlikely to accept this proposal if it involved any real delegation of power to the committee. Another alternative proposal was that use, informal if necessary, should be made of the recently constituted European Advisory Commission. But this was a tripartite body, including the Russians. And having been set up in order to advise Governments only, it could communicate with the Combined Chiefs of Staff or the Supreme Commander for the invasion of Europe only through the most cumbersome channels. It would be quite unsuitable for the reaching of day-to-day decisions on civil affairs matters of exclusively Anglo-American concern. A third alternative was a vaguer proposal that an informal Anglo-American working party should be constituted in London, drawn on the American side, from the staff of the American representative on the European Advisory Commission. It was hoped that such a working party might develop into a body competent to take decisions in civil affairs matters without referring back to the Combined Civil Affairs Committee. The objections to this proposal were obvious. The working party was most unlikely to be accepted by the Americans,

would have no formal standing, and no discernible prospect of ever attaining any. And to the extent that such a body might come under the aegis of the European Advisory Commission, it would suffer also from many of the disadvantages of making use of that organization. None of the alternatives proposed were acceptable to the War Office. Accordingly, Sir Frederick Bovenschen, the Permanent Under-Secretary, undertook a mission to Washington to try to secure the substance of the British requirement for a Combined Civil Affairs Committee in London. Sir Frederick was, on paper, entirely successful, securing American agreement to amendment of the charter of the Combined Civil Affairs Committee in Washington to provide for the establishment of a London Sub-Committee of the Combined Civil Affairs Committee as an agency of that committee to advise, within certain limitations, the Supreme Allied Commanders in North-West Europe and the Mediterranean on civil affairs matters. But the Minister of State was right. The Americans never liked the arrangement, and after three or four months of flickering existence the sub-committee died of anaemia. Little use was made of it, and much of what it did discuss had nevertheless to be submitted to the C.C.A.C. in Washington for decision. The C.C.A.C. appeared to take up many subjects that might have been expected to come before the London sub-committee.

The British contention that civil affairs matters concerning Europe should be handled in London rather than in Washington was far more cogent in regard to North-West Europe than the Mediterranean. And, in fact, the development of events conceded this. For, notwithstanding the extensive atrophy of the London sub-committee, C.O.S.S.A.C. and thereafter S.H.A.E.F., located in London, rather than the Combined Civil Affairs Committee in Washington, developed into the effective combined forum for the consideration of civil affairs matters arising in connection with the Anglo-American invasion of North-West Europe. Most of the detailed work on these matters was done by the civil affairs or G-5 staffs of these headquarters, War Office influence being not unsatisfactorily exercised through liaison at this stage. Recommendations were submitted to the C.C.A.C., generally in the form of drafts. There was little tendency to duplicate in Washington the work already done in London. And the drafts, since they had been prepared in an Anglo-American headquarters did not even require to be translated into the American language. For Italy and South-East Asia no combined forum developed in London. The reservation in paragraph 6 of the C.C.A.C. charter was more effective than that in paragraph 5 and successfully safeguarded the interests of the U.K. or Dominion Governments in liberated British territories.

Two other sub-committees of the Combined Civil Affairs Committee came into existence besides the ill-fated C.C.A.C./L. In September 1943 the Supplies Sub-Committee, or C.C.A.C./S., was established. Much later, in December, 1945, a Billing Sub-Committee, or C.C.A.C./B was formed following the decision that countries receiving civil affairs supplies must pay for these. As both these sub-committees were concerned with the supply aspect of civil affairs, their work will be considered in a later chapter on civil affairs supplies.¹ It is sufficient here to note their designation and existence.

* * *

The formation of the Combined Civil Affairs Committee in Washington in July, 1943, made it necessary to set up a Civil Affairs Branch within the British Army Staff in Washington. This was done on 12th July, 1943, the branch consisting initially of one G.S.O.1. (Civil Affairs), responsible directly to the head of the British Army Staff who was the British military representative on the Combined Civil Affairs Committee as well as being the deputy of the C.I.G.S. when the latter could not attend meetings of the Combined Chiefs of Staff. In February a second G.S.O.1. (Civil Affairs) was appointed. In March the branch was further strengthened by the addition of a Colonel (Civil Affairs) to assume responsibility for all civil affairs or military government business other than supplies, and by the upgrading to Colonel (Civil Affairs) of the senior G.S.O.1. who retained responsibility for all matters of civil affairs supplies. Each of these colonels worked directly under the commander of the British Army Staff, the officer in charge of military government being responsible for co-ordination. As work of this kind continued to increase the branch was further expanded to seven officers (no less than six of these on the supply side) and five clerks. There was also carried on the strength of the branch for some time a British instructor at the Charlottesville School of Military Government.

The function of the branch was primarily to represent the War Office in the discharge of its civil affairs responsibilities. But other departments in London shared responsibility for civil affairs, e.g. the Foreign Office and the Ministry of Supply. In Washington civil affairs responsibility was much more exclusively centred in the United States Service departments, in conformity with the American view that civil affairs was primarily a military not a civil or political function. As a result of the spreading of responsibility in London, the Civil Affairs Branch of the British Army Staff frequently found,

¹ cf. Ch. VII.

in its intercourse with the American Service departments, that it was having to act as the representative not only of the War Office, but of a variety of United Kingdom civil departments. A high degree of team work was required of the representatives in Washington of the numerous British departments.

By far the greater part of the work of the Civil Affairs Branch of the British Army Staff was concerned with civil affairs supplies. This will be considered in a later chapter.¹ In the wider sphere of military government a contentious aspect of many matters negotiated between the Civil Affairs Branch and the United States departments was the degree of discretion to be allowed to local military commanders. British and American military practice differed. The Americans tended to give the commander his task and leave him to work out the manner in which to accomplish it. The British tended to exercise a much more detailed control. In respect to civil affairs this difference of practice was not lessened by the American view that civil affairs were primarily military, and only to a very limited extent political in character. Americans therefore saw no reason for departing from their normal practice in purely military matters. To the British it seemed that there were political and psychological ingredients in civil affairs that no local commander could be expected to appreciate fully, and that it was essential to furnish such commanders with information and guidance in regard to these ingredients. The attachment of political advisers to commanders at the higher levels helped to bridge this difference of view.

One unexpected but extremely valuable function performed by the Civil Affairs Branch of the British Army Staff was that described by the branch itself as ' . . . to act as a catalyst in securing some common United States policy between United States Departments '. Co-ordination in Whitehall is secured by a complex system of committees. In Washington in 1943, comparable machinery had scarcely begun to come into existence.² Again in the words of the Civil Affairs Branch ' . . . it was often apparent at C.C.A.C. meetings that there had been no prior discussion between the United States Departments . . . ' An example of this absence of co-ordination will be remembered from the preceding chapter, when General Eisenhower received three incompatible replies from Washington to his proposals for a joint Anglo-American administration of Sicily. Another example may be drawn from the paper prepared by the United States Army Office of Strategic Services, to which reference has been made earlier in this chapter.³ Discussing the need for the

¹ Cf. Ch. VII.

² Ray S. Cline, *Washington Command Post: The Operations Division*, Washington, 1951, Ch. XVI.

³ Cf. p. 64.

preparation of training manuals for civil affairs, the Office of Strategic Services observed, 'We are credibly informed that the Navy is contemplating handbooks of a similar sort, but we have not learned that any definite plans have been made by the Navy for the preparation of them.' The British reader is tempted to ask why they didn't ring up and find out. The story told of Field-Marshal Dill is perhaps relevant. 'He had been in Washington only a few weeks when he was asked what his duties were. He replied that he was not yet quite sure, but that at least he provided neutral ground on which the American Army and Navy could meet.'¹ In strictly military matters, the need of the United States authorities to enter into conference with the highly organized British Chiefs of Staff machinery, and to present to the latter agreed U.S. Government views, led to the progressive building up of the American Joint Chiefs of Staff organization through 1942. In the politico-military sphere there was nothing at all comparable until the State - War - Navy Co-ordinating Committee was set up in December, 1944, largely in order to deal with the many problems posed by the European Advisory Commission. Even this Committee was at ministerial, not official, level and therefore afforded no machinery for day-to-day co-ordination at the level of the Combined Civil Affairs Committee.

¹ Ismay, *Memoirs*, London, 1960, p. 244.

CHAPTER V

PLANNING FOR CONTROL COMMISSIONS

IN democratic communities military government is essentially a temporary measure, normally arising out of the circumstances of war and inappropriate to the conditions of peace. The responsibility assumed by the military authorities should be passed elsewhere at the earliest moment compatible with achievement of the purposes for which it was originally assumed.

In liberated British and friendly territories a successor authority was ready to hand and no great problem arose. In the case of the re-occupation of British territory it was, broadly speaking, a matter of reviving or re-introducing pre-occupation administration and of allowing this to take over responsibility from the military government. In the case of liberated friendly territories, the Allied policy was to recognize an indigenous government as early as possible, and to hand over responsibility for administration in all areas where the needs of operations permitted this, as soon as the government was considered to enjoy sufficient authority to make this practicable. Never was there any reluctance to accept responsibility; embarrassment was caused rather by the eagerness with which governments desired to get themselves back into the saddle.

The problem of occupied enemy territory was more complicated for here there could be no question, in the initial stages, of transferring full responsibility to the indigenous governments. If the military authorities were to pass on their responsibilities it became necessary to plan and create some organization to which this could be done and which could exercise control of these governments. It was later to become clear that there might indeed be no indigenous governments surviving over which control could be established and that the organization to be created must, at a pinch, be equipped to govern directly. Any general account of the work of these successor organizations, which, in the event, were to take the form of control commissions, clearly falls beyond the scope of the present volume. The activities of these extend far beyond anything that could reasonably be considered the war period, and it is a history of the Second World War of which this volume forms a part. But it does not seem possible to avoid some account of the emergence and

development of the conception of a control commission and its functions, and of the early outline planning for these, and that for at least three reasons. In the first place the War Office, and particularly the Directorate of Civil Affairs, played an important part in the early thinking and planning, and it is with the work of this directorate that the present volume is largely concerned. In the second place, there was such extensive and continual interplay and overlap of the functions of military government or civil affairs, with those of the control commissions that no account of the former can altogether neglect the latter. Thirdly, there was, for a time at least, consideration of the possibility that the functions and responsibilities eventually discharged by control commissions should be placed upon the military government organization, suitably expanded and modified in character. And although this did not, in the event, come about the services of a large number of military government officers, whether as organized bodies or as individuals, were eventually transferred to the control commissions as these took over, and made a considerable contribution to the work of the latter.

In the present chapter therefore, an attempt will be made to trace the emergence and development of the conception of a control commission, and the share of the military authorities in this process.

* * *

In the summer of 1942 Allied military fortunes reached their lowest level – except only that the German drive upon Stalingrad was yet to come. The Prime Minister later described the situation in the following words:

‘ We had survived the collapse of France and the air attack on Britain. We had not been invaded. We still had Egypt. We were alive and at bay; but that was all. On the other hand, what a cataract of disasters had fallen upon us! The fiasco of Dakar, the loss of all our Desert conquests from the Italians, the tragedy of Greece, the loss of Crete, the unrelieved reverses of the Japanese war, the loss of Hong Kong, the over-running of the A.B.D.A. Command and all its territories, the catastrophe of Singapore, the Japanese conquest of Burma, Auchinleck’s defeat in the Desert, the surrender of Tobruk, the failure, as it was judged, at Dieppe – all these were galling links in a chain of misfortune and frustration to which no parallel could be found in our history.’¹

In these circumstances the setting up, in Whitehall, on 1st June, 1942, of a sub-committee to consider the terms that should be imposed upon a vanquished enemy and the methods to be adopted

¹ Churchill, *The Second World War, Volume IV*, London, 1951, pp. 493-4.

for their enforcement may indeed seem to have been a notable act of faith – or perhaps only of defiance. It is worth quoting the terms of reference of this sub-committee to point the contrast between the hopes for the future and the ineluctable facts of the time:

‘ 3. The Sub-Committee will first undertake a study of the military aspects of lessons that may be drawn from previous attempts to secure lasting peace. Previous armistice conventions, policies and methods of disarmament and peace treaties are to be studied to this end. Consideration is also to be given to (a) past methods of enforcing armistice terms and disarmament agreements both in occupied and un-occupied areas, and (b) methods used to control, directly or indirectly, the administration of occupied areas.

4. In the light of these lessons, the Sub-Committee is then to turn its attention to the problems of military interest with which we are likely to be faced when hostilities cease. This latter study should include, for example, requirements in armistice terms; main principles of Allied occupation in Europe and of the administration and government of occupied areas, the problems connected with such occupation and the manner in which they might be solved.’

It might be some time before these problems became practical, but after the entry of America into the war the hopes were there. The Prime Minister may be quoted again:

‘ The fact that we were no longer alone, but instead had the two most mighty nations in the world in alliance fighting desperately at our side, gave indeed assurances of ultimate victory.’¹

The sub-committee was formed ostensibly to assist the ministerial Committee on Reconstruction Problems, which had itself been set up in 1941, and it was known as the Military Sub-Committee. But, although technically a sub-committee of the ministerial committee, it was in fact, placed ‘under the general direction of the Chiefs of Staff Committee through the Directors of Plans’. Its three members represented the Admiralty, the War Office, and the Air Ministry. They were Rear-Admiral R. Bellairs, Brigadier van Cutsem, and Dr. J. M. Spaight, an authority on the laws of war. They gave the whole of their time to this work. In the course of its twelve months’ life the sub-committee explored wide territories. It drew up alternative surrender instruments for Italy to meet the cases in which there was, or there was not, a responsible Italian government still in existence and with authority to negotiate. If no government survived, the Italian C.-in-C. would be required to sign a military capitulation. It also prepared a proclamation for use in case there was neither

¹ Churchill, *The Second World War*, Vol. IV, London, 1951, p. 494.

a government nor a C.-in-C. still in existence. The sub-committee also began work on comparable instruments for Germany and Austria. It prepared plans for a control commission to enforce the terms imposed upon Italy, and began work on similar plans for Germany. It drew up memoranda dealing with the occupation of Germany, Italy, and South-East Europe, and with a variety of other subjects including one on 'Areas in Europe where Disturbances or Disputes of Ownership are probable'.

The sub-committee was required to study past methods for the enforcement of armistices and the control of disarmament and civil administration, and its proposals, when they came, followed very closely the methods adopted at the conclusion of the First World War. We need therefore, before studying the proposals in greater detail, to understand what those methods were.

* * *

The First World War was brought to an end by an armistice that took effect at 11 a.m. on 11th November, 1918. Hostilities ceased immediately and the Allied forces, in accordance with the terms of the armistice advanced by stages to the Rhine and occupied all of Germany west of that river and also three bridgeheads on the eastern bank. The general nature of the occupation that followed has been described in an earlier chapter.¹ We are here more concerned with the organizational frame-work around which it was brought into being. Control of the civil administration within the occupied area was exercised by the Commanders-in-Chief of the French, British, American, and Belgian national contingents, each within their zones of occupation, in virtue of, and in accordance with, the Hague Rules. Measures taken to secure co-ordination between the several zones in administrative and economic matters led to the establishment in April, 1919, of the Inter-Allied Rhineland Commission. A separate Inter-Allied Armistice Commission was set up with the sole task of enforcing the terms of the armistice. It had no concern with control of the civil administration which was the function of the national Commanders-in-Chief, subject to guidance by the Inter-Allied Rhineland Commission, through whatever civil affairs organization the several Commanders-in-Chief chose to establish. The armistice commission was a military body; separate from the civil affairs organizations, and under the direct control of Marshal Foch the Commander-in-Chief of the combined Allied armies.

¹ Cf. Ch. I, pp. 17-18.

The armistice was followed by a peace treaty, the Treaty of Versailles, which became effective on 10th January, 1920. Control of the national Commanders-in-Chief and, through them, of the civil administration (though in fact control of the latter was slight and largely ineffective) passed from the Allied military authorities to the Inter-Allied Rhineland High Commission, a new civilian body, not to be confused with the earlier Inter-Allied Rhineland Commission, responsible to no military authorities but to the Allied Governments, either directly, or through the Conference of Ambassadors constituted in Paris, or through the Supreme Council of the Allied Powers. The decision to exercise control in such circumstances by a civil rather than a military body, was without precedent. It was taken by the Supreme War Council on American initiative, President Woodrow Wilson endorsing the views of Mr. Pierrepont B. Noyes, an industrialist and friend of the President, who was the American representative on the Inter-Allied Rhineland Commission, that any prolonged military occupation in peace-time inevitably demoralizes the forces of occupation and embitters the people of the occupied territory. These are eminently sustainable views. Indeed, there can be little doubt that demoralization tends to affect occupier and occupied alike. Yet there are times when there may be no alternative. (We may perhaps note that if, in the First World War, it was the U.S. that pressed for a lenient occupation, in the Second World War it was President Roosevelt, espousing the views of Mr. Henry Morgenthau, who insisted, against British and widespread American opinion but for a long time successfully, that the occupation of Germany must be drastically punitive.)¹ With the conclusion of peace after the First World War the legal authority for control no longer flowed from the laws of war and the Hague Rules, but from the provisions of the peace treaty. Enforcement of the military clauses of the treaty, concerned for the most part with disarmament, was made the responsibility of an Inter-Allied Military Commission of Control. This body, like the earlier Armistice Commission, was military not civil, a completely separate entity from the Inter-Allied Rhineland High Commission, and under the orders, not of any civil authority but of the Versailles Allied Military Committee, presided over by Marshal Foch.

These, then, were the most recent precedents which the Military Sub-Committee was required to study before making its proposals.

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¹ Cf. Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, pp. 199-205.

On the 27th July, 1943, the Allied Commander-in-Chief in the Mediterranean theatre telegraphed to the Combined Chiefs of Staff that it would at some time become necessary to set up an armistice commission in Italy. In London, with memories of 1919, this was taken to mean a body that would not be concerned with civil administration but only with the execution of armistice conditions. The Commander-in-Chief asked for guidance. (In fact it was exactly a week later that the first tentative overtures regarding possible terms of surrender were made by the Italians to the British Ambassador in Lisbon.) On 31st July the Military Sub-Committee in London submitted its proposals. On Rhineland precedents they were for two organizations, an armistice or control commission, which would be responsible for enforcing the terms of the expected unconditional surrender and would require to be brought into existence for the purpose, and the existing civil affairs organization which would continue responsible for exercising or supervising civil administration. The new armistice commission would be placed under the immediate control of the Allied Commander-in-Chief, and would be a completely separate entity from the civil affairs organization, or indeed from the other military forces under the Commander-in-Chief. This separation arose partly from the fact that it was envisaged that the armistice commission would very probably be required to work both outside areas of military occupation, and after the period of military responsibility had ended; but mainly it was a legacy from the arrangements of 1919. These proposals of the Military Sub-Committee divided responsibility on a functional, not geographic, basis, leaving all responsibility for the control of civil administration, throughout those parts of Italy from which the Germans had been expelled, with the existing civil affairs organization, but placing responsibility for the enforcement of armistice terms on the armistice control commission. (Within a few days of making these proposals the Military Sub-Committee was replaced by the Post-Hostilities Planning Sub-Committee, in circumstances which will be recounted later in this chapter.)¹

A week later Sir James Grigg, Secretary of State for War, approaching this problem quite differently, proposed that there should be not two organizations, but only one. Enforcement of the disarmament required by the terms of surrender, Sir James Grigg suggested, would necessarily fall into two phases, (a) the disarmament of the Naval, Land, and Air Forces, and (b) the destruction of war potential. Although the first of these would be a matter for technical experts of the Services, the second would involve far wider economic considerations and could only be successfully handled by those conducting or supervising the civil administration, whose plans in

¹ Cf. p. 92.

their turn would be much affected by those of the technical experts for purely military disarmament. Since there was already in the field a civil affairs organization specially designed for the control of the civil administration, and fully competent to undertake measures for the destruction of war potential – indeed it was already doing this in Sicily – and since there would in any case have to be the closest co-ordination between the technical experts from the Services and this civil affairs organization, the Secretary of State proposed that the Chief Civil Affairs Officer should, under the Commander-in-Chief, be given the over-all responsibility for control both of the civil administration and of the enforcement of the terms of surrender, whether in or out of areas occupied by the forces of the Commander-in-Chief. The proposed Armistice Control Commission, which soon came to be known, more shortly, as the Control Commission, would become a part of the civil affairs organization and the Chief Civil Affairs Officer would become the Chief Civil Affairs and Control Officer. Sir James admitted that there were difficulties about such an arrangement. But it would at least avoid the anomaly of two separate organizations with largely overlapping responsibilities, and would make use of an existing and comparatively tried body instead of requiring the creation of a new and untested organization. Above all it did recognize the complete impracticability of keeping disarmament and administration in water-tight compartments, when disarmament, in conditions of 'total' war must affect such a great part of the national economy, and when administration was intended to be controlled to an extent never before attempted.

The recently constituted Post-Hostilities Planning Sub-Committee, rushed to the support of its predecessor, giving a round dozen of reasons why there should be a completely separate Inter-Allied Control Commission as well as a civil affairs organization. But in fact the reasons were less convincing than numerous. And they were in any case based on the assumption that the task of the Control Commission would be confined to securing and supervising the fulfilment by the Italians of the terms of surrender, and that it would not be concerned in the control of civil administration. As Sir James Grigg foresaw, this dichotomy, in the conditions of the Second World War, was to prove quite impracticable.

The ministers in committee were influenced not so much by the arguments of the Post-Hostilities Planning Sub-Committee, as by the somewhat theoretical argument of their chairman that

'it must be recognized that the Commander-in-Chief, so long as he was responsible, had two different types of functions in this connection. He was responsible for the Civil Administration

as a Military Governor and in this he represented the Combined Chiefs of Staff. He was at the same time responsible for executing the Terms of Surrender and in this he represented all the United Nations who were parties through him to the instrument of surrender.'

They accordingly decided in favour of two organizations, i.e. that a control commission for Italy should be established as a separate entity from the civil affairs staff of the Commander-in-Chief.

From this followed the need to demarcate the respective spheres of responsibility of the two organizations proposed. When the permanent heads of the departments affected sought to do this they were quickly driven to accept Sir James Grigg's view that dichotomy was impracticable. They said:

'We do not consider that it is possible to lay down either a geographical or a functional line of demarcation between A.M.G.O.T. and the Control Commission. The two organizations must be made to work as a single machine.'

But while accepting the need to create a single machine they proposed to do this not, as Sir James Grigg had recommended, by giving over-all responsibility to the existing civil affairs organization, but by creating a new organization, a control commission, into which the civil affairs organization should be absorbed. This involved a fundamental change, a decisive enlargement, in the hitherto limited conception of the duties of a control commission. These were no longer to be confined to enforcement of the surrender terms, but were to include the whole multifarious business of controlling, at least in broad terms, the civil administration and the government of Italy. Unfortunately the decision also involved loss of the practical advantages to be gained by placing an existing and tried body in charge.

By the end of August, there was still no decision on these controversial issues such as would enable a reply to be sent to the Commander-in-Chief in the Mediterranean. Italian surrender had now become imminent and the need to plan for an armistice commission was pressing. On 30th the Commander-in-Chief telegraphed to the Combined Chiefs of Staff that, in the absence of any instructions on his telegram of 27th July, he was planning on the basis that the Allied military government organization would continue to organize and administer areas as these were occupied by the Allied forces, but that a separate armistice control authority would

'supervise the administration by the Italian Government of territory not subject to military government.'

Such territory would include both areas relinquished by the military government authorities as the Allied forces advanced, and areas surrendered without previous military occupation, and would of course expand as the advance continued. It now became clear that the Commander-in-Chief's conception of the functions of an armistice commission was wider than had originally been assumed and that these would not be confined to the enforcement of armistice terms. The Commander-in-Chief was proposing two organizations, not one. But the impracticability of separating the control of administration from the enforcement of armistice terms was accepted and there was no attempt to divide responsibility on functional lines, as had been recommended by the Military Sub-Committee. Instead the Commander-in-Chief proposed division on a geographic basis. This sprang from a desire to point the difference of mood between the close control of administration under a military government regime in forward areas and the remoter supervision, through the Italian Government, that was intended in areas from which the battle had passed. But it is at least open to doubt whether a geographical division – and a continually changing division at that – in regard to functions that were not really divisible was any more practicable than division on a functional basis. Both had been rejected by the heads of departments. The Commander-in-Chief's telegram was considered, in both Washington and London, on 2nd September, 1943.

London rejected the proposal for two organizations and telegraphed Washington recommending the establishment of a single organization on the lines suggested by the permanent heads of departments. Washington agreed and the Combined Civil Affairs Committee incorporated these views in a draft directive to the Commander-in-Chief. This provided for the absorption of the civil affairs organization within the new Control Commission. Somewhat surprisingly, however, in the circumstances, it omitted the second of the functions proposed for the Control Commission by the permanent heads of departments—

‘ to execute the policy of the United Nations in Italy and to handle the relations of the United Nations with the Italian Government.’

This left the Control Commission apparently responsible only

‘ to enforce and execute the instrument of surrender under your orders and general directives.’

However, it soon became clear that the C.C.A.C. was not in fact rejecting the conception that the Control Commission should exercise control generally over the Italian Government, or seeking to restrict

its activities to the mere enforcement of the surrender terms. On representation from the British and the Commander-in-Chief the matter was put beyond doubt by the restoration of the omitted function and the addition of a third, so that the portion of the directive concerning functions of the Control Commission finally ran:

- ' 1. To enforce and execute the instrument of surrender under your orders and general directives.
2. To insure that the conduct of the Italian Government conforms to the requirements of an allied base of operations, especially transport and communications.
3. To be the organ through which the policy of the United Nations towards the Italian Government is conducted and the relations of the United Nations with the Italian Government are handled.'

This directive was issued by the Combined Chiefs of Staff to the Commander-in-Chief on 15th October, 1943.

Subsequent developments in the field have been described in detail in the theatre volume concerned¹ and will not be retold here. But one point needs to be noted before we pass on to consideration of the further development of the concept of a control commission in the context of Germany.

As we have seen, it had been intended both in London and in Washington, and was, in fact, laid down in the directive from the Combined Chiefs of Staff of 15th October, 1943, that the civil affairs organization in Italy on the one hand and the new organization of the Control Commission on the other, should be fused into one entity. It was proposed that the former should in effect become the Economic and Administrative Section of the latter, and its Chief Civil Affairs Officer become Vice-President of the Economic and Administrative Section. During the critical first three months' existence of the Control Commission, this intention was not realized. The Control Commission was established, and was all along intended to be established, at A.F.H.Q., the headquarters of the Allied Commander-in-Chief for the Mediterranean theatre. It was obviously impossible that the politico-military problems of dealing with the Italian Government should be handled at any lower level. But the civil affairs organization, Allied Military Government, was already a part of 15th Army Group Headquarters, from which General Alexander commanded the Allied forces in Italy. It was equally obvious that General Alexander must continue to exercise command over military government in forward areas. To transfer the civil affairs organization to A.F.H.Q. in order to integrate it with

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, Ch. IV.

the Control Commission would not only have meant excluding General Alexander from the military government of Italy, but would have obscured the clear distinction it was desired to make between military government and the

' new situation where Italian Government will administer under control.'

The two organizations accordingly continued separate, with an awkward division of responsibilities, until, in February, 1944, a change in command structure at last made it possible to unite them at A.F.H.Q. But even then it does not seem that the civil affairs element of the united organization ever succeeded in exercising the influence that the advocates of fusion (at least in London) had envisaged for it. Detailed planning for the Control Commission had been undertaken at A.F.H.Q. which, for a variety of reasons, (some not unconnected with the contention for 'senior partnership'), had never whole-heartedly accepted the position under which the centre of gravity in civil affairs matters had lain at 15th Army Group Headquarters rather than at A.F.H.Q. The Commander-in-Chief became the President of the Control Commission, as had always been intended. But the planners then decided to appoint a Deputy President who became the effective head of this body. This meant that when the Chief Civil Affairs Officer was brought into the Control Commission as Vice-President of its Economic and Administrative Section he found himself denied the direct contact with the Commander-in-Chief which he had expected. And finally the Chief Civil Affairs Officer found himself transplanted from a British headquarters where he had, not without difficulty, although himself British, established his position and influence, to a predominantly American headquarters where all was still to play for, and someone else had got in first.

* * *

We need to turn back a little.

By July, 1943 there had been a far-reaching change in the strategic situation. In the Far East the Japanese had been halted and forced onto the defensive. Elsewhere the U-boats were being mastered. The Russians had stopped and defeated the Germans at Stalingrad. The British and Americans had cleared North Africa. Sicily had been invaded. Landings on the mainland of Italy were imminent. The Italian will to fight, never very robust, was broken. Everywhere the tide had turned. The preparation of instruments of surrender and the planning of measures to enforce them were no longer matters of merely theoretical interest.

The British Chiefs of Staff accordingly decided that the Military Sub-Committee must be strengthened. When formed in June, 1942, it had been placed 'under the general direction of the Chiefs of Staff Committee through the Directors of Plans', but neither the Chiefs of Staff nor the Directors of Plans had, in this crisis of the war, been able to spare much thought for the sub-committee. Nor was the ministerial Committee on Reconstruction Problems able to give the sub-committee much guidance or support, being primarily concerned with social and economic reconstruction at home and the creation of a post-war world organization abroad. And since the three members of the sub-committee gave the whole of their time to this work, and were not at the same time employed within their respective service departments, it was felt that there had been insufficient contact with the day-to-day work of these ministries. Finally, the Foreign Office was not represented on the sub-committee, though it was becoming increasingly clear that it would in fact have a major interest in the matters which the sub-committee was required to study. A new sub-committee was accordingly formed to replace the Military Sub-Committee. This was the Post-Hostilities Planning Sub-Committee. Closer and more direct control by the Chiefs of Staff was ensured by making it a sub-committee of the Chiefs of Staff Committee, not of the Committee on Reconstruction Problems. Closer liaison with the Service departments was ensured by each of these nominating a second representative on the sub-committee who would continue to work also within his own department. Finally the Foreign Office interest was recognized by the appointment of a chairman from that department, Mr. Gladwyn Jebb, later Lord Gladwyn.¹

The new sub-committee was still a planning organization with no executive responsibilities, but there was a greater sense of reality and urgency about its proceedings than had been possible, or justified, in regard to the work of its predecessor. It was concerned mainly with Germany, plans for Italy having for the most part been drawn up by the Military Sub-Committee. Some work was done by the Post-Hostilities Planning Sub-Committee in connection with Japan, but it was always accepted that plans for this theatre would be prepared by the Americans. Instruments of surrender were drafted for Bulgaria, Roumania, Hungary and Finland. Plans were prepared for the occupation and control of Bulgaria, Roumania and Hungary. But clearly the main task was Germany and the sub-committee at once began work on an outline plan for inter-Allied machinery during the post-surrender occupation of that country.

¹ The other members were: Rear-Admiral R. Bellairs and Mr. C. H. M. Waldock from the Admiralty, Major-General M. F. Grove-White and Brigadier W. Van Cutsem from the War Office, and Air-Vice-Marshal Sir Arthur Longmore and Dr. J. M. Spaight from the Air Ministry.

This outline plan was supplemented by more detailed proposals. The sub-committee also prepared papers on a great variety of other subjects, of which the following selected titles will give an impression:

- Ownership and disposal of German War Material
- Material Disposal Sub-Commission
- Definition and Lists of War Material
- Control of German War Material Factories
- Organization and Procedure for the destruction or conversion of surrendered German War Material
- Study of German Central and Local Government
- Allied Prisoners of War in Italy
- Post-War Mine Clearance
- Disarmament of German Forces in Occupied Countries
- Post-War Disposal of Pantellaria and the Pelagian Islands
- Military Occupation of Germany after Defeat.

It is here convenient to anticipate developments that will be recounted in the next section of this chapter. Some months later, early in January, 1944, as economic problems in connection with the occupation and control of Germany multiplied, ministers decided that there should be set up, in addition and parallel to the Post-Hostilities Planning Sub-Committee, a planning staff for economic matters, some of which, as the list above shows, had hitherto been studied by this sub-committee. Accordingly the Economic and Industrial Planning Staff (or E.I.P.S.) was set up under the auspices of the Foreign Office, with Mr. (later Sir) Mark Turner as chairman. It was required to organize, assist, and co-ordinate departmental and interdepartmental consideration of economic and industrial problems, other than technical financial questions, arising in connection with the occupation and control of Germany; to seek the orders, when necessary, of the appropriate official or ministerial committees; and to assist the departments and official interdepartmental committees to draft directives accordingly. It was not to concern itself with plans for the revival of civil administration, which would remain the responsibility of the Post-Hostilities Planning Sub-Committee. Nor was it to affect the division of responsibility between the Foreign Office and the War Office, which will be discussed in the next section, for the preparation of such plans, and for their execution.

Later an economic and industrial planning staff was set up for the Far East also. In November, 1945, Mr. Turner and the staff concerned with Germany were absorbed into the Economics Division of the newly constituted Control Office,¹ Mr. Turner taking

¹ Cf. pp. 113-114.

charge of the division. There was no direct military responsibility for E.I.P.S., but much of its work had a bearing on military considerations.

* * *

The development of the strategic situation which led to the constitution of the Post-Hostilities Planning Sub-Committee also raised the whole question of responsibilities and organization in Whitehall and within the War Office, and we need to see what was decided regarding these before following the development of the proposals for Germany. Early in August, 1943, the Secretary of State for War placed a paper before the newly formed ministerial committee on Armistice Terms and Civil Administration of which the opening paragraphs ran:

- ‘ 1. The position which is so rapidly developing in the war with Italy makes it necessary to be clear as to the position of Control Commissions, as to their executive machinery and as to the chain of their responsibility.
2. The planning of terms of surrender, of the Control Commission machinery is the concern of the Post-Hostilities Planning Committee. This Committee provides an Inter-Departmental Committee – now to be under Foreign Office Chairmanship – which makes proposals, on a staff level, and in consultation with other Departments as necessary – on policy for the approval of higher authority.
3. But this Committee is a planning body only and is not designed nor equipped to take executive action; such must remain the responsibility of Departments. But it is not clear that any Department has as yet been charged with that responsibility, or that the plans prepared by the Committee have been brought into relation with the reality of carrying them out.’

For the immediate situation likely to be presented by a surrender of Italy, i.e. a situation in which fighting continued with Germany, the Secretary of State suggested that primary responsibility for the control of the civil administration and the enforcement of disarmament and other conditions of surrender must lie upon the Allied Commander-in-Chief. In Whitehall responsibility should rest upon an interdepartmental committee of officials (possibly a sub-committee of the well-established A.T.(E) Committee) which would submit questions of major policy to the ministerial committee on Armistice Terms and Civil Administration. The War Office, through the Director of Civil Affairs would be responsible for general co-ordination.

As we have seen, first thoughts of ministers¹ had been that a control commission must be quite distinct from the civil affairs or

¹ Cf. p. 88.

military government organization, and that, because it would include a large civil element and be an international body, responsibility in London should rest upon the Foreign Office, not the War Office. As we have also seen,¹ closer examination of the problem by the permanent heads of the departments affected, eventually led to the adoption by ministers of the opposite view, that it would be quite impossible to lay down either a geographical or a functional line of demarcation between the spheres of civil affairs and of the control commission, and that far from separating them the two organizations must be made to work as one. On this view the whole of the extremely important Economic and Administrative Section of the Control Commission, together with the numerous sub-commissions included in this section, would largely consist of the Commander-in-Chief's civil affairs staff and organization, transplanted into the Control Commission. Since it was the War Office that would be responsible for the recruitment, training, and administration of this vital element of the control commission organization, and in view of the over-riding military interest in the early stages of control and administration, ministers decided on 2nd September, 1943, reversing their earlier decision, that the War Office, not the Foreign Office, should be primarily responsible for the co-ordination of control commission business in London.

The definition of responsibilities was carried a step further, in a wider context, as a result of informal discussion between ministers on 26th October, 1943. Ministers then distinguished two, and probably three, stages in connection with civil affairs organization and responsibilities. The *first stage* was held to be when military operations were being carried out in an area. The planning and execution of administration for this stage were essentially military functions, and responsibility, in the view of ministers, must lie upon the Commander-in-Chief and the War Office. The *third stage* would supervene when the area was no longer of operational significance and the problems arising were political rather than military. Responsibility for administration in this stage would properly lie upon the Foreign Office. A *second or intermediate stage* might occur between the other two, in which it was contemplated that responsibility for administration would begin to pass from the military government to a control commission, which would exercise a less direct supervision, through an indigenous government. Since, however, the military authorities would in this stage require to retain absolute control over certain matters, especially their line of communications, responsibility would still have to remain with the Commander-in-Chief and the War Office.

¹ Cf. pp. 88-89.

It was some time before the War Office arrangements crystallized for dealing with the responsibilities allocated to it by these decisions. In fact, as we have seen, the War Office played but a small part in the setting up of the Allied Control Commission in Italy. Plans for this had, indeed, been drawn up by the Military Sub-Committee, but the surrender of the Italians greatly changed the nature of the problem at a very late stage and these plans were extensively altered on the spur of the moment, at General Eisenhower's headquarters in Algiers. There was telegraphic correspondence with Washington and London, but the centre of gravity for the decisions that had to be taken was inevitably in North Africa. Such references as did come to the War Office in connection with the setting up of the Allied Control Commission or the enforcement of armistice terms were mostly dealt with either in the Directorate of Military Operations or in the recently constituted Directorate of Civil Affairs. But since its constitution in August, 1943, the Post-Hostilities Planning Sub-Committee had been turning out proposals, mostly for Germany, in such numbers that by November the need was felt within the War Office to place general responsibility for control commissions and the disarmament of the German land forces unequivocally upon a single directorate and to make this responsible for co-ordination of work on these matters. On 3rd December, 1943, it was decided that, since the civil affairs organization in enemy territory would almost certainly become absorbed in due course in the control commission organization, this responsibility should rest exclusively on the Director of Civil Affairs.

Within the directorate several new sections were created, and responsibilities were redistributed. But even this strengthened organization was not such as could itself undertake detailed planning for a control organization in Germany, and it certainly was not intended to do so. It could at best ensure that the need for this was not lost sight of, that an organization to undertake the planning was created, and that there should be co-ordination between the various departments and organizations concerned.

Meanwhile, however, on 12th November, 1943, the Post-Hostilities Planning Sub-Committee had made a proposal the ripples of which once more broke up the picture of responsibility that had been on the point of forming. The proposal was that there should be constituted at once the nucleus of the British elements of certain sub-commissions of the control commission that appeared likely to be created for Germany. This should be done by appointing the principal assistants to the heads (who would not themselves be appointed until nearer the time for action) of the sub-commissions concerned. These were the naval, military, and air sub-commissions, and the sub-commissions for dismantling war-material factories, and

for disposing of war material. It was intended that these officers should be provided with the staff necessary for them not only to make studies and prepare plans, but to arrange for the recruitment, training, and holding ready of the men required for their respective sub-commissions when these ultimately went into the field. They were intended to become the embryo of the British element for the strictly military side of the control commission, in the same way that a Chief of Staff had been appointed to build up an embryo headquarters for the Supreme Allied Commander for the invasion of North-West Europe, long before this commander was himself available. The proposal was accepted by the Chiefs of Staff.

But unfortunately this group of officers was given the title of Control Commission Planners, a designation that was misleading on two counts. In the first place it suggested that the group was a planning organization only, and gave no hint that it was intended to exercise executive functions also, and in fact be the nucleus of the military side of the British element of the future control commission. In the second place, and in the present connection this was the more dangerous source of error, it suggested that the group was required to plan for the whole of the control commission, not merely for the military sub-commissions. On 1st February, 1944, at a meeting of the official committee on Armistice Terms and Civil Administration, the War Office representative said 'There was, however, some uncertainty as to the role of the Control Commission Planners and to whom they were responsible and should report. The War Office view on this had not yet been fully developed, but it was thought that the Control Commission Planners should confine their work to the problem of the control of disarmament of the German armed forces and cognate matters, and should not deal with the wider work of the future Control Commission for Germany'. This had, of course, and in fact, always been the intention of the Post-Hostilities Planning Sub-Committee, and it was now made clear by renaming the Control Commission Planners the Control Commission (Military Section) so excluding the non-military aspects of the control commission from their field, but also excluding the idea that they were no more than planners. The non-military aspects, with which we are concerned, remained the primary responsibility of the War Office.

* * *

With the pattern of responsibility in Whitehall established we can turn to the case of Germany which was the next field to which the concept of a control commission had to be adapted and applied. For Italy, on the principle of 'first things first', plans had been concerned rather with the immediate enforcement of an armistice,

than with control after the cessation of hostilities. Indeed, the situation which they were meeting was one in which, although Italy had surrendered, war with Germany continued. It was, therefore, an armistice control commission, with responsibility only for the enforcement of surrender terms, that they first sought to create. It was only later that circumstances forced an extension of the scope of this commission and the addition to its functions of responsibility for the control of civil administration generally. In August, 1943, work was begun by the Post-Hostilities Planning Sub-Committee on an outline plan for Germany. Since the surrender of Germany would also mean the end of fighting (at least in Europe) the planners were concerned from the outset with the need for an organization that would impose Allied authority generally and exercise control over a wider field than the mere enforcement of surrender terms. It was accepted that there should also be an armistice control commission for the enforcement of such terms. But first thoughts were that this would form a subordinate part of the wider organization. The precise nature and functions of the armistice control commission were left for later separate study. It was for the fully developed over-all machinery that outline plans were at first prepared, although it was recognized that this would probably be able to assume responsibility only gradually, and might have initially to operate in embryo.

As a background to these plans it was assumed that some central organization representative at first of the Allies, and later probably of the United Nations, would be set up to regulate the affairs of Europe. It was with the machinery needed for the exercise, under this central organization, of supreme Allied authority within Germany, that the Post-Hostilities Planning Sub-Committee at first concerned itself. Seeking inspiration once again from the arrangements made after the First World War, it proposed the creation of an Allied High Commission which should become the Supreme Allied authority in Germany as soon as the military situation permitted. It conceived of the task of the High Commission as being:

‘ To control the German administration, to see that the terms of surrender are carried out, to supervise political and economic developments in that country, and to attempt to mould them in directions favourable to the fulfilment of the aims of the United Nations.’

In discharging this task it was contemplated that the High Commission would have under its direction:

- (a) The Armies of Occupation (although Commanders-in-Chief would retain certain rights of direct access to their Governments).

- (b) A Control Commission to enforce Armistice terms (the precise duties of which were left over for separate study).
- (c) Any Agencies (e.g. of the United Nations) dealing with relief, reparations, transport, etc.
- (d) An organization for the control of the civil administration (if it should be decided on further consideration to keep this distinct from the Control Commission – but Italian experience was making this increasingly unlikely).

The sub-committee envisaged that the Allied representatives on the commission should be civil, not military. Basically, this was because the High Commission was designed for a period when problems would be political rather than military. A second reason was that the arrangements after the First World War had, in deference to American opinion, been for a civil High Commission. A third underlying reason was connected with the British desire to persuade the United States to take a share in the responsibility for maintaining order in Europe on the conclusion of war, first through some kind of High Commission for Germany, then through a wider United Nations Organization for Europe. There was more than a little reluctance on the part of the United States to commit their people to these European responsibilities. American preference for a civil as against a military organization was believed to continue. It was accordingly also believed that American reluctance would be less insuperable if the machinery proposed were civil rather than military.

It was accepted that in the first of the three stages postulated by ministers, which came to be referred to as the 'period of active hostilities', the authority of the Commanders-in-Chief in regard to the administration of occupied territory must be supreme. It was hoped, however, that an embryo High Commission would already be allowed to provide guidance on economic and political matters. In the second stage, referred to as the transitional or 'middle period' it was hoped that Commanders-in-Chief, while retaining full responsibility, would make use of advice from the embryo High Commission over a wider field. As soon as the Commanders-in-Chief considered that military requirements permitted, the third stage, referred to as the 'period of effective Allied control', would supervene and the High Commission take over full control and responsibility.

These broad proposals were approved by the ministerial committee.

The preparation of detailed plans for the first of these stages, the 'period of active hostilities,' fell outside the scope of a sub-committee which was concerned with post-hostilities planning, and whose terms of reference explicitly provided that 'There will be excluded

from the sphere of the Sub-Committee those measures regarding the control of enemy territory which properly fall within the responsibility of a Commander-in-Chief in the field'. Planning for this period was the responsibility of the Supreme Headquarters, Allied Expeditionary Force (or S.H.A.E.F.), the War Office, and the War Department.

The Post Hostilities Planning Sub-Committee, however, took up more detailed planning of the structure for the proposed High Commission as this would take shape on assuming full control in the third period. It will be remembered that the High Commission was to have under its direction:

- (a) The armies of occupation.
- (b) A control commission.
- (c) Agencies of the United Nations.
- (d) An organization to control the civil administration.

No detailed planning was appropriate or required under the first or third of these heads – the military authorities or the United Nations Organization were responsible. Under the second and fourth heads new organizations were to be brought into being, which, unlike those under the first and third heads, would be created by, and responsible directly and exclusively to the High Commission. For these, as for the High Commission itself, it was clearly the duty of the sub-committee to prepare plans.

Here the first question for decision was, as in the case of Italy, whether there should be two separate organizations under the High Commission, one for the enforcement of armistice terms, and the other for the control of the civil administration. Initially the sub-committee was inclined to favour the creation of two organizations, but further study, and the emergence of a preference in the case of Italy for a single organization, led it to reach the same conclusion as the permanent heads of departments had done earlier that 'since it would be extremely difficult to draw a hard and fast line between their respective tasks, which would be necessary if either of these alternatives [for two separate bodies] were adopted, it would be difficult to delimit precisely the functions of each of the bodies or to ensure proper co-ordination between them.' The sub-committee accordingly strongly recommended the establishment of a single organization which would both enforce armistice terms and control the German civil administration. For this one combined body they carried forward the designation of Control Commission. Since the Control Commission would now be responsible also for control of the civil administration it was proposed that its organization should so far as possible correspond to that of the German administration.

It would be headed by an Executive Council, and only matters upon which the Council could not agree would be referred to the High Commission, which was conceived of as a small body concerned solely with broad policy and general direction and control.

These proposals were broadly approved by the Chiefs of Staff and the A.C.A. Committee. The A.C.A.O. Committee had pointed out that since the only two organizations under the full and detailed control of the High Commission, namely, on the one hand, the Control Commission and, on the other, the organization for control of the civil administration, were now proposed to be amalgamated, the sphere of action of the resultant body would in fact be co-extensive with that of the High Commission's direct responsibilities. In other words this body would in practice be the staff and executive machinery of the High Commission. To describe it as a Control Commission would in the circumstances convey the erroneous impression that it and the High Commission were separate entities. It was agreed to discontinue all references to a Control Commission. (The term was later revived, however, within the European Advisory Commission, but was then applied to the High Commission itself.)

It was a part of the A.C.A.O. Committee's recommendations that there should be appointed without delay a senior officer or official who should assume the responsibility both for co-ordinating the work already being done by various bodies and for initiating detailed practical planning for the creation of the High Commission on the basis of the P.H.P. Sub-Committee's proposals. The ministerial committee considered where responsibility should lie for the appointment and control of this officer or official. Although the War Office had been made responsible for all matters of military administration during the first and second stages as defined by ministers, it was felt that the planning and preparation now to be undertaken were essentially directed towards the third period, in which alone the High Commission would reach its full stature. For this it had already been decided that responsibility should rest upon the Foreign Office. It was accordingly decided to place responsibility for planning and preparation upon the Foreign Office also, the War Office offering its full co-operation, particularly in the ensuring of liaison with the Supreme Commander for the invasion of Europe.

The Post-Hostilities Planning Sub-Committee next turned its attention to the transitional or 'middle' period, between that for which S.H.A.E.F., 21 Army Group, and the War Office were planning, and that in which the fully-fledged civil High Commission would take over. It was impossible to foresee the circumstances of German surrender, but the sub-committee assumed that this would occur before Germany had been finally overrun and occupied. It recognized that 'while the Allied Forces are completing the occupation of

Germany, it will be necessary for Commanders-in-Chief to be the supreme authorities within their own zones and to exercise local control through their own civil affairs and disarmament staffs, in the same way as will be necessary before hostilities cease'. In respect to this continuing period of military administration, the sub-committee said: 'We are, however, impressed with the need for establishing, on a three-power basis, and at the earliest possible moment a form of Military Government at the centre, the function of which will be to exercise authority throughout Germany as a whole by controlling German Authorities at the centre'. For this purpose it proposed that the three Commanders-in-Chief should be constituted a Military Commission in which would be vested supreme authority for the whole of Germany. As to the administrative machinery that would be needed, the sub-committee went on to say: 'The tasks to be performed in the matter of Government by the Allies in Germany immediately after the cessation of hostilities will involve control of much the same nature, and over much the same fields of German activity as will require to be exercised later on by the High Commission. In our view, it follows that the central machinery of control required during the period of Military Government will be substantially the same as that required under the High Commission.' The sub-committee accordingly recommended that the administrative organization which it had already proposed for the High Commission in the third stage or 'period of effective Allied control', should be set up, so far as possible, during the 'middle' period, except only that it would be headed by the Military Commission consisting of the Commanders-in-Chief instead of by the civil High Commission. The sub-Committee repeated its recommendation already made, in its outline plans, that the Commanders-in-Chief should make increasing use, during this period, of the embryo High Commission in an advisory capacity on economic and political matters. It recommended that 'Supreme authority should be transferred to the High Commission at the earliest possible moment that the situation permits'.

These proposals were approved by ministers who once more emphasized that it was the intention of the U.K. Government that the 'middle' period should be as short as possible, and that the civil High Commission should take over as early as possible.

In the broadest of terms, therefore, the United Kingdom view was that the Commanders-in-Chief must continue to exercise military government, after, as before, surrender for so long as military requirements made this necessary. At the earliest possible moment, however, responsibility should pass to a civil High Commission which would be set up for this purpose. It was hoped that Commanders-in-Chief would make increasing use of the embryo High Commission in an

advisory capacity, even during the period of military responsibility. There was detailed planning by the Post-Hostilities Planning Sub-Committee, in respect of the second and third stages, i.e. the 'middle period', and the 'period of effective Allied control'. For the first stage, the 'period of active hostilities', plans were prepared by the Supreme Allied Commander, the War Office, and the War Department.

* * *

These were the views of the U.K. Government only. They had to be reconciled and brought into agreement with those of Britain's two great Allies. The machinery for this was provided by the European Advisory Commission set up by the governments of the United Kingdom, the United States of America, and the Union of Soviet Socialist Republics in execution of an agreement concluded on 1st November, 1943, at the Moscow Conference of Foreign Ministers. The commission was required generally to 'study and make recommendations to the three Governments upon European questions connected with the termination of hostilities which the three Governments may consider appropriate to refer to it . . .' In particular it was directed, as one of its first tasks to 'make detailed recommendations to them upon the terms of surrender to be imposed upon each of the European States with which any of the three Powers are at war, and upon the machinery required to ensure the fulfilment of those terms . . .' The commission sat in London. The representatives of the three governments upon it were Sir William, later Lord, Strang (and, at a later stage, Sir R. I. Campbell), Mr. J. G. Winant, and Mr. F. T. Gousev. The last two were the Ambassadors in London of the United States and of the Union of Soviet Socialist Republics. Later, on 11th November, 1944, the three governments invited the Provisional Government of the French Republic to become a member of the commission. M. Massigli, French Ambassador in London, represented his government. The British representative alone was able to devote the whole of his time to the work of the commission.

The commission began work early in 1944. In all the negotiations the United Kingdom delegation to the commission used as its briefs the relevant papers prepared by the Post-Hostilities Planning Sub-Committee and approved by the Chiefs of Staff and the A.C.A. (or, from April, 1944, onwards, the A.P.W.) Committee, referring back for instructions when the development of negotiations made this necessary. The attention of the commission was first focused on the preparation of an instrument of surrender.¹ Then from February, but more particularly from the end of August until the beginning of

¹ Cf. Ch. VI.

November, it was concerned with the drafting of an agreement to be signed by the three Powers regarding the machinery for the enforcement of the terms of surrender and for the control of the German administration, i.e. the matters with which this chapter is concerned.

The briefs for the United Kingdom delegation included detailed proposals for the 'middle period' and the 'period of effective Allied control'. The structure and functions of the organization proposed for the two periods were virtually identical except only that in the second the organization would be controlled by a three-Power Military Commission, consisting of the three Commanders-in-Chief, whereas in the third it would be controlled by a civil High Commission. It was also a part of the proposals that the duration of the second period should be as short as possible.

Proposals were tabled by the British, the Russians, and the Americans – those of the Russians taking the form of a draft agreement that could be signed by the three Powers. There was a wide measure of agreement within the European Advisory Commission that, in the immediate post-surrender period, the second of the periods distinguished by the British, supreme authority must continue to be exercised, as before surrender, by the Commanders-in-Chief, that is to say, that there must continue to be military government. There was also wide agreement that this military government must be exercised by the three Great Powers, the U.K., the U.S.A. and the U.S.S.R., and not by the United Nations generally – though the United Nations would presumably control any civil High Commission that might be set up in the third period. Finally, there were no serious differences of opinion regarding the structure and procedure of the proposed three-Power Military Government. But, of course, differences of opinion did remain.

The first and most important of these concerned the question of where in the last resort supreme authority was intended to lie. The British proposals for the transitional period, between the end of hostilities and the establishment of the High Commission, contained the following passage:

'We are, however, impressed with the need for establishing, on a Three-Power basis, and at the earliest possible moment a form of Military Government *at the centre*¹, the function of which will be to exercise authority *throughout Germany as a whole*¹ by controlling German authorities at the centre'.

In contrast, the first article of the agreement proposed by the Russians ran:

'Supreme authority in Germany will be exercised *in its plenitude*¹ by the Commanders-in-Chief of the armed forces of the Union

¹ Author's italics.

of Soviet Socialist Republics, the United Kingdom and the United States of America, *each in his own zone* of occupation.¹

Admittedly there was also the following provision in the agreement:

'To ensure uniformity of action by the Commanders-in-Chief, and to secure the settlement of important problems common to the whole of Germany, namely the principal political and economic problems, e.g. trade, industry, transport, displaced persons, etc.; the chief military problems; and also in order to control the German Government and its central organs, the three Commanders-in-Chief will constitute a Control Council.'

But there could be little doubt, and discussions in the E.A.C. at once confirmed, that the Russians wished to place supreme authority in the zones, whereas the British and the Americans wished to place it at the centre. The Russians approached this matter in an essentially matter-of-fact and military way. Occupation and control rested on the presence of the military forces. These forces were separate and in separate zones. Supreme authority should lie accordingly. And Marshal Stalin at the Tehran Conference had spoken in favour of dismemberment of Germany. The British and Americans also favoured dismemberment in principle and on political grounds, but were very conscious of the administrative and economic drawbacks to such a policy. Even if it were ultimately to be adopted, the British wished to exercise initial control through a German central administration, if one survived, because the alternative to this was likely to be direct military government, and this would place demands on their manpower which in post-war conditions would be quite unacceptable. Lengthy discussions resulted in what the British representative later described as 'a judicious compromise'.² This ran:

'Supreme authority in Germany will be exercised, on instructions from their respective Governments by the Commanders-in-Chief of the armed forces of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole, in their capacity as members of the supreme organ of control constituted under the present Agreement.'

The second major difference arose over the duration of the period for which arrangements were being negotiated. All British thinking and planning proceeded from the assumption that the proper machinery for control after the conclusion of hostilities was a civil

¹ Author's italics.

² Strang, *Home and Abroad*, London, 1956, p. 218.

or political high commission, not a military authority, on the precedent (itself unprecedented) of the Inter-Allied Rhineland High Commission in 1920. The British conceded that there must be a transitional period, after the end of fighting and before the high commission took over, in which supreme authority continued to be exercised by the Commanders-in-Chief. But they looked upon this transitional period only as an inevitable prelude to the assumption of authority by the High Commission, a prelude that should be as short as possible. What they wished to discuss at the E.A.C. was the establishment and functions of the high commission.

The Russians lost no time in making it clear that they were quite unwilling to consider plans for any time beyond what their representative described as 'the period when Germany is carrying out the basic requirements of unconditional surrender'. Whatever might be the precise equation of this period with the three periods postulated by the British, it clearly excluded all consideration of the high commission to which the British attached such importance. Roughly speaking it could be considered as coinciding with the British transitional period and it was the plan for this that was discussed by the European Advisory Commission, not the plan for a high commission. This transitional period the British wished to get out of the way as soon as possible. 'Supreme authority should be transferred to the High Commission at the earliest possible moment that the situation permits', ran the instructions for their representative. But whereas the British were thinking in terms of perhaps, six months, it soon became clear that the Russians had a much longer period in mind, perhaps two years, and that the Americans, notwithstanding their supposed earlier preference for civil as opposed to military machinery, were probably thinking of a longer period still. And the Russians, understandably, resisted all attempts to pin them down to a specific period; it all depended in their view on the development of events. On this matter the British were unable to obtain any satisfaction within the terms of the agreement eventually adopted. Article 11 of this ran:

'The question of the Allied organs required for carrying out the functions of control and administration in Germany in a later period will be the subject of a separate Agreement between the Governments of the United Kingdom, the United States of America, and the Union of Soviet Socialist Republics.'

There was no reference to any period of time within which the separate agreement should be concluded, or any indication that this should be done as soon as possible. All that the British could obtain was the inclusion of the following passage in the report under cover of which the European Advisory Commission submitted the

agreement it had negotiated for the approval of the three Governments:

‘ We have not found it possible to indicate what should be the duration in point of time of the period to be covered by the proposed Agreement. We would recommend, however, that the tasks assigned to the organ of control during that period should be carried out in as short a time as possible, and that the moment for the inauguration of the second period should be decided by the three Governments after consultations with their Commanders-in-Chief.’

A difference of view arose also over the proposal, which had been an important feature of all British planning, that advisory functions should be exercised in economic and political matters, even while military responsibility continued, by the High Commission which would shortly be assuming supreme authority, and which should be building itself up in readiness to do so. This proposal flowed naturally from the important place occupied by the High Commission in all British planning, and the short duration contemplated for the period of military responsibility. It took the shape of a suggestion that each of the Commanders-in-Chief should be assisted by a political adviser and that these advisers should when necessary attend meetings of the supreme military authority, and might also themselves meet together as a body. To the extent that this might mean the three political advisers enjoying a separate corporate existence as the embryo High Commission, apart from their functions as advisers to their respective Commanders-in-Chief, the suggestion aroused American misgivings as being likely to derogate from the authority of the military commanders. The proposal that the three advisers should meet as a body was dropped and found no place in the agreement. So far as the British in their own zone were concerned this omission was quite immaterial. For it will be remembered that the Post-Hostilities Planning Sub-Committee had recommended ‘that the machinery of control outlined . . . for the High Commission period should be set up during the Middle Period, but under the supreme authority of the Military Commission.’ In conformity with this recommendation a great and increasing part of the British Element of the Control Commission was put into the field during the transitional period and placed under military command. The British Commander-in-Chief had at his disposal in an advisory or any other capacity, all the resources of the British Element of the Control Commission. So far as the central government of Germany was concerned the inclusion of provision for the political advisers to meet as a body might have become a step towards the establishment of a high commission, but its omission was presumably inevitable since the desirability of

setting up such a body had not been discussed or accepted within the European Advisory Commission.

One more difference of opinion was of sufficient importance to deserve mention. This concerned the British plan for the setting up of an Advisory Council composed of representatives of the Dominion and other Allied Governments to function in an advisory capacity to the High Commission or, in the transitional period, to the Commanders-in-Chief as the supreme military authority. Many of these Governments had important interests in Germany, and some, particularly the Government of Canada, had taken a very active part in the war. The plan was strongly opposed by the Russians, and later by the Americans also, mainly on the ground once again that the existence of such a council would derogate from the authority of the Commanders-in-Chief and hamper their functioning. The British had to be content with provision for the appointment by these governments of separate military missions to the Control Council.

Notwithstanding these differences of opinion, the negotiations on control machinery were conducted in a friendly and constructive spirit, and were completed in little more than two months.

* * *

Meanwhile British planning and preparation continued in London. Mainly this was conducted by the organization called into being as a result of the decision of ministers that a senior officer or official should be appointed by the Foreign Office both to plan and to bring into existence the British Element of the future High Commission. For three months no appointment was made because of difficulty in sparing a suitable candidate. Then, in June, 1944, in view of the increasing urgency of the need to make a start, the War Office offered the services of Major-General S. W. Kirby, the Director of Civil Affairs, who was appointed Deputy Commissioner to take charge of all preparations and planning until such time as Mr. I. A. (later Sir Ivone) Kirkpatrick could be made available by the Foreign Office. Then Mr. Kirkpatrick would become Deputy Commissioner (Civil), responsible for the political side of the work, and Major-General Kirby Deputy Commissioner (Military), responsible for the rest, including particularly the bringing of the British Element into physical existence. It was contemplated that in due course a High Commissioner would be appointed to over-all charge. The story of the birth, growth, and work of the British Element has been told in some detail in the theatre volume concerned.¹ Here only a summary will be given, the brevity of which should not be

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, Ch. XIV and XV.

allowed to obscure the importance of the work undertaken by the British Element (and its counterpart the U.S. Group, Control Commission) in preparing control machinery for Germany.

Major-General Kirby left the War Office, where Major-General A. V. Anderson succeeded him as Director of Civil Affairs, and moved to Norfolk House, just vacated by S.H.A.E.F., there to create and build up the British Element out of nothing. By February, 1945, the strength of this had grown from one Major-General to 2,000 persons. By the middle of 1946 the British Element numbered about 24,000 apart from some 30,000 locally engaged German staff.¹ On establishment in 1944, it had four main tasks: to plan its own organization; to establish liaison with the corresponding American body, the U.S. Group, Control Commission; to co-ordinate its preparations with those of the military authorities, from whom it would take over; and to recruit staff for its manifold operations. Many special problems faced it such as those of the measures to be taken for the administration of Berlin, and of the steps necessary to control any ministries of the German central government that might survive. The British Element also took a leading part in the preparation of the directives that would govern its operations and which were being drafted in the Whitehall departments concerned and would then be placed before the A.P.W. Committee for ministerial approval and before the European Advisory Commission for tripartite sanction. Major-General Kirby was at first responsible also for preparing plans for the occupation and control of Austria, but in November, 1944, a separate British Element was constituted for that country. Arrangements for the occupation and control of Austria were considered by the European Advisory Commission after, and separately from, those for Germany.

A second centre of activity was the Foreign Office upon whom by ministerial decision responsibility lay for control of the British Element during the period of planning and preparation before this took the field. All questions of policy and principle which could not be settled by the Deputy Commissioners themselves within the framework of the policy directives under preparation, were referred to the Foreign Office, where mainly they were the concern of Sir William (later Lord) Strang.

There was also activity in the War Office. For although primary responsibility for the British Element in the period of planning and preparation rested upon the Foreign Office, the Secretary of State for War had 'guaranteed the full co-operation of the War Office' in maintaining liaison between the British Element, which was planning for the third period, and the various military authorities which were planning for the first and second periods. For this co-ordination of

¹ Select Committee on Estimates 1945-46, Second Report.

military government and control commission preparations, Major-General Kirby worked mainly with his successor in the Directorate of Civil Affairs, Major-General Anderson.

* * *

When General Kirby was charged with the task of creating the British Element of the Control Commission he was, by ministerial decision, placed under the Foreign Office, not the War Office. On 1st August, 1944, the existing arrangements for ministerial responsibility were reviewed by officials of the two departments. These were that the Foreign Secretary would be responsible during the period of planning, that the Secretary of State for War would become responsible when the British Elements for both Germany and Austria took the field under military command, and that, lastly, the Foreign Secretary would once more become responsible when the British elements became part of a civilian High Commission. Although this shuttling of responsibility between Foreign Office and War Office was felt to be anomalous there were sound reasons for it and no satisfactory alternative could be devised. It was decided that there were no grounds for disturbing these arrangements. It was, however, agreed that once the control commissions had taken the field it would be necessary to strengthen the interdepartmental machinery for dealing in London with the problems that would certainly be thrown up by the British Elements. But when the Foreign Office suggested a new official committee of the War Cabinet, subordinate to the ministerial A.P.W. Committee and parallel to the A.C.A.O. Committee, with, if possible, a full-time chairman, and a full-time secretariat, to be provided by the War Cabinet offices, there was immediate opposition from the War Office. The problems of the British Elements, it was contended, fell within the competence of the A.C.A.O. Committee (which had indeed drafted the directives issued to General Kirby); this committee by its composition ensured that the strong War Office interest would not be overlooked; there was no reason to suppose that the committee would not be able to deal with the mass of business arising; and if, in the event, it did become over-burdened, the proper way to give relief was to appoint a steering or sub-committee, rather than to set up a new committee, of which there were already too many; the chairman of any committee to be appointed would be at a disadvantage if he were excluded from departmental activity and responsibility; he should not therefore be appointed on a whole-time basis. The matter was dropped.

In October, 1944, the Director of Civil Affairs in the War Office raised a somewhat different point. This was the question of where

departmental as opposed to interdepartmental responsibility should lie for the handling of the London end of the day-to-day business of the British Elements when these took the field. (In fact, as will be seen, his proposals for dealing with departmental responsibility offered a solution also of the interdepartmental problem.) Under the accepted arrangements for ministerial responsibility the War Office would be required to handle this business, on the grounds that the British Elements would be taking the field during the second of the three periods distinguished by ministers, the period in which, although increasing use would be made of the control commission machinery in an advisory capacity, ultimate responsibility must continue to rest with the Commander-in-Chief and the War Office. The Director of Civil Affairs questioned whether this view was still valid. He doubted whether ministers had realized the size and complexity of the task in Germany. For example, they had contemplated that in the second period the control commission, as it took over, would exercise a less direct supervision than the earlier military government. In fact, however, as the probability increased that there would be no central government surviving, it was becoming clear that the scope of supervision would be expanded and the controls intensified. The prime consideration might not be that the military must retain absolute power over certain questions, but that the British representative in Berlin should represent the government as a whole. He suggested that the day-to-day business of the British Element should not be handled in the War Office but that responsibility for this should be transferred to the War Cabinet organization (specifically to the ministerial A.P.W. Committee, with a strengthened official committee and secretariat). There was opposition to these proposals within the War Office on the grounds that, although committees and working parties within the War Cabinet organization would be necessary, these would not be able to deal with either the preparation that must precede reference to such committees or the considerable executive work that would be necessary in the United Kingdom on behalf of the British Elements. For these functions the resources and organization of a government department would be necessary. It was preferable to use an existing department rather than to set up a new one, and, however inappropriate some of the tasks might be to the War Office, there was no other existing department even so well equipped for their discharge. At about the same time Mr. Kirkpatrick, on becoming Deputy Commissioner (Civil) of the British Element, drew attention to the extent and difficulty of these tasks and pressed for the formation of a separate German department within the War Office to handle them.¹ As the

¹ Ivone Kirkpatrick, *The Inner Circle*, London, 1959, pp. 186-188.

probability of an early collapse of Germany in the autumn of 1944 receded, consideration of this contentious matter was allowed to drop for a while.

It was revived on 30th January, 1945, by the Army Council Secretariat proposing arrangements under which departmental responsibility would lie on the War Office. The Director of Civil Affairs produced a modified version of his earlier proposal, to the effect that a central office to handle the affairs of the British Elements, should be set up under the Army Council Secretariat, and that this should include 'suitable representation' from the War Cabinet Offices. This suggestion was rejected by both the Permanent Under-Secretary of State (Finance) and the Permanent Under-Secretary of State, the latter being 'quite clear that the War Cabinet Offices should not handle the work in question . . .' Accordingly proposals were laid before the A.C.A.O. Committee, under which responsibility would rest with the War Office.

When these came before the committee, the Foreign Office representative, echoing the doubts of the Director of Civil Affairs, questioned whether the three periods distinguished by ministers were still valid. Since the control commission would not operate in Germany until after the end of hostilities, when the area was no longer of operational significance, it seemed possible to him that the third stage might already have supervened, and that responsibility ought not to rest upon the Secretary of State for War. Even if this view were rejected he felt that there might be practical advantages in creating machinery within the War Cabinet Offices which would initially handle control commission business under War Office control and responsibility, but which could later pass with the minimum of dislocation to Foreign Office control. Neither of these views particularly commended itself to the committee – indeed the Foreign Office was not prepared to press them – and responsibility was placed upon the War Office.

In March the Treasury once more put forward the suggestion that the business of the control commissions should be handled by the War Cabinet Offices, albeit, this time, under War Office control and responsibility. As to this, the view of the P.U.S. in the War Office was that there could be no constitutional basis for any arrangement under which the War Cabinet Offices handled the London end of control commission business unless the Minister of Defence assumed ministerial responsibility – which no one had suggested that he should do. The view of the Secretary of State for War was shorter: 'I will *not* agree to any of this nonsense'. These views prevailed and it was decided that when the British Elements went overseas, the War Office would become responsible for handling their business in London.

In the event the British Element of the Control Commission for Germany took the field on 1st June, 1945. No separate German department was formed in the War Office, but the establishment of the Directorate of Civil Affairs was expanded by ten officers and sixteen other ranks, of whom six officers and ten other ranks were appointed immediately.

Within a month, however, difficulty of the kind envisaged by the Director of Civil Affairs arose and the War Office was seeking to divest itself of the responsibility which it had insisted on assuming, on the ground that so much of the business of the Control Commissions concerned other departments that the War Office 'were being placed in a false position by having to handle matters outside their competence'. But, of course, the war in the west had ended, and conditions had totally changed since the War Office had so persistently rejected all proposals for a transfer or sharing of responsibility. The circumstances in which the Control Commission was to take the field were no longer shrouded in uncertainty. There was no longer the crucial responsibility for active military operations. The Secretary of State suggested that the Control Commissions should be formed into 'a kind of Government Department' and that a Permanent Under-Secretary of State should be appointed for this department, who would be responsible to the Secretary of State for War direct, and not through the War Office administrative machine, so preserving the ultimate responsibility of the military authorities. No decision was reached upon this suggestion before the general election of that month. On 9th August the attention of the new Prime Minister was drawn to the proposal. On 17th a meeting was held attended by the Prime Minister, the Secretary of State for Foreign Affairs, and the Secretary of State for War, with Sir Edward Bridges and Sir Frederick Bovenschen also present. The ministers accepted the earlier proposal for a separate department but went one step further in separating out the business of the Control Commissions from that of the War Office. They suggested that a Parliamentary Secretary, or better still a Minister, should assume responsibility for this business in the House of Commons. Since, however, the British Element of the Control Commission was organized on military lines and was subordinate to military commanders, the ministers agreed that ultimate responsibility for Control Commission work must remain with the Secretary of State for War.

Administrative preparations for setting up the new department began at once, and on 17th October, 1945, the Prime Minister said in the House of Commons:

'His Majesty's Government have decided to establish a separate office to handle the affairs of the British elements of the Control Commissions for Germany and Austria. My hon. Friend the

Chancellor of the Duchy of Lancaster will assume ministerial responsibility for the new office, subject to the ultimate responsibility to Parliament being retained by my right hon. Friend the Secretary of State for War . . . The office will have a section in London . . . the new Office will assume responsibility . . . on 22nd October next . . .'¹

What the 'ultimate responsibility to Parliament' was intended to entail is not clear. It might mean anything or nothing, and in the event it meant the latter. For the new department, known as the Control Office, was entirely civilian in character, discharged its functions without interference by the War Office, and within two years passed on its responsibilities to another civil department, the Foreign Office – not however, it may be added, before its strength had multiplied to a total of over 2,500 people.

* * *

A postscript may be added. The British had, as we have seen, set their hearts on the early establishment of a non-military High Commission, and looked upon the arrangements negotiated at the European Advisory Commission for a military Control Council, as merely transitional. The Russians also spoke of a 'second period' to follow, equivalent to the British 'third period', but were not anxious to hasten the arrival of this, if indeed they ever really wanted it, and never put forward any proposals regarding the form it should take. In the event the machinery of tripartite military control evolved by the European Advisory Commission was to break down before the British, later joined by the Americans, could secure inauguration of the third stage, that of control by a civilian High Commission. One of the functions of the machinery of military control had been: 'to initiate plans and reach agreed decisions on the chief military, political, economic, and other questions affecting Germany as a whole, on the basis of instructions received by each Commander-in-Chief from his Government'. At Potsdam the three Powers had further agreed that 'during the period of occupation Germany shall be treated as a single economic unit'. It was largely Russian refusal so to treat Germany that caused the breakdown of tripartite control and later led to the western Allies setting up a civil Allied High Commission without the Russians, for their zones of Germany.

But, in fact, Russian and American reluctance to hasten the supersession of military by civil control had led the British to re-examine their reasons for preferring a civil organization. Some of these had lost much of their cogency as the Americans became

¹14. HC. Deb. 5 S. 17 Oct. 1945. Col. 1161.

increasingly committed to the idea of the United Nations Organization and to taking a part in European affairs. It remained true however, that the High Commission would be concerned with political rather than military problems. The underlying objection from a British point of view to the continuance of military responsibility was the internal, and largely technical consideration that the War Office and Parliament would not long agree, after the conclusion of war, to military expenditure and military manpower demands on the scale that would be necessitated by prolongation of military responsibility. There was also the sharp practical consideration, discussed in the preceding section of this chapter, that the War Office found itself ill-equipped to handle the problems thrown up by the control machinery. Accordingly, although the British were unable to induce the Russians and Americans to agree to the early supersession of the military Control Council by a civil or political High Commission, and although, therefore, at the international level, government continued to be military in accordance with the agreement negotiated in the European Advisory Commission, the British nonetheless set about giving to their own element of the Control Council and its executive machinery a character and channels of command that were clearly civil, not military. The gradual process has been described in some detail in the author's earlier volume.¹ For the present purpose the important change took place, as we have seen in the preceding section of this chapter, on 22nd October, 1945, when effective responsibility for the British Element of the Control Commission and its work, passed from the War Office to the Control Office, a new and separate government department set up for the purpose under the Chancellor of the Duchy of Lancaster. Although the Control Commission, of which the British Element was a component part, was, under international law a military government, and was generally referred to as such, the British Element nonetheless looked upon itself as a civil organization under the control of a civil department, not of the War Office. This was a strange situation – which would have been stranger still if, in fact, Allied central control had not virtually broken down at a very early stage leaving the zones to go their own way, civil or military, as the several governments wished. Even so, it was not until 21st September, 1949, that the civil Allied High Commission was set up by the governments of the United Kingdom the United States and France. The second or intermediary stage, which the British had hoped would be a brief transitional period of a few months, had lasted for more than four years.

¹ Cf. Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, pp. 274-277.

PART II

Special Problems

CHAPTER VI

LEGAL

IT has been shown in an earlier chapter¹ how it was accepted, as a matter of policy and military necessity, from 1940 onwards, that, on the occupation of enemy territory, or the liberation of other territory that had been over-run by enemy forces, there must be a period of military government before responsibility could pass to any civil authority.

There are in the last resort two principles that justify or require the establishment of military government by occupying or liberating forces. Its establishment is justifiable in virtue of the principle of military necessity, which underlies the laws of war, and is also recognized by the English common law, and which, in respect of the laws of war, has been defined as, 'the principle that a belligerent is justified in applying compulsion and force of any kind [so long, of course, as it is not prohibited by the laws of war] to the extent necessary for the realization of the purpose of war, that is, the complete submission of the enemy at the earliest possible moment with the least possible expenditure of men, resources, and money.'² For if there is no administration, or a hostile or ineffectual administration in or near areas of active operations, or even along the lines of communication, it may become militarily necessary to establish an administration to guard against disorder and prevent outbreaks of epidemic disease that might necessitate the diversion of forces from their primary task of defeating the enemy, or otherwise endanger the success of the operations in progress. Military administration in such a case is established as a right. But it may also require to be established as a duty, if, as a result of military operations, the authority of the lawful government can no longer be exercised and has passed *de facto* to the forces conducting operations. Such a situation inevitably places a measure of responsibility on these forces and the establishment of military administration may then become necessary in order to provide a bare minimum of care and good government for the inhabitants of the territory affected.

The legal basis, however, for this assumption of governmental responsibility by the military authorities, whether as a right or a duty, varied considerably according to circumstances. Other legal

¹ Cf. Ch. II.

² War Office Manual of Military Law, Part III, 1958, p. 1.

problems have for the most part been considered in the volumes dealing with the particular theatres of operations; in this chapter it is proposed to examine only the fundamental question of the legal justification for the assumption of authority.

In regard to the occupation of enemy territory this justification is to be sought in the laws of war, themselves a part of international law, and more particularly in the Hague Rules. The situation is less clear, as we shall see, when fighting comes to an end and the question arises whether the laws of war still apply. If it is within his own state that military government is to be established by a commander, the matter becomes one for municipal or domestic law. If it is within an allied or friendly state, arrangements must if possible be reached by negotiation and agreement between the states involved, having due regard to the domestic law of the country in which the military authorities are to assume responsibility. Failing this it may become necessary to invoke the general principle of military necessity underlying the laws of war – subject always to the limitations placed upon it by those laws.

But whatever the arrangements under which the commander exercises authority there must, if these are to be realistic, be generous recognition of the pressures to which a commander will be subjected if he is to ensure the success of his operations and avoid endangering the lives of his men.

* * *

Military government by a commander within his own state, does not involve the exercise of any authority other than the sovereignty of that state. It does require that governmental authority should flow down different channels, from the sovereign through the military hierarchy, instead of through the civil departments. In British territories the necessary rearrangement of the channels of authority was effected in three quite different ways.

To begin with the last in time, in the Channel Islands full governmental authority was not conferred upon the military commander, and the normal government and legislatures continued in operation. But the military commander was given the power to enact Defence Regulations under the Emergency Powers (Defence) Act, 1939, passed by the British Parliament, and it was provided that in case of conflict between such regulations and any enactment of the local legislatures the former should prevail.¹ In the case of British Somaliland power was taken by Order-in-Council to appoint for the time

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, Ch. X.

being a military Governor to assume full responsibility for the government of the protectorate in place of the civil Governor who had been withdrawn. An interesting result of this method was that the military Governor's authority in fact flowed direct from the Crown and that he was therefore theoretically independent of the military commander, despite the intention to establish a military government. In practice, however, the military Governor, being also commander of the troops in British Somaliland, was subordinated to the local military commander and the Commander-in-Chief, and the paramountcy of military needs was well protected over the whole field of government.¹ For Burma yet a third course was adopted, the British Somaliland plan of appointing a military Governor having been rejected both because there was a civil Governor of Burma in being and because it was expected that a military Governor would require wider powers than those available to him under the constitution of Burma. Instead, the Supreme Allied Commander assumed full governmental authority by proclamation based on military necessity. This assumption of authority was justifiable by reference to domestic law, for under the English common law the Crown has the right in time of invasion to assume extraordinary power to repel force by force, and to take such exceptional measures as may be necessary for the purpose of restoring peace and order. Rights under this assumption of power extend indisputably to the taking of such measures of government as may be necessary to protect military forces and their lines of communications from the danger of disorder behind the battle. But lest there should be any subsequent doubt regarding the existence of military necessity and the justification for the acts of the military government, it was planned to pass an indemnity Act after the end of the military administration. In the absence of such an Act it would have been for the civil courts on their resuscitation, to determine whether or not military necessity had in fact existed. Full governmental authority flowed in this case from the Crown through the Supreme Allied Commander.²

In Malaya, Borneo, and Hong Kong, the precedent followed was that of Burma, not of British Somaliland or of the Channel Islands.

* * *

The territories of Allied and friendly states in which the British were, or might be, concerned to establish military government, were France, Belgium, Luxembourg, the Netherlands, Norway,

¹ Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, Ch. VIII.

² Cf. Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956, Ch. III.

Denmark, French Indo-China, and the Netherlands East Indies. In regard to all of these, agreements were concluded between the Allies and the governments or other recognized authorities, conceding to the Allied military commanders the right, in varying degrees, to exercise control over the civil population. For Belgium, Luxembourg, the Netherlands, Norway,¹ and the Netherlands East Indies,² the agreements were made with the governments concerned before invasion of their territories took place. The agreements conferred upon the Allied military commander, supreme authority and responsibility in matters of civil administration and jurisdiction for 'a first or military phase' and 'to the full extent necessitated by the military situation'. It is clear that 'supreme authority' was conceived of as something less than sovereignty, which continued to reside in the governments of these countries. The point is of interest in connection with the arrangements later made for Germany. In the case of Denmark an agreement on these lines could not be made before invasion since the country had been occupied by the Germans and its government had remained under German occupation. An agreement was concluded shortly after the German surrender and the arrival of Allied forces.³ In the case of France matters did not go so easily. There was first the task of deciding with whom to negotiate an agreement. When it had been settled that this should be the French Committee of National Liberation, many difficulties and delays followed as the result of the committee's extreme sensitivity to any measure that might be held to encroach upon French sovereignty. No agreement was concluded until the end of August, 1944, by which time active Allied operations on French soil had in fact almost ended. The agreement conceded that 'in areas in which military operations take place the Supreme Allied Commander will possess the necessary authority to ensure that all measures are taken which in his judgment are essential for the successful conduct of his operations'. It was presumably feared that 'supreme authority', conceded by the other civil affairs agreements, might, notwithstanding the distinction made by the Allies between this and sovereignty, touch upon the authority with which the committee was seeking to endow itself. Elaborate arrangements were included to ensure that, except in emergency, the Supreme Allied Commander should act through the French authorities, not directly through his own officers.⁴ For French Indo-China there was also delay in the

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, Ch. III.

² Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956, Ch. XXII.

³ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, Ch. III, IX.

⁴ *Ibid.* Ch. III.

execution of an agreement until after the first weeks of Allied occupation. The agreement conferred upon the British commander only such authority as was necessary for the conduct of operations to enforce surrender and disarmament of the Japanese forces and to liberate Allied prisoners of war and internees, such authority to be exercised only in key areas which might be occupied for the purpose of these operations. That the fundamental justification for the exercise of the powers conferred by the various agreements was in fact military necessity, was proved, if proof were needed, by events in Indo-China where the military commander very soon found himself forced to assume political and administrative responsibility outside the key areas initially occupied and in excess therefore of the authority conferred upon him by the agreement.¹

The agreements came to be known as the civil affairs agreements. In all cases they were designed to confer upon the military commanders an authority that the latter would have been bound to assume, with or without agreement, and that in French Indo-China they did assume in a wider field than had been agreed. Their roots were clearly in military necessity. Their function, none the less valuable for the fact that powers could have been assumed unilaterally, was to ensure that the assumption of authority by the military commanders was made with maximum regularity, with due regard to the municipal law of the country concerned, and, as far as possible, without trespassing on the sovereignty, or wounding the feelings, of the parties executing the agreements. The rights assumed covered potentially, the whole field of government. In practice little use was made of them within Europe for the governments of the liberated countries were co-operative and eager to forward the Allied cause. In French Indo-China and in the Netherlands East Indies, where the French and Dutch colonial governments experienced great difficulty in re-establishing their authority, the British military commanders, although they never set up formal military administration, in fact found themselves driven to assume a great and real measure of political and executive authority. The negotiation and content of the civil affairs agreements are more fully discussed in other volumes of this series dealing with particular theatres of war.²

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¹ Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956, Ch. XXI.

² Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956 and *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961.

In enemy territory justification for the assumption of authority had to be found in the laws of war, which are a part of international law.

The laws of war consist in the first place of customary rules, accepted over the centuries, seeking to establish a balance, however uneasy, between three irreconcilable principles, the principle that a belligerent is justified in applying any amount and any kind of force which is strictly necessary for the purpose of war, the principle of humanity, and the principle of chivalry which demands a certain fairness and mutual respect between combatants. Customary rules are the common law of war. In the second place there is a body of written laws consisting of rules established by agreements between states whether between two or more states, and whether described as treaties, conventions, declarations, or otherwise. These may be looked upon as the statute law of war. But the analogy must not be pressed too far since, for example, such laws are generally speaking binding only upon those states that elect to be bound by them. In addition to the customary and conventional laws of war, recognition has been accorded to usages concerning the conduct of war. Usages are not yet legally binding and may be disregarded by belligerents, but they tend, with time, to harden into laws, customary or conventional.

The laws of war applicable to the occupation of enemy territory are mainly conventional. At the outbreak of war in 1939 they consisted of Articles 42 to 56 of the Regulations respecting the Laws and Customs of War on Land annexed to the International Convention concerning the Laws and Customs of War on Land signed at the Hague on 18th October, 1907. All leading participants in the Second World War had signed and ratified this convention, except Italy, Russia, Germany and Japan, significant bedfellows, did not accept Article 44 which ran 'A belligerent is forbidden to compel the inhabitants of territory occupied by it to furnish information about the army of the other belligerent, or about its means of defence'.

These articles accepted the right and the duty of an occupant of enemy territory under the customary laws of war to set up military government, on the grounds that, when enemy territory had been effectively occupied, the authority of the hostile state passed *de facto* to the occupant. The articles sought to regularize and control such assumption of authority. The controlling, and only active, principle in this group of fifteen articles was that contained in the first part of Article 43, that the occupant shall ' . . . do all in his power to restore, and ensure, as far as possible, public order and safety . . . ' The rest of Article 43 and all remaining articles were designed to restrict the exercise of absolute power by the military authorities, whether this was sought to be exercised in order to restore public order and safety, or whether it was to be exercised on the wider grounds of

military necessity. It was in virtue of these articles and in accordance with their provisions that the Allies established military government while hostilities were in progress in North and East Africa, in the Dodecanese, in Sicily and Italy, in Germany, in Austria, and in Japan.

* * *

So long as hostilities continued, the authority conferred upon the occupying powers by the Hague Rules, limited though this might be, would suffice for Allied needs. But it was early recognized that, on the conclusion of hostilities and the surrender of Germany and Japan a very different situation would arise. With the Japanese problem we are not here concerned, since the British took little part in the preparation or execution of the plans. But in dealing with the German problem the British took an active, at times a leading part.

Until the Second World War the normal method of concluding hostilities was by the execution of an armistice agreement. (Article 36 of the Hague Rules provided that 'An armistice suspends military operations by mutual agreement between the belligerent parties'. No other procedure for bringing fighting to an end was mentioned). An armistice did not usually end the formal state of war, this being normally effected at a later stage by the conclusion of a treaty of peace. Two other methods were recognized under international law for ending the technical state of war – a simple discontinuance of hostilities by both sides, and the complete subjugation of one side by the other. ('Subjugation' is a technical term which it will be necessary to consider more closely later in this chapter). But until there had been a treaty, or discontinuance, or subjugation, a technical state of war continued. Whether the continuance of belligerent occupation in virtue of the Hague Rules and under the limitations imposed by them, was justified by the continued existence of a technical state of war, was not clear. In practice, however, any rights of occupation required, and these might well be more extensive than those of mere belligerent occupation, could be ceded to the occupant in the armistice agreement. As a result there was a temporary assumption of stated powers. No transfer of sovereignty took place – this, like the ending of the technical state of war, could normally be effected only by a treaty of peace or by subjugation.

The Allies were resolved that hostilities in the Second World War should be brought to an end by some method that did not entail entering into any agreement, even an armistice agreement, with the enemy. There were two main reasons. In the first place it was felt that to enter into negotiations and conclude an agreement with the representatives of the Nazi or Fascist governments, or their High

Commands, was objectionable in that it would continue recognition of those governments, the destruction of which was a foremost war aim of the Allies. In the second place, the Allies, remembering what had happened after the First World War, were determined not to give their enemies the opportunity to argue regarding the conditions of an armistice or to contend that the ultimate peace treaty violated undertakings contained in the armistice agreement. It became necessary, therefore, to evolve some procedure that avoided the reciprocal execution of an armistice agreement. The Allies proposed to do this by requiring their enemies to sign an instrument of surrender imposed but not executed by themselves, and by refusing to enter into any commitments towards their enemies. Such a transaction was without precedent, and was based on the concept of unconditional surrender.

Since this concept was fundamental to the whole legal position of the Allies in Germany after surrender, it is not without interest to note the off-the-cuff manner in which it was first thrown into currency. It appears that President Roosevelt first used the words in more or less formal discussion with the Prime Minister during the Casablanca Conference. The Prime Minister telegraphed the War Cabinet for their views on the inclusion, in the final Press statement on the work of the conference, of a declaration of the firm intention of the United States and the British Empire to continue the war relentlessly until they had brought about the 'unconditional surrender' of Germany and Japan. The War Cabinet concurred in the use of the expression, but the matter was apparently not further discussed at Casablanca and no such declaration was included in the carefully drafted Press communiqué. It was, accordingly, 'with some feeling of surprise' that the Prime Minister, at the concluding Press conference, heard the President say that the Allies would 'enforce "unconditional surrender" upon all our enemies'.¹ Later the President said 'we had so much trouble getting those two French generals together that I thought to myself that this was as difficult as arranging the meeting of Grant and Lee - and then suddenly the Press Conference was on, and Winston and I had had no time to prepare for it, and the thought popped into my mind that they had called Grant "Old Unconditional Surrender" and the next thing I knew I had said it.'² The expression, although considered earlier, was used on the spur of the moment for political and psychological reasons, but it became the basis of the whole Allied legal position in Germany. More than a year later the Prime Minister speaking in the House of Commons said 'Here I may point out that the term "unconditional surrender" does not mean that the German people will be . . . destroyed. It means . . . that the Allies will not be bound to them at

¹ Churchill, *The Second World War*, Vol. IV, London, 1951, pp. 614-615.

² Sherwood, *The White House Papers of Harry L. Hopkins*, London, 1949, Vol. II, p. 693.

the moment of surrender by any pact or obligation . . . Unconditional surrender means that the victors have a free hand . . . If we are bound, we are bound by our own consciences to civilization. We are not to be bound to the Germans as the result of a bargain struck. That is the meaning of "unconditional surrender".¹

From July, 1943, onwards the British were at work on an instrument of unconditional surrender. This had to be such that the idea of an agreement between the Allies and the Germans could not in any manner be read into the document. This was not easy, since the effect of the instrument was in most other respects to be indistinguishable from that of an armistice agreement, and since, however one-sided it might be, the transaction did basically involve the Allies agreeing to a cease fire in return for the Germans agreeing to obey all orders received from the Allies. In the field of government it was realized from the beginning that the Allies would require far more extensive powers than they would enjoy under the Hague Rules regarding military occupancy. An early draft sought to obtain the powers required through the provisions of two articles. The first provided that:

‘ Without prejudice to the other provisions of the present Instrument:

- (a) the United Nations will enjoy all the rights of an occupying Power throughout Germany;
- (b) the German administrative, judicial and public services will continue to carry out their functions under the control of the United Nations unless and until otherwise directed.’

The other provided that:

‘ Without prejudice to any other provisions of the present Instrument, the United Nations shall be entitled to exercise all or any of the powers possessed at the date of the present instrument, or subsequently acquired, by the German Government, the German Supreme Command and any State, municipal or local Government or authority.’

It was contemplated that belligerent occupation would continue, but that powers in excess of those conferred by such occupation would be ceded in the instrument of surrender.

In November, 1943, as a result of the Conference of Foreign Ministers held in Moscow, the European Advisory Commission was set up in London to study and make recommendations to the British, American and Russian governments upon European questions connected with the termination of hostilities which the three governments might refer to it. As one of its first tasks it was to make detailed

¹ 397 HC Deb. 5. s. 22 Feb. 1944, Col. 698-699.

recommendations upon the terms of surrender to be imposed upon each of the European states with which any of the three powers were at war. The British draft instrument of surrender for Germany was laid before the commission, together with the proposals of the Americans and Russians. By July, 1944, the commission had reached agreement upon a document for this purpose. The preamble opened: 'The German Government and the German High Command, recognizing and acknowledging the complete defeat of the German armed forces on land, at sea and in the air, hereby announce Germany's unconditional surrender'. The assumption of powers was effected by the first sentence of Article 12 which ran: 'The United Kingdom, the United States of America and the Union of Soviet Socialist Republics shall possess supreme authority with respect to Germany'. The last sentence of this article ran: 'The German Government, the German High Command, all German authorities and the German people shall carry out unconditionally the requirements of the Allied Representatives . . .' The reference to the enjoyment of the rights of an occupying power throughout Germany, which had found place in the British draft placed before the commission, had now disappeared. It is important to note that this was not because of any doubts regarding the continuing right to impose belligerent occupation and the continuing availability of powers thereunder, but because such powers were considered to be included in the wider authority that was to be assumed.

With the effect and construction of this document, however, we need not further concern ourselves here for in the event it was never used.

* * *

From the time when work on the above-mentioned document began the possibility had been envisaged, particularly by the War Office, that when fighting ceased Germany would be in such a state of collapse, chaos, and anarchy that no responsible central authority would be found able or willing to sign the instrument of surrender. In such circumstances a different method would require to be adopted. It was decided to defer consideration of this problem until work on the instrument of surrender was further advanced and it had become clearer what were the specific practical requirements of the Allies that would need to be included in this instrument. Once these had been ascertained it was felt that there would be little difficulty in transferring them to such alternative document as might be devised to meet the case of there being no surviving German central authority. But from July, 1944, onwards, when the drafting of the instrument of surrender was out of the way, the British were

giving active consideration to the method to be adopted to bring hostilities to a close if no German authority survived fit to sign an instrument of surrender.

In the absence of a formal instrument of surrender signed by some responsible German authority and conceding to the Allies the powers necessary to carry on the government of Germany, first thoughts were that these powers could only be exercised by virtue of the Allied military occupation. But the authority so derived would be subject to the limitations imposed by the Hague Rules and it had long been realized that wider powers than this would be needed. The A.C.A.O. Committee accepted the Foreign Office view that 'the only alternative seems to be for this authority to be assumed unilaterally by the three Governments, acting through the three Commanders-in-Chief, on the basis that Germany has been completely defeated, that there is no German Government in existence and no present prospect of one being found, and that it is therefore necessary for the three Governments to assume all the powers of the German Government . . . While the powers so assumed would include those of a military occupant, they would obviously have to be much more extensive, and could not therefore be based merely on the fact of military occupation.'

A declaration of defeat and assumption of authority was drawn up on this basis and the draft was discussed by the A.C.A.O. Committee on 13th December, 1944. The preamble after referring to the defeat of the German armed forces, the absence of a central authority in Germany, and the need to make provision for the administration of the country, contained the following declaration: 'The Governments of the United Kingdom, the United States of America, and the Union of Soviet Socialist Republics hereby assume supreme authority with respect to Germany, including all the powers possessed by the German Government, the High Command and any State, municipal, or local government or authority'. In both the Instrument of Unconditional Surrender and the Declaration of Defeat and Assumption of Authority, it was 'supreme authority with respect to Germany' that was taken by the three powers. It will be remembered that, except in the case of France, it was 'supreme authority' also that the governments of the liberated countries temporarily conceded in the civil affairs agreements. In the Instrument of Unconditional Surrender, for use if a German central authority survived, 'The German Government, the German High Command, all German authorities and the German people shall carry out unconditionally the requirements of the Allied Representatives . . .' In the Declaration of Defeat and Assumption of Authority, for use if no German central authority survived, the three powers assumed 'all the powers

possessed by the German Government, the High Command and any State, municipal, or local government or authority'. In the one case rule could be, and was intended to be, exercised through the German authorities, in the other it would have to be exercised direct. Apart from this inevitable difference, the powers taken under the two documents were identical. It may be noted once more that they were intended to *include* the powers of a belligerent occupant.

It became clear that there was a division of opinion within the A.C.A.O. Committee as to the precise nature of the powers which would in fact be acquired under the Declaration of Defeat and Assumption of Authority. The legal advisers to the Control Commission took the view that if cession of the necessary powers could not be obtained from some responsible German authority, there were only two ways in which these could be taken compatibly with international law; either in virtue of military occupation, or by outright assumption of sovereignty. Since powers taken by the former method would be inadequate, ran the argument, they must be taken by the latter. In their view no halfway position was admissible under international law. The powers assumed would therefore amount to full sovereignty. If this was so it would be better that it should be explicitly stated in the declaration. The Foreign Office representatives replied that there were grave political objections to an assumption of German sovereignty by the Allies and that there was no intention to annex Germany. The Foreign Office and War Office considered that a halfway position between military occupancy and assumption of sovereignty ought to be possible, and was indeed intended. The question here raised was of such importance that it was referred by the Foreign Office to the Lord Chancellor and the Law Officers.

In doing so the Legal Adviser to the Foreign Office sought to distinguish between the possession of sovereignty and the exercise of all or some of the rights resulting from it. Cases of the exercise of the latter without the acquisition of the former were not unknown to international law, he contended, e.g. in the leased territories of Hong Kong. He contended that if it was possible and legitimate unilaterally to acquire full sovereignty (and no one was disputing this) then it must also be possible and legitimate to acquire the exercise of the rights needed by the Allies; the greater must include the less, and a halfway position must be admissible. He accepted that this would be something new in international law, but international law, he urged, was 'not like a written constitution which can only be altered by legislation; it rather resembles the common law, which can develop to meet changes of circumstances . . . Such development is usually brought about by action taken by Governments to meet a

change in circumstances, and if such action is really justified by the new situation, and is not inconsistent with the fundamental principles of international law, or the dictates of humanity, it will in time be recognised that International Law has been modified accordingly'. The report of the Secretary of State for Foreign Affairs to the A.P.W. Committee, after referring to the Law officers, was:

'In preparing this Declaration, the important question was raised whether it was possible for the Allies to exercise the desired rights and powers in Germany without the necessity of effecting the annexation of, or acquisition of sovereignty over, Germany. On the collapse of Germany the Allies will require to exercise powers in and relating to Germany going altogether beyond the recognized rights and powers of a military occupant of enemy territory under international law. If there is an effective German Government willing to sign the Instrument of Surrender the necessary rights can be acquired in that way, but if on the other hand, as now seems very probable, there is no German Government willing or capable of signing the Instrument of Surrender, these rights and powers can only be assumed unilaterally by the Allies. Whether it was legitimate and possible for the Allies to assume such powers without acquiring sovereignty over Germany – which on grounds of policy I should be very reluctant to do – seemed to me to raise issues of such importance that I felt it necessary to refer the matter to the Lord Chancellor and the Law Officers. They have now expressed the opinion that it is legitimate and possible for the Allies to act in this way. They have stated that they cannot regard international law as limiting the rights of the Allies to those attaching to a mere military occupation unless there is a positive assumption of sovereignty as a whole. Such a proposition does not appear to them to have any relation to the practical situation and they would be surprised if so technical a view commended itself to our Allies'.

To remove any possible doubt the following words were added to the declaration of assumption of supreme authority quoted above: 'The assumption, for the purposes stated above, of the said authority and powers does not effect the annexation of Germany.'

The draft declaration was approved in its revised form by the A.P.W. Committee on 22nd March, 1945. It was placed before the European Advisory Commission and after discussion and modification in certain respects was approved on 12th May, 1945. It was accepted by the four governments (the Provisional Government of the French Republic was by now included). There had been no differences of view regarding the manner of the assumption of authority or the nature of the authority assumed, and the provisions of the British draft were in these respects essentially unchanged.

In the event actual hostilities were ended by two brief and purely military acts of unconditional surrender by representatives of the German High Command, one on 7th May, 1945, at Rheims, the other on 8th May, 1945, in Berlin. There was no German government surviving. The Berlin document, known as the Final Act of Unconditional Surrender, provided that 'this act of military surrender is without prejudice to, and will be superseded by, any general instrument of surrender imposed by or on behalf of the United Nations and applicable to Germany and the German armed forces as a whole'. The 'general instrument of surrender' foreshadowed was, in the absence of a German government, the Declaration of Defeat and of Assumption of Authority and this was promulgated in Berlin by the four Commanders-in-Chief on 5th June, 1945.

This document, originally drafted by the British, and accepted by the Allies without amendment in regard to the provisions now under consideration, was intended to be a substitute for the Instrument of Unconditional Surrender, which the Allies would greatly have preferred to use if only some sufficiently responsible German central authority had survived, able and willing to sign. It was intended to achieve by unilateral action as nearly as possible the same results as would have flowed from signature by some German central authority of the Instrument of Unconditional Surrender, and the temporary cession by this authority of those powers required by the Allied military commanders in excess of the powers enjoyed by them as occupants of enemy territory. It does not seem that it was intended to achieve any more far-reaching results. Turning next to the Instrument of Unconditional Surrender, which the declaration was intended to replace, this was itself intended to be a substitute for the conventional armistice agreement by which hostilities had in the past normally been concluded. It was intended to achieve precisely those results that would normally have flowed from the conclusion of an armistice agreement, that is to say, the cessation of hostilities by the Allies in return for German compliance with conditions (which in the present case would admittedly be unlimited and would be subsequently imposed by the Allies), and the cession by the Germans of the governmental powers temporarily required by the Allies. The only difference was that it was intended, while achieving these results, to exclude as far as possible, any idea of a reciprocal agreement. It was not intended to achieve results beyond the scope of an armistice agreement.

On this view it is clear that there are a number of consequences that it was not intended to bring about by the issue of the Declaration of Defeat and Assumption of Authority. It was not intended to annex Germany – the declaration said as much, 'the assumption, for the purposes stated above, of the said authority and powers does not

effect the annexation of Germany'. It was not intended to dismember or destroy the German state. It was not intended to assume and exercise full German sovereignty; it was 'supreme authority' that was taken, and this was quite clearly conceived of as being something more than the authority available under military occupancy, but something less than full sovereignty – if only because the assumption was not intended to be permanent. It was not intended that the technical state of war should be concluded – this was not the function of an armistice agreement but of a peace treaty. There was no need and accordingly no intention formally to continue belligerent occupation for the reason that the 'supreme authority' assumed clearly included, and was intended to include, all the rights of a belligerent occupant and a great deal more. There was for the same reason no need to determine whether, in fact, the right to maintain such an occupation would have continued, and whether the powers thereby conferred would have remained available to the occupant if they had been needed, after the conclusion of hostilities, underneath the assumption of supreme authority.

If any of these consequences, other than the last, were ultimately intended, they were not matters to be dealt with in a document that, essentially, was an armistice agreement, designed to end fighting and confer temporary powers for the purposes of military government. They were all matters for the subsequent peace treaty or equivalent transaction. In fact, it was not, even in the long-term, the intention of the British and Americans to bring about any of these consequences – except at the appropriate time formally to conclude the technical state of war. But although no greater powers were intended to be taken than by an armistice, the justification for the assumption of such powers would be different since there would be no armistice agreement conferring them upon the occupant. What, in fact, was the legal justification for this assumption?

* * *

Before attempting to answer this question we shall do well to attempt to clear our minds as to the nature of the situation created by the promulgation of the Declaration of Defeat and of Assumption of Authority. Perhaps one should say the probable nature for the situation created was without precedent under international law and very different views have been taken of it, and of its results, by international lawyers. The present writer is totally unqualified to take part in the controversies that resulted. All that he has tried to do is to indicate what some of these are and to summarise the view, regarding the fundamental question of the title under which the

Allies exercised supreme authority in Germany, upon which the British authorities based themselves.

As to the consequences enumerated above, which it was not intended to bring about, there is amongst international lawyers no unanimity of opinion, except perhaps that belligerent occupation had not continued beyond the date of the issue of the Declaration of Defeat and Assumption of Supreme Authority. There was wide, but by no means universal, agreement that Germany had not been annexed, and that the German state had not been destroyed. There was less agreement but still a majority view that full sovereignty had not been assumed by the Allies. Opinion was more evenly divided as to whether a technical state of war in international law still continued. On the one hand there were those who favoured 'the broad commonsense view' that the state of war came to an end with the assumption of supreme authority by the Allies on 5th June, 1945. On the other hand there was the view that such a technical state of war must continue unless terminated by a treaty or other method recognised under international law. Even those who supported this view admitted that it was a very technical state of war that continued. One writer says, 'In these peculiar circumstances the state of war has become so refined and technical as practically to alter the character of the concept . . .'¹ By 1947 the Legal Adviser to the Foreign Office conceded that 'It is a hopelessly technical sort of state of war anyway . . .'

But if the teachers and writers on international law debated the precise nature of the situation that had been created, the British authorities and their legal advisers, in London and in Germany, felt confident that the issue of the declaration had in fact avoided those results which it was desired and intended to avoid and took their stand on the position that Germany had not been annexed; that the German state had not been destroyed; that supreme authority, something less than sovereignty, had been assumed; and that a technical state of war in international law still continued.

What was their title to the exercise of supreme authority?

International law recognized only two ways in which a title to authority, other than the limited authority, exercised in virtue of purely temporary belligerent occupation, could be transferred to the victor; cession by the vanquished in an armistice or other agreement of treaty; and subjugation. Clearly there was no cession in the case of Germany for there had been no German government left to make any cession. It seemed that the title must flow from subjugation. But there was a difficulty here, for the accepted view was that to constitute subjugation under international law three things must have occurred. There must have been complete defeat

¹ Jennings, *British Yearbook of International Law*, 1946, Vol. XXIII, p. 124.

of the enemy forces. There must have been destruction of the enemy government. Above all there must have been annexation of the enemy country. The first two of these requirements were present. But there was no annexation, nor any intention to annex. Could the circumstances amount to subjugation in the technical sense? The view broadly taken by the British government and widely held amongst English international lawyers is expressed by Professor R. Y. Jennings in the following passage:

‘ If, after the German Surrender, the Allies had indeed annexed the German state there could have been no doubt about the nature of their right in law to do so; the circumstances would have fitted neatly and unquestionably into the familiar category of Subjugation. But if as a result of the Allied victory and the German unconditional surrender Germany was so completely at the disposal of the Allies as to justify them in law in annexing the German state, it would seem to follow that they are by the same token entitled to assume the rights of supreme authority unaccompanied by annexation; for the rights assumed by the Allies are co-extensive with the rights comprised in annexation, the difference being only in the mode, purpose, and duration of their exercise, the declared purpose of the occupying Powers being to govern the territory not as an integral part of their own territories but in the name of a continuing German state. It is not suggested, of course, that an assumption of anything less than supreme authority could be justified in law by subjugation; if the Allies had chosen only to assume rights over Germany which left even the German Government in existence there could have been no question of title by subjugation because such rights would in law remain vested in the legitimate government unless and until they were ceded by treaty. Where, however, the former government is completely extinguished, the whole of its authority being assumed by the conqueror, there must be a good title to those rights by virtue of subjugation. The fact that the conqueror chooses to exercise those rights as the government of the still existing though conquered state – in short, to take its government into commission – cannot vitiate his entitlement to those rights, any more than a finder in English law would forfeit his legal title to the thing he finds by immediately declaring a trust of it.’¹

Of the Declaration of Defeat and Assumption of Supreme Authority, issued in Berlin on 5th June, 1945, and the Final Act of Unconditional Surrender of Germany signed by representatives of the German High Command on 8th May, 1945, Professor Jennings writes:

‘ This Declaration is not executed by any of the former German authorities, political or otherwise; it is executed by the occupying

¹ Jennings, *British Year Book of International Law*, 1946, Vol. XXIII, p. 137.

powers by virtue of an authority over Germany which they already possess, and the mere fact of its unilateral imposition is evidence of the accomplished fact of the unconditional surrender of Germany as a whole. What is the relevance of this fact of unconditional surrender to the title of the occupying powers to supreme authority in Germany? International law knows no title by surrender; where there is a surrender by the political authorities of a state the title is either conferred by cession or is acquired by subjugation. The Final Act of Unconditional Surrender of Germany is not a treaty executed by the former Government of Germany whereby that Government has abdicated its authority to the Allies; if it were, it would have conferred a title derived from the authority of that former Government. On the contrary, the former German Government had already ceased to exist; Admiral Dönitz's self-styled government was never recognized, was not in fact capable of exercising authority, was of doubtful legitimacy even in German municipal law, and in any case never executed the instrument of surrender. Obviously, therefore, the title of the occupying Powers is an original title by subjugation, and the juridical significance of the instrument of unconditional surrender is that it provides the best possible evidence of the complete conquest which is an essential ingredient of title by subjugation.¹

¹ Jennings, *British Year Book of International Law*, 1946, Vol. XXIII, p. 138.

CHAPTER VII

CIVIL AFFAIRS SUPPLIES

IN the course of the Second World War the military authorities assumed a noteworthy, beneficent, and altogether unprecedented responsibility for the provision of civilian relief. Before attempting to describe this contribution, however, it is necessary to survey briefly the wider background against which it is to be set.

On 20th August, 1940, Mr. Churchill reviewed the war situation in the House of Commons.¹ The British reply to the German occupation and economic exploitation of most of Europe had been the blockade, the traditional, and, indeed, in 1940 the only available countermeasure. This was unpopular both with the exiled governments in London, and with the United States of America, and the British Government was pressed to allow the entry at least of food into the continent. Mr. Churchill in the House of Commons rejected these appeals on the grounds that food allowed into Europe would inevitably find its way to Germany, or allow other food to be sent there, and could also be converted into vital war material. Failure to impose a strict blockade could only prolong the war. If there was at that time any danger of starvation in Europe it could only be due to the German measures of exploitation. He went on:

‘ Let Hitler bear his responsibilities to the full, and let the people of Europe who groan beneath his yoke aid in every way the coming of the day when that yoke will be broken. Meanwhile we can and we will arrange in advance for the speedy entry of food into any part of the enslaved area, when this part has been wholly cleared of German forces and has genuinely regained its freedom. We shall do our utmost to encourage the building up of reserves of food all over the world, so that there will always be held up before the peoples of Europe including – I say deliberately – the German and Austrian peoples, the certainty that the shattering of the Nazi power will bring them all immediate food, freedom and peace.’

These were brave words, spoken not three months after the evacuation from Dunkirk, and when the battle of Britain was at its height. The prospect they conjured up seemed remote indeed. And such was the effort needed to bring down the Nazi power that, when it fell, an

¹ 364 HC. Deb. 5. 5. 20th August, 1940, Col. 1159–1171.

exhausted world could honour Mr. Churchill's words only partially and gradually. But they were the effective starting point for British relief preparations.

Here was one aspect of British relief policy – a humanitarian desire, not untinged with propagandist considerations, to relieve suffering, which was restrained, however, by the need not to begin relief until it was clear that this could not play into enemy hands. Underlying this was another aspect, however. The closing of the European markets to the Allies by the war meant that unsaleable surpluses of food and other commodities were banking up. These unwanted accumulations did not continue for long, but while they lasted here was a use for which they could be earmarked.

In the following month, September, 1940, an inter-departmental committee was set up, under the chairmanship of Sir Frederick Leith-Ross, then Economic Adviser to the Government and Director-General of the Ministry of Economic Warfare, to study the problem of the surpluses in the light of post-war needs. In February, 1941, Sir Frederick described the work of his committee as follows:

‘ For several months now we have been working primarily at the surpluses problem, i.e. the alleviation of the difficulties in the producing countries by means of credits or purchase for storage, accompanied if possible by arrangements for the regulation of production and orderly marketing of stocks. In attempting to frame proposals on this aspect, however, we have always kept in mind the problem of Europe's requirements in the immediate post-war period, and the provisional conclusions towards which our ideas are tending on the latter subject may be summarized as follows: There are two aspects of the problem which should be distinguished even if no completely hard and fast line can be drawn between them and ultimately they are likely to merge together. The first aspect is the immediate relief of human distress and destitution, wherever these conditions are found to exist. The second is the restoring of general economic activity, which may be assumed to have come largely to a standstill through shortage of raw materials and general dislocation.’

In the course of 1941, however, some of the European governments in exile in London set about helping themselves and began to accumulate reserves of food and other materials for the relief of their own people on liberation. It became necessary to devise machinery for the prevention of an unco-ordinated and unprofitable scramble. The British Government accordingly convened an inter-Allied meeting at St. James's Palace in September, 1941. The meeting was attended by representatives of the United Kingdom, Canada, Australia, New Zealand, South Africa, Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, the

U.S.S.R., Yugoslavia, and of General de Gaulle, as 'leader of Free Frenchmen'. The meeting first passed a resolution declaring its adherence to the principles of the Atlantic Charter, a resolution that was to lead a few months later to the signature of the United Nations Pact, and ultimately to the creation of the United Nations Organization. The meeting then adopted a resolution calling for the co-ordination of measures 'to secure that supplies of food, raw materials and articles of prime necessity should be made available for the post-war needs of the countries liberated from Nazi oppression', and agreed to the establishment in London by the U.K. Government of a bureau that should prepare estimates of relief requirements for Europe and place these before an Inter-Allied Committee under the chairmanship of Sir Frederick Leith-Ross. The only serious objections to these proposals had come from the Russians who demanded that the staff of the bureau should be inter-Allied, not British. Pending specific counter proposals from the Russians, the Bureau was set up, with British staff, and the Inter-Allied Committee was constituted with representatives of Great Britain and the Dominions, Belgium, Czechoslovakia, Fighting France, Greece, Luxembourg, the Netherlands, Norway, Poland, Russia, United States of America and Yugoslavia. There was also a Chinese observer.

When the Russian counter-proposals were received in January, 1942, they involved the exclusion from both the Committee and the Bureau of representatives of the United States of America and of the British Dominions. The totally unrealistic nature of these proposals, since it was from the United States of America and the Dominions that the greater part of any relief supplies must inevitably come, suggests that the Russians were probably opposed to the setting up of an international relief organization at all. In February, 1942, the Bureau itself produced proposals, which, in fact, carried the informal approval of the British Government. Then in May, 1942, the U.S. Government sent to the British their suggestions for an Allied relief organization. They invited the British to discuss these in Washington. It was planned that only when Americans and British had reached agreement would the matter be broached to the Russians and Chinese. And only after agreement had been reached between the big four would the British Dominions and the European Allies be included in the discussions. British representatives were invited to Washington to discuss these proposals and the U.K. Government sent Sir Frederick Leith-Ross.

Discussions were held in Washington through June and July, 1942. For the purpose of these the United States proposals were put into the form of a draft agreement. The U.S.S.R. and China were not represented at these talks but their ambassadors were kept informed of the proceedings. By August a draft United Nations

Relief and Rehabilitation Administration (or U.N.R.R.A.) agreement had emerged. Consultations and negotiations over this draft agreement dragged on for over a year. Finally the formal agreement was adopted at a meeting of the United Nations on 9th November, 1943.

The organization comprised a Council upon which every member government was to have one representative and which was to meet not less than twice a year to frame policy; a permanent Central Committee, consisting of the representatives on the Council of China, the U.S.S.R., the U.K. and the U.S.A., to deal with policy questions arising between sessions of the Council; a Committee on Supplies; and various regional and other special committees. Executive authority was to be exercised by a Director-General, appointed by the Council on a unanimous vote of the Central Committee. The Director-General would be assisted by an administrative staff. The first Council began its sessions on 10th November, 1943. It was the first public meeting of any representatives of the United Nations and was therefore given much publicity and attention.

While these negotiations in Washington were leading up to the formation of U.N.R.R.A., in London the Bureau and Technical Advisory Committees working under the Inter-Allied Committee on Post-War Requirements which had been formed in September, 1941, were preparing estimates of post-war requirements and priorities for the Allied governments and authorities represented on the committee. In June, 1943, the committee submitted a report, estimates of emergency food needs for an initial military period, and a Minimum Imports Programme for a subsequent period of six months. It had also gathered much information towards the framing of estimates for two further periods of six months.

* * *

The War Office assumed a share in relief measures reluctantly, piece-meal, and at first without any very clear conception of the nature of the commitment into which it was entering. The only thing clear was that it would probably be extensive – hence the very natural reluctance.

It has been shown in an earlier chapter¹ how on 20th February, 1941, responsibility for the administration of all occupied enemy territories in the Middle East Command was placed upon a somewhat unwilling War Office. This did not automatically include the relief of civilians. When the War Cabinet was taking the decision it was

¹ Cf. p. 23.

informed that 'the problems which will arise include the administration of justice, economic policy as to currency, exchange and the re-opening of normal trade facilities, customs and excise, and other matters affecting the general well-being of the civilian population in the territories'. There was no specific mention of the relief of the civil population and this problem was not touched upon at all in the discussion that preceded reference to the War Cabinet. And indeed the Hague Rules in force at the outbreak of war did not specifically lay upon the occupant of enemy territory any responsibility for the feeding or other relief of the inhabitants of such territory.¹ On the other hand, the denial of relief, if it should result in such distress as might lead to riots or other disorder, would clearly amount to dereliction of the occupant's duty under Hague Rule 43 to '... do all in his power to restore, and ensure, as far as possible, public order and safety...'. The present writer has written in an earlier volume that 'under international law a military force occupying enemy territory incurs certain minimum obligations in regard to the administration of such territory, which, upon any view of the matter must include the prevention of starvation of the civil population.' Such essential relief was, obviously, covered by the reference to 'other matters affecting the general well-being of the civilian population' but had not at this stage assumed enough importance to be specifically brought to the attention of the War Cabinet. It is clear that the Middle East Command authorities were not unaware that relief might become necessary, but that they hoped to avoid the need for this by the speedy restoration and development of normal channels of supply, and clearly did not expect relief to become a major commitment. It is probably fair to say that at this stage no further thought was given in the War Office to what was later to become a major civil affairs responsibility. The Prime Minister had, in February, 1941, made it clear that the civil population of Cyrenaica, both Italian and Arab, ought, on political and propaganda grounds, to be 'petted and made extremely comfortable and prosperous'. But even this led to no extensive relief measures, for in fact, the Middle East policy of reviving normal trade activities was, except on rare occasions, successful in avoiding the need for extensive relief, and the occupation and administration of British Somaliland and of enemy territories in Africa threw up no serious problems of civil relief for the War Office during the year that followed its assumption of responsibility for civil administration.

In February, 1942, it was suggested by M.O.11² Branch of the War Office that a special committee should be appointed to consider civil administrative problems connected with an invasion of Europe but

¹ The applicability of the Hague Rules is discussed at pp. 172-175.

² Cf. p. 25.

the proposal petered out. It was known in the War Office that the Allied Post-War Requirements Bureau had begun work on the preparation of relief estimates. Towards the end of April, 1942, the Bureau outlined its ideas of the local machinery which would be required for the distribution of relief in countries needing this from the organization that was to become known as U.N.R.R.A., and enquired whether the War Office had worked out any comparable scheme for a field organization. Clearly the War Office had not. It had, as we have seen, been accepted in principle over the case of Africa that there must be a period during which the military authorities would be responsible for civil administration. To the extent that any consideration had been given to the question of responsibility for civil relief, War Office thinking was on the lines that this might rest with some civil organization operating under military control. At the end of May, 1942, War Office attention was sharply brought up against the problems of civil administration in the wake of an army invading Europe by three separate developments. First, on 28th May, the Secretary of State for War was invited to send a representative to a meeting of the Cabinet Committee on Reconstruction Problems which was to discuss questions of the organization of relief in Europe after the war. Secondly, a proposal was also under consideration to extend the functions of this Cabinet Committee to include the study of problems likely to arise in connection with an armistice. Thirdly, on 29th May, the Administrative Planning Staff for the invasion of Europe at its first meeting drew attention to the need for consideration of the policy and organization to be adopted for civil administration on invasion of Europe and asked for orders as to the Department of State which should be responsible. The problems raised received the consideration of the P.U.S., the V.C.I.G.S., and the Secretary of State. The V.C.I.G.S. crystallized War Office thinking when he wrote ' I would like to record my opinion that the War Office should be responsible. There is in fact no suitable alternative and the War Office already possesses the machinery in the relevant section of the M.O. Directorate.' This view was accepted at the meeting convened by Sir Edward Bridges, Secretary of the War Cabinet, on 23rd June, 1942, to consider arrangements for the civil administration of occupied areas. It was agreed that during the first phase of invasion ' the Commander-in-Chief would have to have complete control of the administration, which would be carried on by officers attached to his staff ', and that the War Office must be ' primarily responsible for preparing a scheme for the administration of the occupied areas '. Surprisingly, the precedent of the decision that the War Office should be responsible for civil administration in the Middle East and Africa, was never even mentioned at this time, though it can hardly have failed to be in mind. Nor was responsibility

for relief expressly mentioned. But the Administrative Planning Staff had included ' food ' among the matters that would have to be considered. And, when at Sir Edward Bridges' meeting it had been agreed that the War Office should maintain close contact with other departments, the examples given included the Ministry of Food and the Ministry of War Transport. Finally, there was the reference at Sir Edward Bridges' meeting to ' complete control of the administration, which would be carried on by officers attached to his [the Commander-in-Chief's] staff.' Responsibility for some part of the relief measures that would have to be undertaken was settling down upon the War Office. A few days later, on the 29th June, 1942, the Secretary of State for War was to attend a meeting of the War Cabinet at which would be discussed the instructions to Sir Frederick Leith-Ross, the British representative attending the discussions in Washington regarding the formation of U.N.R.R.A. The brief prepared for the Secretary of State by the War Office drew his attention to the fact that the proposed instructions referred only to the post-war period, whereas the Prime Minister's statement of 20th August, 1940, had clearly promised immediate relief to any territory as soon as it had been liberated; the instructions should be drawn up so as to cover also the case of territories liberated before the end of hostilities. In this connection the brief urged that ' the necessity for a period of martial law involving exclusive military control of all means of distribution in the combat zone and its neighbourhood ' should be borne in mind. To this end the brief suggested that the instructions should contain a paragraph to the following effect—

' It is necessary for military as well as political reasons to provide immediate relief in territories as soon as they are liberated before the cessation of hostilities . . . In such areas the provision and distribution of relief should be under military control for as long as military exigencies necessitate, Thereafter it should pass to the United Nations Relief Bureau . . . ' When the Secretary of State spoke at the War Cabinet meeting he was assured that ' the problem of handling post-war relief, to be dealt with at the Washington Conference, did not include the problem of victualling during the war, territories which might be re-occupied by the Allies as a result of military operations.' By now it was clear that a responsibility had been placed upon, and accepted by, the War Office, though its nature and extent were not yet very well defined. Yet when the draft containing the United States proposals for the formation of U.N.R.R.A. became known, at about this time, it was found that in the preamble the United Nations were stated to be

' . . . determined that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of the retreat of the enemy the population thereof shall

receive aid and relief from their sufferings, food, clothing and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services . . .'

More specifically Article V of the draft ran

'The Director-General immediately upon taking office shall, in conjunction with military and other appropriate authorities of the United Nations, prepare plans for emergency relief of civilian population upon occupation of any area by armed forces of any of the United Nations, arrange procurement and assembly of the necessary supplies, and create emergency organization required for this purpose.'

This was in direct conflict with the view of the War Cabinet expressed on 29th June, that U.N.R.R.A. would not be responsible during the early stages of a military occupation. And if there had ever been any doubts in the War Office regarding the wisdom of the assumption of responsibility for relief, these quickly disappeared when it became clear that the alternative was the intrusion of an as yet unborn and totally untried international organization. There was indeed every practical and security objection to such an arrangement. Above all, it would be a civilian organization, and there was strong military feeling against admitting civilians to military areas, once relief had become a military commitment. The British Government pressed for modification of the United States proposals for U.N.R.R.A. responsibility. So did the United States War Department, for, presumably, similar reasons.¹ An addition, Article VII, was made to the draft U.N.R.R.A. agreement under which U.N.R.R.A. was not to operate in any area 'while hostilities or other military necessities exist', except with the consent and under the control of the military commander of the area. The commander was to be the sole judge of whether hostilities or military necessities existed.

The question so far had been whether the military authorities should or should not be responsible for a measure of relief. With this question now clearly answered in the affirmative, interest shifts both to the expansion and closer definition of the responsibility assumed, and to the measures taken for its discharge.

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¹ Woodbridge, *U.N.R.R.A.*, New York, 1950, Vol. I, p. 13.

The question of responsibility will be considered first, the measures taken being reserved to the next section of this chapter.

At Sir Edward Bridges' meeting of 23rd June, 1942, it had been decided that the military authorities should be responsible for the civil administration of territories occupied in Europe, and suggested that the War Office should set up an interdepartmental committee. This, the Administration of Territories (Europe) or AT(E) Committee, was set up immediately after the meeting. Its proceedings in general have been considered in an earlier chapter.¹ Here we are concerned only with the supply aspect of its work. One of the committee's first tasks was to define more closely the responsibility for relief which the War Office had assumed or which, it might be more correct to say, was settling down upon the War Office. The conflict between the draft agreement for U.N.R.R.A. and the War Cabinet's decision of 29th June having been resolved, it was still necessary to define more closely what that decision entailed, for it was framed in such wide terms that it might saddle the War Office with responsibility not only for forward areas in which the battle was being fought and for line of communication areas through which the armies were maintained and controlled, but also for other areas, possibly remote and extensive, left behind as the battle advanced, or from which the German forces might withdraw as an indirect result of the fighting. Successful invasion of a small part of the north of France might, for example, lead to the evacuation of the rest of that country and to the War Office becoming responsible for its relief. The committee, on 6th August, 1942, proposed to deal with this situation by the recognition of three phases which were described as follows in a paper by the D.Q.M.G.:

Phase I. The phase during which active operations in any of the territories concerned are in progress by 'invasion' forces. This phase will cover the actual landing operations, and the subsequent period entailing an advance against enemy opposition, driving back of the enemy, and progressive liberation of the civil population.

Phase II. Fighting has passed on, and the 'back areas' gradually return to normal, or to a state of normality comparable to that obtaining in rear areas in France during the war of 1914-18.

Phase III. As a result of Phase I, or a number of similar phases, Axis control weakens and cracks in wide stretches of country, not necessarily even contiguous to the fighting zones. The collapse develops, and whole countries are freed, though without necessarily any actual arrival of allied 'invasion' forces.'

¹ Cf. Ch. II.

They proposed that responsibility for Phase I should be entirely on the War Office. For Phases II and III U.N.R.R.A. should be responsible, subject to military control that was to be 'close' in Phase II but less close in Phase III. It was considered that bulk supply would not be possible until Phases II and III. In Phase I some special pack would have to be devised. Clearly it was hoped that relief in this phase would not be extensive. Naturally enough, in view of the definitions adopted, no duration could be attached to Phase I, the period of exclusive War Office responsibility.

In September the AT(E) Committee decided that since the initial period during which the import of bulk supplies would not be possible was likely to be forty-two days, this should be the period for which the War Office would be responsible for assembling special pack supplies. It was at the same time decided, however, that, since the military authorities might not feel it safe to hand over after forty-two days, or there might be no national or international organization able to accept responsibility, the War Office should in addition be responsible for ordering bulk supplies to be used within Phase I but after the forty-two day period, whether, in the event, it should prove to be the military authorities, or a national or international organization, that used them. There was still no estimated or assumed duration for Phase I. (The special pack supplies, which had been provided from the United Kingdom, were, in fact, never used since the rich farming country in which the Anglo-American forces landed required little or no relief in the early stages.)

In November, when the size of the commitment to import bulk supplies began to be realized, the AT(E) Committee sought to limit this by confining it to provision of only so much food as would be necessary 'to sustain life', and by appointing a sub-committee of experts to report on the kinds and quantities of food that would be required on this basis over a period restricted to six months. Other relief commodities were not considered at this stage. In March, 1943, the sub-committee reported. The austere requirement that relief should be provided only if necessary 'to sustain life' had been discarded by the sub-committee in favour of a slightly more liberal criterion, that it should be provided if needed 'to prevent disease and unrest'. The sub-committee then translated this requirement into practical terms as involving responsibility for assuring so far as possible that the normal average diet in liberated countries did not yield less than 2,000 calories daily. The Nutrition Advisory Committee set up by the Inter-Allied Post-War Requirements Committee had agreed that this was the absolute minimum necessary to avoid disease, over a very short period and provided that no hard manual work was undertaken. Clearly the committee had in mind weeks rather than months. The prevention of disease and unrest formula

and the 2,000 calorie level were retained through all subsequent Allied planning as expressions of the limits of military responsibility. In fact, however, all planning was directed to ensuring that increased rations yielding an *additional* 1,000–2,000 calories should be provided for heavy manual workers at the earliest possible date. It must be emphasized here that it was not the intention to import the whole of these rations: the supplies to be brought in were only to cover the amount by which local production fell short of providing the agreed minimum intake of calories. At the same time as the sub-committee reported, the question of the probable duration of War Office responsibility was raised. The difficulties of planning had been greatly increased by the imprecise arrangement under which the military authorities would cease to be responsible when the Commander-in-Chief 'had determined in all the circumstances, that the appropriate time had arrived.' It was agreed by all that the period of military responsibility should be as short as possible. But how short this would be in practice could only be guessed. And for planning purposes it was necessary to assume some period. By what must, in the difficult circumstances of the time, be recognized as a generous gesture, made in order to break the impending deadlock and facilitate progress in planning, Sir Frederick Bovenschen agreed on behalf of the War Office to accept responsibility for minimum relief requirements for an arbitrarily-fixed period of six months. It was established, however, that responsibility would nevertheless, and in fact, be transferred whenever circumstances permitted, which might be sooner or later than the time assumed for planning. Relief estimates were at this time being constructed by the civil authorities on the basis of three six-months' periods. It was convenient for the military authorities to assume responsibility for the first of these, leaving the civil authorities to plan and prepare for the remaining two. War Office responsibility, however, was to be limited to territories in military occupation, and to include only such essentials as food, medical supplies, fuel, etc. This decision was intended in the first instance for Europe, but it was expected that similar principles would be applied to planning for future operations elsewhere.

Up to this time the War Office had uncompromisingly refused to accept any responsibility for the relief of areas that were not under actual military occupation, that is to say, areas that were not either forward areas in which the battle was being fought or line-of-communication areas through which the armies were maintained and controlled. Its interest in the prevention of disease and unrest in such areas needed no demonstration. But as the battle moved on there would be left areas in which this interest would disappear. And if landings were effected on the continent and prospered, it was at

least likely that the enemy would withdraw from other areas in which no military operations were planned and over which no military occupation was practicable. It was felt that the introduction and distribution of relief supplies in these might develop into a commitment that could not be borne by the armed forces without seriously handicapping their operations. And yet, if famine and anarchy developed in these areas before civilian relief organizations could operate in them, refugees might flock into the military areas, clog military movements, and after all require relief. In March, 1943, the War Office refused to accept any responsibility at all for these areas, which in due course came to be known as 'hiatus areas'. Three months later, when it appeared that the need to plan for these areas during the military period was in danger of being overlooked, the War Office agreed to include them in their estimates of relief supplies for the first six months. But it did this merely in order to ensure that the requirements of these areas were not forgotten; it still refused to accept any responsibility for actually undertaking relief in them.

In the United States, the War Department was no more willing than the War Office to accept responsibility for relief in such areas. But the situation had developed differently in America. For since April, 1943, when it had been agreed that the military authorities should assume full responsibility for civilian relief during an initial period of operations, the War Department had been chiefly concerned, not to resist being overloaded with excessive responsibility, but to save intact the responsibility and authority required by it during initial operations, against inroads by the President and the many civilian agencies for relief, competitively anxious to begin operating during the period of military responsibility.¹ There had accordingly been no occasion for any formal refusal to accept responsibility for hiatus areas. But it is clear that in the view of the War Department these areas constituted a sphere in which the civilian relief organizations could and should operate.

Then, with little or no warning so far as the British were concerned, on 10th November, 1943, President Roosevelt issued the following directive to the Secretary of War:

' Dear Mr. Secretary,

Although other agencies of the Government are preparing themselves for the work that must be done in connection with relief and rehabilitation of liberated areas, it is quite apparent if prompt results are to be obtained the Army will have to assume the initial burden of shipping and distributing relief supplies.

¹ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, pp. 77, 78, 98, 99.

This will not only be the case in the event that active military operations are under way, but also in the event of a German collapse. I envisage that in the event of a German collapse, the need for the Army to undertake this work will be all the more apparent.

Therefore I direct that you have the Army undertake the planning necessary to enable it to carry out this task to the end that it shall be prepared to perform this function, pending such time as civilian agencies must be prepared to carry out the longer range programme of relief.

You may take this letter as my authority to you to call upon all other agencies of the Government for such plans and assistance as you may need. For all matters of policy that have to be determined in connection with this work, you will consult with the State Department for any political advice; and upon the Treasury for such economic and fiscal direction as you may need.

Very sincerely yours,

Franklin D. Roosevelt.'

This clearly placed upon the United States military authorities the responsibility for the relief of hiatus areas which the British War Office had hitherto done all it could to refuse and which was equally unacceptable to the United States War Department. This change of policy was most unwelcome both to the War Office and to the British War Cabinet. But the War Office felt unable to contest it, for difficulty in reaching agreement with the United States War Department over procurement procedure, difficulty which will be referred to again later in this chapter, had resulted in the virtually complete absence of any procurement of supplies to meet the responsibility assumed by the War Office in March, 1943, for relief during the first six months after the initial forty-two days. (For the forty-two days provision had been made by the United Kingdom.) To avoid still further difficulty and delay the Secretary of State for War agreed to assume a responsibility for procurement of relief supplies that should include the hiatus areas, but stipulated that the handling and distribution of these supplies after arrival at ports in hiatus areas must be the responsibility of civil agencies or of the indigenous governments. When the War Cabinet was asked to agree to responsibility for procurement on this scale, very strong opposition developed, from some quarters, on the ground that this must be expected to result in a reduction of supplies for the United Kingdom. There was real danger that approval might be withheld. But in the event the War Cabinet endorsed acceptance of responsibility for procurement while leaving open the question of responsibility for subsequent handling and distribution within hiatus areas.

In the course of the next two months the interpretation placed upon the President's directive by the United States War Department became clearer. They proposed that the military authorities should prepare relief estimates for six months for all countries in Europe, other than Russia and the neutrals, on the following alternative hypotheses:

- (a) that German resistance collapsed without the execution of a 'scorched earth' policy;
- (b) that German resistance collapsed after execution of such a policy;
- (c) that Allied invasion was successful but contested and that a 'scorched earth' policy was adopted by the Germans.

Relief was to be confined to a minimum, which in respect of food was to be the 2,000 calorie basis. As for hiatus areas they proposed different treatment for those where there was an indigenous government capable of administration and the distribution of relief, and those where there was no such local government. For the former category they proposed that the military authorities should procure and ship relief supplies to ports and leave subsequent handling and distribution to the indigenous authorities, subject to a measure of Allied supervision. For the latter category there was to be no shipment by the military authorities, although supplies procured might be sold to any civil agency undertaking relief in these areas.

This interpretation of the President's directive removed many of the War Office objections to the assumption of responsibility for the relief of hiatus areas. The invasion of Europe was to be a combined Anglo-American undertaking, in which an unprecedented pooling of resources and integration of staffs was to be achieved. It would clearly be highly unsatisfactory – in the circumstances quite inconceivable – that the British and American forces, under the same Supreme Allied Commander, should be following different relief policies. Furthermore the British would be largely dependent upon the Americans for the provision of relief supplies, and it was felt that they would be unlikely to obtain these unless they fell into line with the latter. It was also becoming clear that a civilian national or international organization was most unlikely to be ready in time to operate in the hiatus areas. For these reasons the Secretary of State for War proposed that the War Office should accept the strictly limited responsibility for the relief of hiatus areas contemplated by the United States War Department. The War Cabinet agreed on 7th March, 1944, provided that it should be made clear that the current British estimates were for planning purposes only and were probably in excess of the supplies that could in fact

be made available, and provided also that it was understood that acceptance of the United States proposals carried with it no agreement to the allocation of food and shipping if this should involve diminution in the supplies to the United Kingdom of food and certain other commodities. Nor, at this stage, was there any allocation of finance.

But before this decision could be communicated to Washington the United States War Department began to display a strong inclination to revert to the attitude with regard to 'hiatus areas' which they had held so firmly before the issue of the Presidential directive. It was now, by a strange reversal of parts, the turn of the British to press the Americans to adhere to a policy which they, the British, disliked but had agreed to adopt in order to keep in step with the Americans and to facilitate procurement of supplies. The C.C.S. on 9th May, 1944, consulted the Supreme Commander for the invasion of north-west Europe in the matter, who replied that he could estimate hiatus area requirements and could provide a minimum of civil affairs staff to survey conditions and supervise unloading and clearance of supplies from ports by indigenous authorities, provided that a separate shipping programme was arranged from source to hiatus ports and that this did not trench upon his own shipping allocations, but that he could not undertake actual distribution. Accordingly, on 27th May, 1944, the C.C.S. instructed the Supreme Commander that the military authorities would be responsible for the relief of hiatus areas even if this was not essential to their operations. On the other hand, they added, in regard to these areas, 'It is recognized here that you alone are in a position to estimate the extent to which you will be required by circumstances to assume the initial burden for carrying out relief and rehabilitation measures in Europe to insure the least possible interruption of the advance of Allied Forces to the ultimate objective.' The Supreme Commander was to be the judge of whether the assumption of responsibility for relief in the hiatus areas would interfere with military operations, and of whether conditions in these areas were sufficiently stable to justify the provision of relief supplies.

The pattern of military relief responsibility had now almost set. Indeed, there was no further fundamental change in the basis of relief until after the end of fighting. All the plans and preparations made on the basis of the successive decisions which have been described, omitted the provision of relief for the enemy. As the writer has said in an earlier volume of these histories, 'The Allies had no intention of feeding the people of Germany whose daily diet for the better part of five years had been assured by depredation of the occupied territories. Germans were to be required to feed themselves and by so doing to learn what Nazism had done to the economy of

Europe.¹ It had not been overlooked, however, that the basic food-supplying areas of Germany were likely to end up under Russian occupation, and misgivings soon arose regarding the practicability of such a policy. How the final un-anticipated extension of military responsibility for relief took place and the Allied armies found themselves undertaking 'the prevention of disease and unrest' even in the case of their defeated enemies has been told in the volume from which quotation is made above.

To summarise: the British military authorities would be responsible for civilian relief up to the 'disease and unrest' level, for an assumed period of six months (that might, in the event, be more or less, according to circumstances), throughout forward military areas and line-of-communication areas, and (within certain strict limits) for 'hiatus' areas also.

* * *

Having traced the assumption, growth, and progressively closer definition of War Office responsibility for civil relief, we need now to turn back to the measures actually taken for the discharge of this responsibility.

On 6th August, 1942, when the War Office and the AT(E) Committee were first brought squarely face to face with the problem of civil relief, they turned for information to the Inter-Allied Post-War Requirements Bureau. For through 1942 the Bureau, together with various technical sub-committees, was at work on the preparation of a set of estimates for eighteen months on the basis of three six-monthly periods. The figures under compilation by the Bureau did not cover the requirements of enemy countries and could, of course, take no account of the probable course of military operations. They were also framed on a more liberal basis than the military authorities could conceivably accept. But an immense amount of spade work had been done and all later relief estimates derived in some degree from those prepared by the Inter-Allied Post-War Requirements Bureau. The D.Q.M.G. in conjunction with Ministry of Food experts and the Bureau began an investigation of the types and quantity of food that would be required for relief in the military period. In March, 1943, the AT(E) Committee set up a permanent Shipping and Supply Sub-Committee which became an important part of the machinery for civil affairs supplies. The sub-committee was required

' To consider and draw up in conjunction whenever practicable, with the Force Commanders concerned, the necessary detailed

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 327.

plans to deal with the shipping and supply problems likely to arise out of the civil affairs planning which the A.T.(E) Committee or the Force Commanders concerned are undertaking, and also as opportunity offers to cover similar problems likely to arise out of the general liberation of territories from the enemy.'

The War Office, after consultation with the food experts, laid their proposals for the provision of relief in the form of food in the military period before the Shipping and Supply Sub-Committee.

Then, in April, 1943, Sir Robert Sinclair of the Ministry of Production asked the AT(E) Committee for information to be supplied urgently regarding the need for relief supplies other than food. This was required in order to enable the ministry to make long term plans for production and to feed to the Combined Boards organization information that would enable the Boards to judge the possible impact of relief requirements on the over-all planning and allocation of world production, and to make advance procurement that would give the best chance of specific demands being met when they were submitted. The supplies regarding which information was requested fell into four groups - transportation stores, medical supplies, textiles, and footwear. Working parties were set up by Sir Hubert Young in the Relief Department of the Board of Trade to provide the information required. Once again the factual basis for the preparation of these estimates came largely from the Inter-Allied Post-War Requirements Bureau. It was early decided by the AT(E) Committee that the working parties should extend their attention to the food estimates as well as to the estimates for other relief supplies so as to produce a statement of total requirements for civilian relief. The working parties for the military period included War Office representatives. The estimates prepared by these working parties came to be known as the Young-Sinclair estimates. As in the case of food they were constructed on the basis of three six-months' periods, the first of which was to be the military period. The working parties concerned with this period applied the 'disease and unrest' standard above which the War Office refused to go. These three six-months' estimates again could take no account of the probable course of operations. This was done by further working parties within the War Office which scrutinised them once more in the light of forecasts of operations made available to them by the General Staff. In this way the estimates were brought into relation with the probabilities of operations without loss of security. Here it may be added that in the context of war-time scarcities, it was not to be expected that the emergence of the War Office as a bidder for so many of the commodities that the civil departments needed, should

not have given rise to sharp, sometimes bitter, competition, and that of such competition there was plenty.

Meanwhile, in the summer of 1943, as the newly created Directorate of Civil Affairs began to expand, it had been realized that relief supply was something quite outside the normal functions of the Army supply organization, which had neither the staff nor the experience to draw up estimates, to ensure that stocks were available, and to prepare detailed demands, in respect of the heterogeneous and unfamiliar mass of goods needed for civilian relief. Mr. R. J. Stopford was appointed Deputy Director of Civil Affairs (Economics) in the Directorate of Civil Affairs and began to build up an organization that could undertake these responsibilities. By August, 1943, the Young-Sinclair Working Parties had completed their estimates under most heads and these had been sent to Washington. It became the responsibility of the newly-formed civil affairs supply organization to support these estimates and to conduct the negotiations arising out of them, in so far as they related to the military period. In Washington there had been established, after the U.S. Government entered the war, four Anglo-American boards the Combined Production and Resources Board, the Combined Raw Materials Board, the Combined Food Board, and the Combined Shipping Adjustment Board, whose task it was to ensure that the resources of the free world were utilized to the maximum advantage of the Allied war effort. The Young-Sinclair estimates were intended for presentation to the appropriate combined boards, but they were first to be referred to the Office of Foreign Relief and Rehabilitation Operations, and, in the case of the military period, to the War Department, so that Anglo-American agreement could be reached before submission to the combined boards. These would allocate productive capacity, after balancing relief against other needs.

It was the intention that when production had been allocated by the combined boards machinery, and when detailed demands had been prepared by the civil affairs supply organization, supplies should be called forward by the ordinary United Kingdom military procedure down normal army channels of supply, to the point in the field where the civil affairs field organization would take over distribution to the civil population. It may be added that these arrangements were not reached without discussion and opposition. For although responsibility for civilian relief had been laid upon the War Office, it was accepted by many in the department with reluctance and misgiving. The civil affairs organization in general could hardly have been described as popular. The supply activity which the responsibility for relief entailed was especially disliked. A particular reason for this was that the Army had, of course, its own supply machinery and was apt to resent the establishment of the parallel

organization described above, a feeling that was not lessened by the fact that the Army machinery was in fact required to procure and handle the supplies called for by the civil affairs organization.

* * *

We have hitherto described the growth of War Office responsibility and the development of British machinery and measures for the provision of relief supplies for Europe. In the second half of 1943, just as the Young-Sinclair estimates were reaching Washington, there was superimposed combined Anglo-American machinery. We need to turn back a little to see how this came about.

Immediately after the entry of America into the war the Combined Chiefs of Staff Committee was formed.¹ Other combined committees followed, but it was not until March, 1943, more than two years after the formation of the Combined Chiefs of Staff Committee, that the need developed to set up, in Washington also, the Combined Civil Affairs Committee, the C.C.A.C., to advise the Combined Chiefs of Staff on the many civil affairs problems arising.² Protracted negotiations followed and it was not until 15th July that the Committee held its first meeting. This committee was required to 'recommend to the Combined Chiefs of Staff general policies which should be adopted for civil affairs, including supply and related matters' in all areas of combined Anglo-American operations. Immediately steps were taken to appoint a sub-committee to deal with civil affairs supply problems in such areas. Its charter was to:

'a. Study and make recommendations on supply matters referred to it by the Combined Civil Affairs Committee.

b. Review for the Combined Civil Affairs Committee and advise them in regard to action to be taken on recommendations of other agencies referred to it by the Combined Civil Affairs Committee.'

The sub-committee, known as C.C.A.C.(S), did not hold its first meeting until 8th September, 1943.

British representatives on these committees were made available by the British Army Staff and by other missions in Washington. Co-ordination and a secretariat for the British element of this combined machinery were provided by the Civil Affairs Branch of the British Army Staff.³ This branch played a large part in the development of the procedures to be described below, and in all matters connected with civil affairs supplies.

¹ Cf. p. 45.

² Cf. p. 67.

³ Cf. p. 77.

Meanwhile, however, on the 15th July, 1943, the very day the C.C.A.C. held its first meeting, the Combined Food Board had written to the Combined Chiefs of Staff asking for general guidance regarding the probable military requirements for relief supplies. This inquiry served to bring to a head discussions on this subject which had already been continuing for some months. The letter was referred to the newly constituted C.C.A.C. and preliminary consideration took place in the course of which the British and American members of the committee described the procedures evolved by their respective countries. Not surprisingly British procedure, described in the preceding section, was more advanced and elaborate – they had been longer on the job, and had been compelled by the climate of scarcities to evolve machinery of higher precision than might otherwise have been necessary. Their planning also contemplated a greater extent of advance procurement and stockpiling than did American ideas. This again was not surprising since the bulk of their supplies would have to be brought from great distances overseas, from sources of supply outside the United Kingdom, and could not be procured in a hurry. For the Americans supplies were more plentiful and more accessible. Furthermore many early United Kingdom proposals involved importing food from the United States for distribution as relief by the British. The very natural American reaction to these was that ‘the British should not be allowed to become intermediaries between the United States and the re-occupied territories. The supply arrangements for the United States products should be direct with the territories concerned . . .’¹ (But, in fact, the ultimate relative shares of the two countries were not, in the circumstances, to be so unequal.²) By the 1st September a paper had been prepared and this was discussed and approved at a meeting of the C.C.A.C. on the following day.

The procedure then agreed upon for the correlation and subsequent handling of United States and United Kingdom estimates of the productive capacity that was likely to be needed for the provision of relief supplies was in certain respects based on the procedure which had been evolved in the United Kingdom. It was agreed that combined United States–United Kingdom civil authorities, working in the supply sub-committees of a body known as the Combined Anglo-American Co-ordinating Committee, would prepare over-all estimates of relief requirements, probably based on three six-monthly periods. These estimates would roughly parallel the Young-Sinclair estimates, just received from the United Kingdom. It was intended that the appropriate part of the Combined Chiefs of Staff organization would then apply a strategic ‘key’ to these estimates which

¹ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, p. 129.

² Cf. p. 171.

would determine, in the light of the probable course of military operations, what proportion of the estimates would in fact require to be met in each of the three periods for which the estimates had been drawn up. The resultant figure would represent total actual overall requirements for civilian relief in both military and civil periods. From this total would be subtracted all relief requirements for the provision of which the military authorities had accepted responsibility. The balance left would represent the total requirements for civilian relief by the civil, as opposed to the military, organization. These requirements would then be placed before the appropriate combined boards by the Combined Civilian Supply Sub-Committee. The boards would thereafter advise as to (a) the possibility, and also the consequences, of meeting these requirements, and (b) the available sources of supply. Finally, it would be for the U.S. and the U.K. Governments to decide, in the light of the advice received, how far the requirements must be cut, having regard to other competing demands.

So far procedure was closely modelled on that which had been set up in the United Kingdom. It was in the arrangements agreed upon for the handling of the estimates of relief for which the military authorities had accepted responsibility, and which had been subtracted from the total to be placed before the combined boards, that a difference developed. American procedure recognized the full military necessity of these estimates by including them unreservedly within the Army Supply Program, together with estimates of purely military requirements. This Program, if it was not accorded absolute priority, at least enjoyed in American eyes a priority high enough to ensure that it did not require to be placed before the combined boards. British practice was different. Relief supplies for the military period were admitted to be militarily necessary, but were still looked upon primarily as relief for civilians and a part of the overall civil and military relief programmes. No overriding priority was felt to attach to them, such as would justify their exemption from taking their chance before the British and combined production authorities alongside other civilian requirements. (In any case limitations of port and transport capacity during the military period would be the effective check against their undue inflation). The combined procedure for the handling of relief estimates for the military period which had been agreed to by the C.C.A.C. on 2nd September and subsequently endorsed by the C.C.S. closely followed the American rather than the British procedure. It was then agreed that these estimates should be included in the total military requirements for both purely military and relief purposes, the Combined Chiefs of Staff making provision of relief supplies for each theatre of Anglo-American operations in the light of the application of the strategic

'key'. The combined boards would merely be 'informed' of the overall military total. This exemption of relief requirements for the military period from scrutiny by the combined boards was quite opposed to British ideas. There was here a fundamental difference between Americans and British, but it was not brought out at the meeting on 2nd September, and the British representatives on the C.C.A.C. made no protest.

This procedure quickly gave rise to difficulty. When estimates of Italian relief requirements prepared by A.F.H.Q. in Algiers came before the C.C.A.C.(S) in September, 1943, the United States members made specific proposals for the division of procurement responsibility between the United States and the United Kingdom. In doing so they considered themselves to be acting in accordance with the instructions of the Combined Chiefs of Staff in August, 1943, that an over-all combined programme of requirements should be developed by the C.C.A.C. and that the C.C.A.C. should prepare a statement of requirements 'indicating the quantities of each category which will be supplied by the United Kingdom and the United States.' They must also have felt that they were acting within the framework of the procedure agreed to as recently as 2nd September. After reference to London, the United Kingdom members nevertheless said that in their view the C.C.A.C. and its supply sub-committee were not competent to determine the actual source of supply of relief requirements during the military period. The decision, they maintained, must rest with the combined boards. This was in line with known British views and procedure but was inconsistent with the agreement given at the C.C.A.C. In further discussions it became clear that the United States view was that both the instructions of the C.C.S. and the requirements of military security precluded formal reference by the C.C.A.C.(S) to the combined boards of questions of sources of supply for relief requirements. Informal conference and consultation were a different matter and in their view permissible – though quite why these should be less dangerous to security than formal reference is not very clear. The British view was that, having regard to global shortages, any decision by the C.C.A.C.(S) as to sources of supply would have such reactions on the world-wide plans of the combined boards that the C.C.A.C.(S) must be required formally to consult the Boards before making their recommendations to the C.C.A.C. and that the instructions of the Combined Chiefs of Staff did not, and had never been intended to mean, that reference to the combined boards was precluded. The British view would appear to have been fundamentally sound. It was only a pity that it had not been ventilated at the C.C.A.C. meeting on 2nd September. Indeed it was understood by the British that the United States State Department and other

civilian agencies favoured it, and that the opposition by the military authorities was due mainly to the dislike of the United States Services to being in any way dependent on civil organizations. But the British were also personally interested for it was clear that adoption of the procedure advocated by the United States members of the C.C.A.C.(S) might result in the placing upon the British economy of military demands in addition to demands placed upon them by the combined boards. It would then be possible to meet the military demands only by further lowering the level of British food consumption – a course to which the British Government was firmly opposed on the grounds that this standard was not susceptible of further reduction without creating an adverse effect upon the British war effort. A curious compromise was evolved by the C.C.A.C. in November, 1943, under which:

‘ The Supply Sub-Committee shall make recommendations to the C.C.A.C. as to the requirements of civilian supplies to be provided . . . and also as to the respective U.S. and U.K. responsibility therefore. In formulating recommendations as to supply responsibility the U.S. and U.K. members may refer any requirements in question to their respective supply authorities for suggestions as to the appropriate sources of the necessary supplies. The supply authorities for either government may in their discretion refer any such question to the relevant Combined Board in order to obtain its views, and advice as to sources of supply.’

United States military face was saved, but the British could at any time ensure reference to the combined boards. The dangers to security seem to have been forgotten. By January, 1944, when Sir Frederick Bovenschen and Mr. R. J. Stopford visited Washington to discuss these and other matters, it seems, tacitly, to have become the practice for the supply sub-committee of the C.C.A.C. to lay military relief estimates before the combined boards for their recommendation as to availability and sources of supply, before submitting these to the Combined Chiefs of Staff for their approval. It was not until some three months later, on 18th May, 1944, that the C.C.A.C. at last formally directed that in regard to estimates of this kind its supply sub-committee should seek and ‘ accept the recommendation of the Combined Boards as to sources of supply and procurement responsibility.’

* * *

What, meanwhile, had happened to the British estimates, prepared by the Young-Sinclair Working Parties and sent to Washington in August, 1943?

It will be remembered that the estimates for the military period, with which we are here concerned, had been referred to the War Department for their agreement before submission to the combined boards. The War Department showed a strong disinclination to accept these estimates, partly because, as has been mentioned above, they were opposed to any stock-piling on the scale considered necessary by the British. Partly also this was because they suspected that the British estimates included items of relief which the War Department was leaving for the civilian relief agencies to provide later, and because they were, at this stage at least, prepared to force down the 'disease and unrest' level below anything contemplated as practicable by the British. Perhaps the main reason was that the estimates had been prepared under the authority of the A.T.(E) Committee in London, and not by combined machinery in Washington.¹

Before these differences could be reconciled, the procedural difficulties had developed over the Italian demands for relief supplies which have been recounted above.² Until these could be resolved no progress was possible with the Young-Sinclair estimates. However, in November, 1943, a compromise was at last reached, which was satisfactory to both British and Americans, and which cleared the way for consideration of the estimates to be submitted to the combined boards.

At about the same time, however, there was issued the President's letter reproduced above³ which not only added urgency to the War Department's somewhat reluctant consideration of the problems of civilian relief, but had changed the whole nature of the problem by placing upon the military authorities the most unwelcome responsibility for relief in the 'hiatus' areas. By this time another factor in the problem had also changed. For the first time the military authorities believed that there was a serious possibility of the enemy withdrawing in order to shorten his fronts and conserve his resources, and that the Anglo-American forces might, in view of the President's letter, be called upon with little warning to provide relief not merely for a gradually expanding bridgehead, but for whole countries at a time.

By January, 1944, the War Department had produced their estimates of the relief supplies that would in these circumstances be needed for the Anglo-American invasion of Europe. These estimates were known as Plan A and were based on complete simultaneous liberation of each country and on the assumption that the enemy had not applied a 'scorched earth' policy before withdrawing. (There was also Plan B for complete simultaneous liberation with a

¹ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, p. 129.

² Cf. p. 158.

³ Cf. pp. 148-149.

' scorched earth ' policy, and Plan C for contested invasion with ' scorching ', but neither of these plans was ever seriously considered.)

If an attempt were to be made to reconcile, or to argue the merits of, the British and the American estimates, there was grave danger of the whole matter becoming bogged in detail, at a time when it was more than ever urgent to give to the combined boards some idea of the probable long term requirements for civilian relief. Mr. R. J. Stopford, the Director of Economics (Civil Affairs) together with Sir Frederick Bovenschen, the Permanent Under-Secretary of State, flew to Washington, and met the representatives of the Civil Affairs Division of the War Department, and of the Combined Civil Affairs Committee. The Plan A figures were not based on the Young-Sinclair estimates. But in fact the differences between the two sets of estimates were not great and Mr. Stopford accepted Plan A with the least possible hesitation. By so doing, and by the sacrifice of inessential differences, he not only averted the danger of an immediate deadlock, but created a fund of goodwill that was to stand the British in good stead in subsequent negotiations. The principles of Plan A were accepted by the War Cabinet, subject to the overriding need to safeguard the existing scale of supply to the United Kingdom. The Plan was then submitted to the appropriate combined boards.

The machinery had now assumed its final shape. Estimates for military relief requirements would be prepared by combined commanders, and also, when appropriate, by British or American commanders. For all areas in which there was a combined Anglo-American military responsibility for relief, these estimates would be reconciled and put into the form of overall combined Anglo-American estimates by the supply sub-committee of the C.C.A.C. The C.C.A.C.(S) and the C.C.A.C. were responsible for balancing the needs of the several combined theatres of war and for bringing the aggregate combined demands into realistic relation with physical possibilities. For theatres where no combined operations would take place, the British or American commanders drew up their own estimates. The estimates so drawn up, combined and others, were then sent to the appropriate combined boards to decide whether, and if so how much, productive capacity could be made available to meet their requirements, and to allocate the responsibility for production to particular countries. If production could not be made available it was for the C.C.A.C. and the C.C.A.C.(S), or for the British or American commanders concerned, to explore the possibility of substituting other supplies. This form of advanced procurement ensured that, within the limits of the estimates accepted by the combined boards, production would be available to meet the more specific demands which would in due course be made through the normal War Department and War Office channels by the military

commander concerned. For although it was the civil affairs machinery, combined or other that prepared the estimates for relief supplies, ensured that production was available as needed, and planned their ultimate distribution, nevertheless it was through normal military channels that specific demands were submitted, and through the normal military channels that relief supplies were actually to be procured and moved to theatres of war. Not all the production allocated by the combined boards was necessarily called forward by specific demands, these being confined to the needs of the situation and limited by the port and transport capacity available. Arrangements for distribution in the field varied from theatre to theatre, and from time to time. They have been described in the volumes dealing with particular theatres of operations.

* * *

Since both the British and the United States Armies had their own established supply organizations and continued to use these for the estimation and procurement of their strictly military requirements, although acting operationally under unified combined command, the question naturally arises why it was necessary to create this new combined supply machinery for dealing with civil affairs requirements. The decision to do so was taken over the case of Italy. The main reasons were two. In the first place supplies transferred from the United States to the United Kingdom under the American Lend-Lease Act were initially not permitted to be retransferred to a third party. (Later this restriction was relaxed subject to strict conditions, the chief of which was that any supplies so re-transferred were to be deemed to have been issued by the United States and that any payments received for them should be credited to the United States). Accordingly lend-lease supplies could not at first be used by the British as relief supplies for the civil population. The British military procurement machine depended to an appreciable extent upon material procured under lend-lease arrangements. It would not have been practicable for this machine to prepare separate estimates and demands for relief supplies which were not eligible for lend-lease treatment. A separate organization and procedure would have been necessary in any case. There were obvious advantages in setting this up under combined, rather than under separate, national auspices. In the second place, 'there was the fact that the estimating and planning of civil affairs supplies was a specialist task outside the normal scope of Army Supply, involving as it did political as well as

military considerations. It was, therefore, found desirable that the policy governing the procurement of civil affairs supplies, the estimating of requirements and the planning of distribution should be the responsibility of an organization which was independent of, but had a comparable status with, the organization responsible for normal military supplies.'

* * *

Through 1942 and 1943, while U.N.R.R.A. was being brought into existence, the broad expectation was that it would be to U.N.R.R.A. that the military responsibility for relief would pass at the earliest practicable time. It was provided in Article IV of the U.N.R.R.A. agreement that the Director-General immediately upon taking office 'shall in conjunction with the military and other appropriate authorities of the United Nations prepare plans for the emergency relief of the civilian population in any area occupied by the armed forces of any of the United Nations, arrange for the procurement and assembly of the necessary supplies and create or select the emergency organization required for this purpose.' It was provided in Article VII that 'Notwithstanding any other provision herein contained, while hostilities or other military necessities exist in any area, the Administration and its Director-General shall not undertake activities therein without the consent of the military command of that area, and unless subject to such control as the command may find necessary. The determination that such hostilities or military necessities exist in any area shall be made by its military commander.' It might have been expected that these provisions governing the relations of the military authorities with U.N.R.R.A. would have resulted in extensive negotiations and agreements between the two parties. In fact this was not so, for in almost every case it was to the indigenous governments, not to U.N.R.R.A., that the military authorities passed on their responsibility for relief. (Responsibility for the care of displaced persons was another matter, but this will be treated in a separate chapter.) Why did the great majority of the indigenous governments prefer to handle relief themselves rather than to call in U.N.R.R.A.?

As the concept of U.N.R.R.A. developed, it can have caused no surprise when a policy was adopted that those countries which could afford to pay for relief supplies should be required to do so. For such countries, if they could not hope to obtain relief free or on favourable terms, the obvious advantage to be derived from invoking the services of U.N.R.R.A. had disappeared. It was for a long time

uncertain where the line would be drawn dividing those who could and must, from those who need not, pay. It soon became clear, however, that in the case of countries receiving free relief, U.N.R.R.A. would demand to exercise a measure of administrative supervision over distribution. As a result, countries that might in other circumstances have put forward their claims for free relief, preferred to make the effort to finance their own supplies and retain their independence. These two reasons for preferring to dispense with the aid of U.N.R.R.A. might nevertheless have been neutralised if U.N.R.R.A. had been constituted the supreme authority for procuring and allocating relief supplies. But this was not done, and, since the procurement of these supplies began while the war still continued, U.N.R.R.A. was subordinated to the combined boards machinery and called upon to justify its demands in the same manner as, and in competition with, other claimants for scarce supplies, whether military or civil. No other course would have adequately safeguarded military priorities. Its adoption meant, however, that countries able to pay for their own relief supplies could go direct to the combined boards without the possible disadvantages of putting forward their case through U.N.R.R.A. These tendencies to go elsewhere than to U.N.R.R.A. for one's relief shopping, were strongly reinforced by the general confusion and administrative ineptitude that reigned within U.N.R.R.A. during the earlier days, and by the political desire of the governments concerned to demonstrate their zeal in caring for their own people. It was for these various reasons that the countries in which military operations took place decided, with few exceptions, to do without the aid of U.N.R.R.A.

The only exceptions, where it was to U.N.R.R.A. that the military authorities handed over, were Italy, Austria, and the Dodecanese. The circumstances of the hand-over in these three countries have been described elsewhere.¹ In regard to Italy and Austria, agreements permitting and regulating the operation of U.N.R.R.A. were concluded between U.N.R.R.A. and the governments of these countries. In regard to the Dodecanese, the agreement was between U.N.R.R.A. and the British Military Administration, but owing to the imminent end of U.N.R.R.A. activity, responsibility passed back to the British Military Administration after only a few months, to be ultimately handed over to a Greek Military Administration. In all other territories in which the British military authorities assumed a responsibility for relief, it was to the indigenous governments that

¹ Austria in Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 299.
Italy in Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, pp. 364-365.
Dodecanese in Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, pp. 528-530.

they passed on their responsibility (the 'indigenous government' in Germany being, *pro tempore*, the Control Commission).

A special case which gave rise to considerable negotiations between the military authorities and U.N.R.R.A. was that of the Balkans, particularly Greece. British forces operated in Greece and British military officers worked with guerillas or partisans in Yugoslavia and Albania. Inevitably a certain responsibility rested upon these military authorities – indeed in Greece a civil affairs agreement was concluded between the British and Greek Governments which recognized the right of the British commander to exercise 'supreme responsibility and authority' in certain circumstances. But no formal British or Allied military administration was established in the Balkans. A military headquarters was set up known as Allied Military Liaison (Balkans). This headquarters was Allied, that is to say Anglo-American, only for the purpose of bringing in relief to the Balkans, which both British and Americans were anxious to do. For all other purposes it was British, since the Americans were anxious not to be involved in the Balkans in military or political matters. Allied Military Liaison had no executive staff for the administration of the Balkan countries or the import of relief supplies. If it became involved in administrative matters, it was contemplated that it would utilize the indigenous local administration. For the handling of relief it was arranged that it would utilize the services of U.N.R.R.A. as an agent of the military authorities, and an agreement was concluded for this purpose between Allied Military Headquarters and U.N.R.R.A. Three Allied military headquarters were subordinated to Allied Military Liaison (Balkans): Military Liaison (Greece), Military Liaison (Yugoslavia), and Military Liaison (Albania). An U.N.R.R.A. mission came to Greece under the agreement with Allied Military Liaison (Balkans) where it operated under Military Liaison (Greece) but withdrew within a month when civil war broke out, its American head taking the view 'that the British policy of assisting the Greek Government against the insurgents involved discrimination, and forbade fair distribution of supplies and welfare services to both sides in the civil war.' When peace was restored the mission returned and resumed operations as agent for the military authorities. U.N.R.R.A. missions operated also in Yugoslavia, under Military Liaison (Yugoslavia), and Albania, under Military Liaison (Albania). On conclusion of the 'military period' the U.N.R.R.A. missions continued in their own right, under agreements with the indigenous governments.

* * *

How relief supplies were to be paid for, and by whom, was not at first clear. The earliest distribution of relief by the military authorities on any significant scale occurred in Sicily and Italy. Estimates and demands were prepared in Algiers by A.F.H.Q. and sent to the combined authorities in Washington. The precise nature and extent of the responsibility to be assumed by the military authorities was still under consideration. The magnitude of this responsibility was not clearly realized, for North African experience had not given any warning. It was accordingly not until after relief supplies had begun to be shipped to Sicily and Italy in the middle of 1943 that the question of financial responsibility began to receive serious consideration.

The background to this consideration was to be found in the negotiations being held throughout 1943 in Washington regarding the establishment of U.N.R.R.A. In these the broader question of the financing of international civil relief in general had been under discussion. The basic approach, both in the U.N.R.R.A. negotiations and in such consideration as had been given to the financing of military relief, was that those countries who could, should pay for the relief they received, and that those countries who could not, should receive relief free and not be required to hang a millstone of debt round their necks. The question was how to divide responsibility for the cost of relief provided to the countries who could not pay. At this point it should be added that it was always contemplated that, in order to combat inflation, individuals should pay over the counter for goods received, if they had the necessary local currency. What was in question here between governments was the payment of foreign exchange.

Over the case of Italy, where conditions found made the need for relief greater than many had expected, and where the long drawn out nature of the campaign meant that the need would continue longer than had been foreseen, the United States War Department proposed that the cost should be divided equally between the United States and the United Kingdom. Not unnaturally this basis of division of the cost of military relief was totally unacceptable to the British, whose economy and finances were already stretched to breaking point. It was shortly after this that the First Council Session of U.N.R.R.A., held in November and December, 1943, adopted a proposal that the cost of U.N.R.R.A. operations should be defrayed by member governments subscribing 1 per cent of their national income. Provision was made for contributions from non-member governments and from non-governmental sources also, but the major part of the burden would be borne by the member governments in proportion to their national incomes. Clearly adoption of this formula meant that the United States would be required to assume

responsibility for a great deal more than 50 per cent of the losses on relief supplies furnished through U.N.R.R.A., and the United Kingdom a great deal less. In the event the United Kingdom contributions to the working of U.N.R.R.A. on this formula amounted to just under 16 per cent, while those of the U.S. Government amounted to 69 per cent. Another 2 per cent to 3 per cent was contributed by non-governmental organizations in the United States. The United Kingdom representatives at the First Council Session of U.N.R.R.A. sought agreement to the proposition that the United Kingdom contribution of £80,000,000, to the cost of U.N.R.R.A., on the 1 per cent of national income formula, must also pay for the cost of military relief incurred by the British. The advantages to the United Kingdom of such an arrangement were obvious. It would reduce their share of responsibility for the losses on military relief from the threatened 50 per cent to 16 per cent, and would set a limit of £80,000,000 on the total expenditure to be incurred on both civil and military relief. The British proposal was not well received. It was understandably felt in the first place that the British were going back on their undertaking to contribute £80,000,000 'for participation in the work of the Administration'. Secondly, the expenditure so far incurred on military relief was almost entirely for Italy, which was ex-enemy territory. The Council, reluctant to feed ex-enemies when there might not be enough to go round for the Allied countries, had refused to allow U.N.R.R.A. money to be spent on enemies or ex-enemies.

In January 1944, after the State Department had made clear their view that British persistence in their intention to deduct the cost of military relief from their £80,000,000 contribution to U.N.R.R.A. would have the most adverse effects upon American opinion, the British faced the fact that they would probably have to incur expenditure on military relief in addition to their contribution to U.N.R.R.A.¹ They still reserved the right, however, to charge all or some of the cost of military relief against their £80,000,000 contribution, if no equitable arrangement could be negotiated for sharing the cost of such relief. In June 1944, the U.K. Government communicated to the U.S. Government their view that 'in the light of the difference in financial strength between the United States and the United Kingdom, they would not be able to regard an equal sharing of the burden of relief in the military period between the two countries as an equitable settlement'. The British were thinking in terms of dividing the cost of military relief between themselves and the Americans in the proportions of their respective contributions to U.N.R.R.A., that is to say roughly in the ration of one to four.

By now, however, there was a third party to the argument. In

¹ 396 HC. Deb. 5. 5. 25th January, 1944, Col. 567-632.

February, 1944, by which time it appeared that the combined boards proposed to treat Canada as a major source of supply for military relief supplies, the Canadian Government made their view known that ' . . . until a clear cut and equitable arrangement is agreed upon, supplies obtained from Canada for distribution by the United States and United Kingdom Military Authorities should be paid for by the U.K. and U.S. Governments '. Later it became clear that the Canadian Government might modify this view if it were accorded a measure of representation on C.C.A.C.(S) and C.C.A.C. In further discussions the Canadian Government expressed readiness in these circumstances to join with the U.K. and U.S. Governments in bearing a part of the cost of military relief. It was suggested that this might be proportionate to the strengths of the ground forces employed in the liberation of Europe by Canada, the United Kingdom and the United States, and that the Canadian share might be of the order of 8 per cent.

Negotiations ensued between the three governments in August and September, 1944, and continued in the succeeding months. Finally on 12th February, 1945, agreement was reached. Losses on the provision of military relief up to a total of \$400,000,000 would be borne in the following proportions: United States 67 per cent, United Kingdom 25 per cent, Canada 8 per cent. If losses exceeded \$400,000,000 the governments would consult again. Later it was agreed that in that case losses should be borne in the proportions United States 74 per cent, United Kingdom 21 per cent, Canada 5 per cent. It was further agreed that receipts from those governments who were able to pay should be divided between the three governments in such proportion as would bring their actual shares of the losses into conformity with the agreed percentages. The proportion suggested in May, 1946, was United States 62 per cent, United Kingdom 35 per cent, and Canada 3 per cent. After much bargaining agreement was reached in April, 1947, that the United States should receive 62 per cent, the United Kingdom 33 per cent, and Canada 5 per cent, a formula which, together with certain other somewhat complicated adjustments, particularly in regard to the proportions in which the three governments should share the proceeds of the sale to U.N.R.R.A. of relief supplies accumulated by the military authorities for use in the Balkans, was calculated to distribute losses in the agreed proportions. In fact the formula assumed that only half the claims against the liberated countries of North-West Europe would be recoverable. If more were to be recovered by the United Kingdom it would, *pro tanto*, be bearing less than its agreed proportion of losses. In fact these claims were paid, or offset against counter-claims, virtually in full and the United Kingdom was thereby relieved of responsibility for losses to the extent of some £10 million.

The cost to the United Kingdom of military relief in Europe was broadly speaking confined to £25,062,000 written off in respect of Italy and £2,362,000 in respect of Greece. Claims against Germany and Austria amounting to some £25 million were passed to the German Section of the Foreign Office for such recovery or off-setting as might be possible in the future.

In the far east, civil relief was not an international problem, since Burma, Malaya, Hong Kong, and Borneo were British territories and the provision of supplies for them was a domestic responsibility undertaken by the British. Similarly, relief for the territories that formed part of the Netherlands East Indies was broadly speaking provided by the Dutch. There were, accordingly, no complicated questions of apportioning the cost between Allies. It was the intention that relief supplies imported to British territories should be sold at prices that would reimburse the British Government for the cost of importation (though recovery of cost in local currency would be of no value to the British Government unless it could use the currency locally, e.g. to pay troops or civil labour, which in the case of its Far Eastern territories it was able to do). But provision was made for sales at concession rates and for free issues, and there was a high proportion of losses by looting, pilfering, misappropriation, and accounting failures. In Burma the value of relief supplies procured through military agency was £10,769,609. The value of supplies that actually reached the country before the conclusion of military administration was only £6,616,270. Receipts from sales during the military period amounted to £2,807,072. The difference between the last two figures, £3,809,198, represents the cost of relief during the military period (though a part of this outstanding may have been recovered subsequently by the civil administration). Comparable figures for Malaya, Hong Kong, and Borneo are not easily obtainable, but it would appear to be a not unreasonable guess that the total cost of relief in the British far eastern territories during the military period was of the order of £10,000,000. In respect of the territories brought under British military administration in Africa, little or no cost fell upon the British for the provision of relief supplies.

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What in a broader setting, did this very considerable military effort for the relief of the civil population amount to?

In the matter of food the Allied objective was to supplement indigenous supplies so that the normal consumer's daily ration should not fall below a calorie value of 2,000. By way of illustration,

there are set out below the ingredients, on paper, of a daily diet yielding 2,000 calories:

Milk	1 pint
Fat	1 oz.
Sugar	1 oz.
Jam	$\frac{1}{2}$ oz.
Cheese	$\frac{1}{2}$ oz.
Meat	1 oz.
Bacon	$\frac{1}{2}$ oz.
Pulses	1 oz.
Bread	6 oz.
Flour	2 oz.
Potatoes	24 oz.
Root vegetables	2 oz.
Green vegetables	4 oz.

By way of comparison, the value of the normal consumer's daily ration in the United Kingdom, throughout the austerities of war time, never fell below 2,800 calories, and for much of the time was just over 3,000 calories. In the event it proved impossible, in many countries, and for a long time, for the Allies to achieve even the limited 2,000 - calorie objective.

The other items of relief to be provided gradually settled down for the most part into the following categories: clothing, medical and sanitary stores including soap, coal, petroleum, and agricultural supplies, all on an austerity basis. In the matter of clothing, provision was made for Europe on the basis of five British coupons per head - say one sweater, or one pair of trousers, or one shirt, provided these were not of woollen materials. The British ration averaged about forty-eight coupons annually.

But there was a brighter side to the picture. In the matter of food, additional rations were provided for those engaged on manual work. And in the matter of clothing, it was not everyone who was in urgent need. In addition, supplies were provided, on proof of military necessity, for engineering work, public utilities, transport, and housing repairs. These supplies were mostly provided as required, and when they could be spared, out of overall military stocks. Nobody who witnessed the distribution of food in the Netherlands can be in any doubt regarding the value of these supplies and the satisfaction which they gave, as immediate relief for the starving and as a promise of better things to come.

As to actual quantities of relief provided by this military effort, it is not easy to obtain exact tonnages, but the total for North-West Europe including Germany and Austria up to the conclusion of the

period of combined responsibility during July, 1945, the Mediterranean, Italy, the Balkans, and countries in South-East Asia Command, would appear to have been of the order of 13,000,000 tons.

Of this total some 6,000,000 tons went to North-West Europe, between 4,500,000 and 5,000,000 tons to Italy and the Mediterranean, and between 1,000,000 and 1,500,000 tons to the Balkans. For the countries within South-East Asia Command there is a fairly reliable figure of 1,202,500 tons. It is possible to give a more exact distribution for Europe and the Mediterranean if this is done on a basis of value rather than of tonnage. For South-East Asia a comparable figure is not readily obtainable. In terms of American dollars North - West Europe received \$1,077,700,000, Italy \$522,000,000 and the Balkans \$146,600,000, making a total of \$1,746,300,000. Turning to the sources of procurement for these relief supplies, it is clear that by far the greater part of those sent to the countries of South-East Asia Command were supplied from India. Over the rest of the field an exact division can be made, again provided this is done in terms of value rather than tonnage. Of the \$1,746,300,000 worth of supplies procured, the United States was responsible for \$1,134,800,000 or 65 per cent, the United Kingdom for \$516,000,000 or 29.5 per cent, and Canada for \$95,700,000 or 5.5 per cent. On a tonnage basis the United Kingdom share was greater, amounting probably to more than 40 per cent. The United Kingdom share included both United Kingdom stocks, and supplies obtained from Canada or other countries (but not the United States) on cash payment or under mutual aid agreements. It naturally did not include any credit in respect of supplies received from the United States under lend-lease procedure and then issued by the British as relief supplies except to the extent that their cost was increased by additions or modifications in the United Kingdom, e.g. by the construction and addition of special bodies in the United Kingdom to trucks originally supplied from the United States. Contributions by or to all countries were predominantly of food stuffs, with clothing, transportation equipment, and medical supplies coming a good way behind.

Military relief was an entirely new experiment. No precedents existed. No principles had been laid down. Clearly it could not be lavish. To have pitched it too low would have failed to prevent those troubles, 'disease and unrest', which if they had broken out would have required the withdrawal of troops from the battle for their suppression. To have pitched it too high would also have diverted to the business of meeting civil needs too high a proportion of the men and materials that should have been used against the enemy. The principle that relief should prevent disease and unrest but no

more was undoubtedly sound. In trying to judge whether the relief provided rightly estimated the level required by this principle, we may accept that it was not too low – at no time in any theatre was there disease or unrest sufficient to require the diversion of combatant forces from their main task. Whether it was higher than it need have been can only be guessed. From what has been written above many will feel that it could not safely have been pitched much lower, and that the proper level was assessed with as much accuracy as could have been expected. The following contemporary verdict on the nature of the civil affairs organization created was passed by Mr. Stopford, Deputy Director of Civil Affairs (Economics):

‘ But such success as it attained was due to the initial decision to place the primary responsibility on the military authorities and at the same time to seek the utmost co-operation from civilian Supply Departments. No civilian organization could have functioned successfully during the period of military operations, since it was only the integration of Civil Affairs in the Army and the placing of responsibility on the Army Commander which obtained for Civil Affairs their fair share in shipping, port capacity and transport. But equally the military authorities could not have planned and presented the supplies without the expert co-operation of the Supply Departments and the Ministry of War Transport.’

To this verdict the present writer is unable to make any significant addition – except to say that, Mr. Stopford himself clearly made an important contribution to the success achieved.

* * *

Did the laws of war require the very considerable effort by the military authorities to relieve the civil populations? And does the question accordingly arise whether the Allies adequately discharged their responsibilities under the law?

The laws of war governing the occupation of territory are to be found in the Hague Rules. These rules apply only to the occupation of enemy territory and were therefore inapplicable to the administration of liberated British and friendly territories, except to the extent that they set a standard below which the occupier of such territories could hardly allow himself to fall. Throughout the greater part of the field of Allied military relief therefore, there was no obligation laid upon the Allies by the laws of war to provide relief, and there was no question of any failure to comply with these laws, and would have been none, even if no relief had been provided. But there

were, of course, plenty of other reasons for embarking upon a relief programme: the need to prevent disease and unrest, the desire to succour friends and Allies, to encourage them and others to continue the struggle against Germany, the need to get these countries economically on their feet again so that they no longer depended on relief from outside and could even begin to contribute resources to the prosecution of the war; and the pressure from Allied governments anxious to demonstrate zeal for the welfare of their nationals.

Once in enemy territory, however, the Allied occupation became subject to the laws of war, as set out in the Hague Rules. But there was in these no specific imposition upon the occupying powers of the duty to provide relief for the enemy population. The only provisions in these rules that could be held to have a bearing on the matter were those in Article 43, which required that the occupant ' . . . shall do all in his power to restore, and ensure, as far as possible, public order and safety . . . ' The duty to restore and ensure public order and safety would appear to have meant the duty to restore and support the police and other authorities, to enforce the laws, and to keep the peace, if necessary by the use of military force. The duty to provide relief was not contemplated, and certainly not directly enjoined, although circumstances are easily imaginable in which the import of relief, especially of food, might be the best or even the only way to restore order. It would have been difficult to contend, however, that failure to bring relief amounted to a breach of Article 43 of the Hague Rules.

And indeed in Germany, initially, the Allies did not plan to bring in relief. Rather was it the intention that, if someone had to go short, the Germans, who had for so long fed well at the expense of the rest of Europe, should have their turn of hunger and should have an opportunity to experience what they had done to the economy of Europe. But the desperate and deteriorating situation soon forced the Allies to act. Outbreaks of disease, or a serious collapse of public order, might well have endangered the health and safety of their forces. But even if it had been decided to accept these risks, it was becoming clear that conditions would continue to worsen until the Allies would find themselves compelled, both by public opinion, and by their own humanitarian feelings, to undertake relief, which by that time would have become a far more difficult and costly operation than if undertaken at once. Behind all these considerations there was also gradual realization of the danger that communism might spread into western Europe. Chaos and anarchy were the conditions in which communism thrived best. In enemy as in friendly territories, there were in fact plenty of reasons why the occupant would need to provide relief, whether or not he was required by law to do so.

In Geneva, at the conference of 1949, convened to revise and extend certain provisions of the laws of war, one of four conventions established related to the protection of civilian persons in time of war. This was supplementary to the Hague Rules. Influenced both by what some of the combatants failed to do and by what others had demonstrated to be an attainable standard, the Civilian Convention of 1949 greatly raised the standard of protection for the individual. The first paragraph of Article 55 ran:

‘ To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate.’

The first part of the next paragraph ran:

‘ The Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory, except for use by the occupation forces and administrative personnel, and then only if the requirements of the civilian population have been taken into account.’

The first paragraph of Article 56 ran:

‘ To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the co-operation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory, with particular reference to the adoption and application of the prophylactic and preventive measures necessary to combat the spread of contagious diseases and epidemics. Medical personnel of all categories shall be allowed to carry out their duties.’

Article 59 provided further that:

‘ If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes [by a third party] on behalf of the said population, and shall facilitate them by all the means at its disposal.’

Finally, Article 60 opened:

‘ Relief consignments [under Article 59] shall in no way relieve the Occupying Power of any of its responsibilities under Articles 55, 56 and 59.’

The matter could hardly have been put more clearly. And it was very different from the provisions of the Hague Rules. If this convention had been in force through 1945 and 1946, there would have

been a clear duty upon the Allies under the laws of war to provide for the relief of Germany.

But the real lesson of 1945 and 1946 would appear to be that, whether or not the laws of war require an occupying power to undertake the relief of the population of occupied territory, such a power unless for its own ends it desires chaos and is sufficiently ruthless to create it, will in self-protection find itself driven to accept responsibility for relief.

CHAPTER VIII

VOLUNTARY SOCIETIES

THE use to be made in the military period of the services of the many voluntary societies anxious to participate in relief and welfare work, was a matter that claimed a disproportionate amount of attention from the Civil Affairs Directorate and the War Office generally and for that reason requires at least a brief chapter.

The purpose of the Red Cross movement, both national and international, is, in broad terms, the care of the wounded, the sick, and prisoners of war and, over a wider field, the improvement of health, the prevention of disease, and the mitigation of suffering. The United Nations Relief and Rehabilitation Administration was set up to ensure that the people of territory liberated by the Allied forces should receive immediately aid and relief from their sufferings, particularly in the form of food, clothing, and shelter, aid in the prevention of pestilence, and aid in the recovery of health. Numerous voluntary societies in the United Kingdom and the United States, besides the Red Cross organizations, were brought into being and inspired by similar humanitarian ideals. It might be supposed that these common motives would have resulted in a ready pooling and co-ordination of effort to ameliorate the distress uncovered by the advance of the Allied forces. But, in fact, the use to be made of this reservoir of good will was to give rise to strong political dissension and create complicated problems of co-ordination.

It has been told in the previous chapter how an Inter-Allied Post-War Requirements Committee and Bureau were set up in London as a result of the St. James's Palace Conference held in September, 1941, to co-ordinate the procurement of supplies and to review other arrangements that would be needed for the relief of civilians. The appointment of this committee and bureau was the effective starting point for most of the vast and complicated plans for the provision of relief of all kinds for civilians in all war areas. There were a large number of voluntary societies in the United Kingdom anxious, sometimes competitively anxious, to participate in relief operations, and which between them commanded a valuable reserve of knowledge, experience, and enthusiasm which ought not to remain unused. In order to pool the resources of these societies, to co-ordinate their efforts, and to relieve the Government of the invidious duty of selecting the societies best fitted to undertake particular tasks, there

was formed at Government suggestion in the autumn of 1942, the Council of British Societies for Relief Abroad.¹ The council consisted of twenty-two organizations with international affiliations. Twenty other organizations were associated with the council in a body known as the Standing Conference. The council was recognized by the British Government as the body through which the plans and activities of these British organizations could be co-ordinated and their assistance made available as and when needed by the appropriate British or international authorities.

In June, 1943, the Inter-Allied Post-War Requirements Committee presented a report to the Allied governments by which it had been appointed, in the course of which it drew attention to the fact that post-war requirements would include the provision not only of supplies, but of services in the field. It mentioned as examples local distribution of supplies, preparation and distribution of meals, medical care, the revival of public utility services and essential industries, and the care and movement of displaced persons. The report went on: 'The Committee assumes that the fullest use will be made of any personnel and resources that can be made available by the national and local authorities of the liberated territories: but Field Missions will be required to carry out the international relief programme and to co-ordinate it with the work undertaken by the national authorities and these authorities will presumably welcome such assistance as can be given by the Allied countries which have not been invaded. The voluntary organizations in these countries should be able to supply valuable help. Arrangements should be made beforehand to organize these countries so that they can operate as soon as required by the inter-Governmental relief authority.'

The 'inter-Governmental relief authority' to which the committee referred had not yet come into existence in June, 1943, when the committee's report was presented. But this authority had been under discussion through 1942 and 1943 and its constitution and probable nature were already becoming clear. Six months later, in November, 1943, it was formally constituted as the United Nations Relief and Rehabilitation Administration.

* * *

Meanwhile in November, 1942, the Anglo-American forces had invaded Morocco and Algiers. There has been reference earlier in this volume to the fact that there had been little civil affairs planning for this operation.² One aspect of this absence of preparation was the

¹ 391 HC. Deb. 5. S. 5th August, 1943, Col. 2458.

² Cf. p. 62.

landing in North Africa, without permission, without previous intimation of arrival, and without any sort of co-ordination, of a number of parties despatched by voluntary societies, mostly American, for work in the relief of civilians.¹ Many of these societies were organized and supported by particular religious denominations, and a tendency developed to equate relief with 'uplift'. Indigenous authorities on the other hand tended to channel relief, not on religious, but on political grounds – or just into the black market. It was realized at A.F.H.Q. that in any future operations selection must be exercised and a measure of control established over those who should be allowed to volunteer to take part in the relief of the civil population.

Accordingly, in September, 1943, after the invasion of Sicily and Italy, when Mr. Norman Davis, Chairman of the American Red Cross organization, visited A.F.H.Q. in connection with the duty laid upon his organization by Federal statute to accompany and aid United States forces in the field, the American Red Cross was invited by A.F.H.Q. to assist also in matters of civilian relief, of which it had extensive practical experience, e.g. in floods and hurricanes in the United States, and to assume this responsibility to the exclusion of all other voluntary societies.¹ It was hoped in this way to avoid any repetition of the undesirable events which had occurred in North Africa, and to ensure that A.F.H.Q. would not be called upon to deal with more than one organization in the field of voluntary relief work or to discriminate between societies competing for participation. The advantages to A.F.H.Q. of such an arrangement are obvious, and the selection by an American Supreme Commander of the American Red Cross for this monopolistic function was, perhaps, not surprising in view of the facts that the organization was already in the field, that it was statutorily recognized, and that its functions were not confined to aiding the Armed Forces but included also the relief of civilian suffering caused by 'pestilence, famine, fire, floods and other great national calamities'.

But the British Red Cross organization was also in the field and its Commissioner for South Europe at once sought an interview with the Chairman of the American Red Cross. The result was an invitation from the latter to the British Red Cross to participate also in the work of civilian relief in the A.F.H.Q. theatre of operations. 'It would have a very fine moral effect, he wrote, for the British and American Red Cross Societies to go into a theatre of military operations and work side by side on the humanitarian work assigned to them by their respective military authorities.'¹

This invitation, welcome though it was from one point of view,

¹ *Red Cross and St. John War History, 1939-47*, London, 1949, p. 488.

placed the British Red Cross and the authorities in Whitehall in a difficult position. It would, on the one hand, be most regrettable if the British Red Cross did not take the field alongside the American Red Cross. The British Red Cross, on the other hand, was a member of the Council of British Societies for Relief Abroad and could not with propriety accept a direct invitation to the British Red Cross alone. It was made clear by A.F.H.Q. that they were not willing to depart from the principle of a monopoly in voluntary relief work any further than to recognize one monopolist in British zones of operations as well as one for American zones. It was too late, however, to negotiate other arrangements and the War Office somewhat reluctantly agreed to the exclusive use of the British Red Cross provided that its services were formally requested by the Supreme Allied Commander and not merely invited by its sister organization. The Council of British Societies for Relief Abroad regretted that no other organizations had been invited but felt that they could not do otherwise than fall in with the course proposed. The War Office expressed a strong hope that the invitation would subsequently be extended to include other British voluntary societies also.¹ The formal request was received from General Eisenhower in the following terms:

‘ Participation in this theatre by the British Red Cross working with the American Red Cross would be of great assistance in dealing with refugees, sick and wounded and in distributing emergency relief behind the lines. This is a formal and cordial invitation for the British Red Cross to participate to the fullest possible extent.’¹

Accordingly, British Red Cross teams for civilian relief took the field in Italy alongside, though somewhat later than, corresponding teams from the American Red Cross.

In the event, it may be added, A.F.H.Q. would appear to have been only partly successful in establishing its principle of a monopoly in the Italian theatre, for in May, 1944, the Supreme Allied Commander was requesting the Combined Civil Affairs Committee that each individual application by voluntary societies for permission to operate in his theatre of war should be referred to A.F.H.Q. for approval. Clearly this had not been the practice in the past. The Supreme Allied Commander listed the following organizations as at that time operating within his area of responsibility: the Intergovernmental Committee on Refugees, the American Red Cross, the British Red Cross, the American Society of Friends, the American Joint Distribution Committee, and the Jewish Agency. In addition,

¹ *Red Cross and St. John War History, 1939-47*, London, 1949, p. 489.

applications were under consideration from the British Friends Ambulance Unit, and the American War Refugee Board. This was a far cry from the intention that the Supreme Allied Commander should be required to deal with one voluntary organization only.

* * *

The arrangements to be made for voluntary workers in the S.H.A.E.F. theatre of operations in North-West Europe first came under consideration in December, 1943. By this time there was a new factor in the problem, for in November, 1943, U.N.R.R.A., the 'inter-Governmental relief authority' foreshadowed in the report of the Inter-Allied Post-War Requirements Committee, had come into being.¹

In the preamble to the U.N.R.R.A. agreement the purposes of the Administration were set out as follows:

. . . that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy the population thereof shall receive aid and relief from their sufferings, food, clothing and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services . . . '

Article IV of the agreement contained the following provision:

' Foreign voluntary relief agencies may not engage in activity in any area receiving relief from the Administration without the consent and unless subject to the regulation of the Director-General.'

At its first session the Council of U.N.R.R.A. resolved:

' That it shall be the policy of the Administration to enlist the co-operation and seek the participation of appropriate foreign voluntary relief agencies, to the extent that they can be effectively utilized in relief activities for which they have special competence and resources, subject to the consent and regulation of the Director-General in accordance with Article IV, para. 2, of the Agreement.'²

¹ For the formation of U.N.R.R.A., cf. pp. 139-140.

² Resolution 9, paragraph 2.

Correspondence and discussions ensued, aimed at defining the respective responsibilities of the military authorities and of U.N.R.R.A. Underlying this was a good deal of civil-military jealousy which did nothing to smooth the progress of the negotiations. In the course of these the Director-General, while unreservedly recognizing the full authority of the military commanders in matters of civilian relief during the period of military responsibility, pressed that, in view of his ultimate responsibility for the selection and control of voluntary relief agencies for areas in which U.N.R.R.A. would in due course operate, it should at once be established that, if any voluntary societies were to be utilized by the military authorities, the responsibility for their selection and for their introduction should lie upon U.N.R.R.A. This proposal was naturally supported, if indeed it had not been inspired, by the voluntary relief societies in America, for these strongly resented the A.F.H.Q. decision to make exclusive use of the American and British Red Cross organizations, and the proposal of the Director-General would, if adopted, put an end to this monopoly. The British had no particular objection to the proposal on its merits. But they pointed out that it was based on the assumption that when responsibility passed from the military to the civil authorities, the transfer of responsibility for relief would in all cases be to U.N.R.R.A. This, they felt, was by no means certain, since it would depend upon the extension of an invitation to U.N.R.R.A. by the governments of the territories liberated to operate within their countries. In much of North-West Europe, such an invitation might not be (and in the event was not) forthcoming. If U.N.R.R.A. was not to operate in any country after the military period there was little justification for a proposal that it should select and control voluntary societies that would work in that country during that period.

Meanwhile, in December, 1943, the question of the arrangements to be made for the use of voluntary societies in the S.H.A.E.F. theatre of operations had been raised. The first step was an unofficial approach by the American Red Cross to the British Red Cross enquiring whether the latter would co-operate in an arrangement similar to that made in Italy under which the two organizations would be the only voluntary societies deployed. The matter was referred to the War Office. The invitation from the American Red Cross cut right across the proposal of the Director-General of U.N.R.R.A. that the selection and control of voluntary societies operating even within the military period should be his responsibility. In the United States the invitation inflamed the powerful political groups that backed the voluntary societies and U.N.R.R.A. The latter was supported in some quarters on its merits, in others merely as a means to breach the Red Cross monopoly and gain a footing

for the voluntary societies. In the United Kingdom the invitation once more placed the British Red Cross and the War Office in an extremely awkward position *vis-à-vis* the Council of British Societies for Relief Abroad. This time consideration of the issue could not be side-stepped or deferred, for fear that the Council, much needed and brought together with difficulty, should disintegrate.

On 25th March, 1944, General Eisenhower, Supreme Commander for North-West Europe, previously Supreme Allied Commander in the Italian theatre, formally addressed the Secretary of State for War in connection with the measures to be taken for the relief of the civil population.

He said :

‘ I consider it essential that this work be handled by a quasi-military organization, and have available for that purpose the American Red Cross.

In order that the British Zone of Operations shall be supported by one body operating also under my direction I request that it may be established that the British Red Cross and Order of St. John is the authority on whom I may call.’

The matter came before the C.C.A.C. in the following month. The U.S. War Department first proposed to deal with the awkward and complicated situation by refusing to allow any voluntary societies at all to operate during the period of military responsibility and by requiring that civil relief should be administered exclusively by military personnel. But such a decision was not acceptable to the British. They felt they would need all the help the voluntary societies could give. They, no less than the Americans, had to reckon with influential political support for the voluntary societies. And there was General Eisenhower’s request for the services of the Red Cross organizations. The C.C.A.C. thought again, and in mid-May, the War Department produced another solution, that in order to supplement military personnel for civilian relief during the military period the American and British Red Cross organizations and American and British Red Cross personnel should be used exclusively. This proposal, the British were quick to point out, would, if unqualified by any reference to forward and rear areas, make it impossible to use U.N.R.R.A. at all during the whole of the military period; they, and indeed the Supreme Commander also, had contemplated that use would be made of U.N.R.R.A., at least in rear areas, and they still considered this desirable. However, they were not disposed to become involved in ‘the political tug-of-war between U.N.R.R.A. and American Red Cross.’ If the American Red Cross was to operate, however, they thought the British Red Cross should operate too, but in that case they reserved their right ‘to allow representatives

of, or detachments from, a limited number of other societies to work under the aegis of the British Red Cross, if we can so arrange, our object being to ensure that Eisenhower deals only with one organization.' The U.S. Government viewed this reservation with disfavour. Employment of voluntary societies in the First World War and in North Africa had proved embarrassingly unsatisfactory. They felt that their prospects of excluding such societies would be jeopardized if the British were to be allowed to use voluntary organizations other than the British Red Cross. However, after several weeks of argument, the British point was conceded and the C.C.A.C. finally informed the Supreme Commander on 4th July, 1944, that 'You are authorized to use American Red Cross as the only non-military U.S. Relief Agency in American zones, and the British Red Cross supplemented by personnel of British voluntary societies working under the direction of the British Red Cross in British zones.'

After all this chaffering it is fair, and pleasant, to add that, in the event, there were tributes in all theatres to the outstandingly good work in fact done by the British Red Cross in connection with the relief of civilians.¹ Particularly valuable was its contribution to the tracing of displaced and other persons whose whereabouts was unknown, and the listing of persons released on the uncovering of concentration camps, so making possible the re-establishment of communication with their lost families and relatives.²

¹ *Red Cross and St. John War History, 1939-47*, London, 1949, pp. 479-527.

² *Ibid*, pp. 463-478.

CHAPTER IX

REFUGEES AND DISPLACED PERSONS

WHEN the German armies advanced across France and Flanders in 1940, they were often preceded or accompanied by streams of fleeing refugees. These not infrequently acted as a screen for enemy movement. It was sometimes suspected that they were deliberately driven by the Germans for this purpose.¹ They confused Allied aircraft who found it hard to distinguish between enemy and refugee columns. They impeded the construction and the closing of Allied road blocks – on one occasion they facilitated in this way the slipping through of French tanks captured and operated by Germans. They afforded excellent cover for the introduction of enemy agents. Above all they congested the roads and obstructed on countless occasions the movement of troops, both Allied and enemy.² In places, in an effort to keep the traffic moving, military police improvised barbed wire cages and herded refugees into them to keep the roads clear. It was a lesson of this first campaign that in any future military operations commanders would inevitably be tactically concerned with the problem of refugees in battle areas, and refugee movement on roads required to be used by their mechanised and road-bound forces. The only solution was to move the civil population out of battle areas, using for this purpose roads not required for military movement. And if they did this, the military authorities could scarcely escape some measure of responsibility for providing, or ensuring the provision of, food and shelter for these unfortunate people.

But in fact it was some time before the lesson was learnt and applied. The African campaigns of 1940, 1941 and 1942 were conducted for the most part in desert country where there was little or no civil population to create difficulties. In the campaign in North-West Africa in 1942–43 few local battlefield refugees were encountered. The problem here was rather to liberate and care for foreign refugees, and political prisoners interned by the Vichy French and still detained in shocking conditions in work camps, many of these in the interior of the country. Yet it was once more felt to be a

¹ Morgan, *Overture to Overlord*, London, 1950, p. 232.

² Ellis, *The War in France and Flanders, 1939–40*, H.M.S.O., 1953, *passim*.

lesson of the campaign 'that the evacuation of civilian population in an area of military operations should be planned and regulated beforehand in every detail, from the collecting point in the battle area to the final dispersal in the Lines of Communications zone'.¹ Clearly it had not been so planned. Nor was it previously planned for the invasion of Sicily and Italy. The official historian says '. . . planning for the regulation of civil evacuations on the mainland was only undertaken after the emergence of a widespread and predatory civilian nomadism forced the Armies and the Control Commission to concert measures to deal with this new menace'.² Here was another aspect of the refugee problem, the need to control refugees in order to prevent looting and other forms of lawlessness that might hamper operations, and to check which it might become necessary to divert troops from their prime task of defeating the enemy. For Burma, planning began in May, 1943, on the initiative of the Chief Civil Affairs Officer who, together with some of his staff officers, had had sharp personal experience of the need to control and care for refugees in the retreat out of Burma. A month or two later G.H.Q. (India) decided that these preparations should cease. It was only because the Chief Civil Affairs Officer disregarded these orders and revived work on his plans towards the end of 1943 that he had an organization in being, capable of controlling and caring for civilians, when in January, 1944, he was without warning called upon to evacuate some 30,000 persons out of the battle area in Arakan.

Nor was London any quicker to learn the lesson. The forum for early civil affairs planning for the invasion of North-West Europe, from June, 1942, until the end of 1943 was the Administration of Territories (Europe) Committee in London. Most valuable work was undertaken by this committee on many of the fundamental problems of military administration, such as the maintenance of law and order and the provision of food and other relief to civil populations. Much of the work of the committee found place in the directives ultimately issued for the invasion of Europe. But the word 'refugee' does not appear in the index to the proceedings of the committee and it does not seem that the committee ever undertook any study of the problems of refugees or displaced persons.

In March, 1943, however, the combined planning staff for the invasion of North-West Europe had been established in London. The formal designation of its head was Chief of Staff to the Supreme Allied Commander – the Supreme Commander not yet present but who would in due course be appointed to command the invasion forces. Using the initials of this designation, the new headquarters

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 440.

² *Ibid.*, p. 440.

came to be known as C.O.S.S.A.C. It was not until the last quarter of 1943, however, that serious planning for civil affairs began at C.O.S.S.A.C. And here there was, from the beginning, no doubt whatever that proper preparation must be made for the control and care of refugees. General Morgan, the Chief of Staff, had seen the refugees in the summer of 1940 and knew well the bitter lesson of that campaign. He was indeed convinced that the Germans had deliberately made use of them to screen and protect themselves. He was in no doubt that it was very largely in order to handle refugees that the Civil Affairs Service had been created. In November and December a Refugee Section was set up within the Government Affairs Branch of the Civil Affairs Division. In January, 1944, it was the G₁ staff at S.H.A.E.F., i.e. the Adjutant-General's Branch, not G₅, the Civil Affairs Branch, that insisted upon the preparation of more detailed plans to prevent the obstruction of military movement and operations by refugees. At last the lesson had been learnt.

* * *

But no sooner had this been done than a further challenge presented itself. Both the designation and the strength of the new section at C.O.S.S.A.C. made it clear that the task originally envisaged for it was no more than the control and necessary care of battlefield refugees. But the planners in the section realized, as soon as they began work, that behind the task of caring for battlefield refugees there lay the distinct and vastly greater problem of responsibility for the millions of displaced persons in Hitler's Europe. The world has always known and felt for the refugee. But the refugee is defined in the dictionary as a 'person escaped to foreign country from religious or political persecution' and the second world war created many new categories of human beings in need of the same kind of care and sympathy as the refugee but not falling within the definition. A new designation was inevitable. One can only wish that something less abstract and clinical had been invented than 'displaced persons'. But there is now no escaping the term. As Europe disappeared behind the German invaders, millions of human beings were torn from their homes and surroundings whether because of German racial theories, or because of the German policy for the forcible exploitation of the labour and resources of Europe. One of the first C.O.S.S.A.C. planners for refugees has enumerated the various kinds of forced movement of populations that then occurred: 'flight to avoid religious and political persecution; forced transfer and exchange of ethnic groups: flight or evacuation associated with military action; deportation for forced labour; deportation for extermination; air-raid

evacuation; repatriation movement; expulsion of ethnic groups; resettlement movement; and exodus resulting from the memory of persecution and extermination and the fear of its recurrence.¹ To these categories of forcibly displaced persons may be added the not inconsiderable numbers of people who voluntarily left their homes for better pay and conditions of service, or in order to see the world, and then found themselves disappointed or deceived but unable to return to their countries of origin. Here was a distinct problem and vastly greater than that of the refugees who would be encountered on the field of battle, although the initial practical care and control that would be needed might be the same. Were the military authorities to assume responsibility, and if so, to what extent?

When the question arose in the War Office in January, 1944, a meeting was held to clarify responsibilities. The Directorate of Prisoners of War was clearly responsible for central planning and direction of the care and repatriation of British, American, and Russian prisoners of war coming into British hands. No one in Whitehall seemed to be responsible either for other Allied prisoners of war, or for displaced persons, if these were discovered and liberated by British forces. The Directorate feared that, if previous preparations were not made by anyone, their own organization, designed only to deal with the expected numbers of British, American, and Russian prisoners, would at the last moment be saddled with responsibility for the two remaining categories of other Allied prisoners and displaced persons, and be overwhelmed by the vastly greater numbers requiring care. The Directorate of Civil Affairs, in whose direction the meeting looked, disclaimed all responsibility. However, since initial dealings with both categories would indubitably be conducted by S.H.A.E.F., the Supreme Allied Headquarters for the invasion of North-West Europe which had by now replaced C.O.S.S.A.C., and since S.H.A.E.F. was in fact making preparations for the purpose, it was clear that, although the Foreign Office would also be interested, any formal directives from the United Kingdom authorities would have to emanate from the War Office. And within the War Office, it was felt that the responsibility for displaced persons could scarcely rest elsewhere than upon the Director of Civil Affairs, upon whom it was, in fact, decided to place the task of caring for refugees and displaced persons through the period of military responsibility. It was understood that the Foreign Office would call a meeting to which the Director of Civil Affairs would be invited, in order to initiate consideration of this problem. But no such meeting was ever convened, and no further action was taken in the War Office for some months.

¹ Proudfoot, *European Refugees*, London, 1957, p. 22.

Then on 2nd June the subject was revived when a telegram was received in the War Office from the Joint Staff Mission in Washington asking for views on a proposal to attach fifteen U.N.R.R.A. officials to S.H.A.E.F. in connection with work for displaced persons. It was not known within the Directorate of Civil Affairs whether the Deputy Director for Military Government or the Deputy Director for Economics should handle this reference. The responsibility for displaced persons laid upon the Directorate in January had clearly not been burdensome. It was now placed upon the Deputy Director for Military Government and in the following month a separate branch was constituted under the Deputy Director to handle matters in connection with displaced persons.¹ But it was not only the War Office that was slow to face this vast and unprecedented liability for it is noticeable that there was not even passing reference to the problem of displaced persons in the various directives issued to the Supreme Commander of the Allied Expeditionary Force by the Combined Chiefs of Staff, for the administration of civil affairs in the liberated countries and of military government in Germany.

But within C.O.S.S.A.C., and its successor S.H.A.E.F., and at 21 Army Group, the British headquarters, where in fact, at their respective levels, the plans for the Anglo-American invasion of Europe were being prepared, there was never any doubt but that the military commanders in the field could not escape a measure of responsibility for the care of displaced persons, and that this was likely to be more heavy than that for refugees. This was made clear in January, 1944, when the Refugee Section at S.H.A.E.F. was renamed the Displaced Persons Section. And all civilian planning, for the care of displaced persons, of which a brief account is given below, assumed some period of military responsibility.

* * *

It is at this stage desirable to look at the background against which this decision was taken, and at the civilian plans into which the military preparations must fit.

Refugees, unfortunately, are not a new phenomenon, but organized international action for their relief dates from the time of the aftermath of the first world war.

In 1921 the League of Nations appointed Dr. Nansen High Commissioner for Russian Refugees. In 1922 and 1923 the High Commissioner's responsibility was extended to include refugees from Armenia, and also, for a while, refugees from Greece and Bulgaria.

¹ Cf. p. 29.

After the death of Dr. Nansen in 1930, the office of High Commissioner lapsed. Instead there was set up an autonomous organization under the direction of the League, known as the Nansen International Office for Refugees. This was headed by a President and discharged a part of the duties of the High Commissioner, the rest being undertaken by the League itself. In 1933 a second autonomous office was created of High Commissioner for Refugees from Germany. That this organization also should be autonomous was in order to avoid antagonising Germany (then a member of the League of Nations) by placing responsibility for refugees from that country upon a High Commissioner whose operations would be a charge upon the League budget, to which Germany had contributed. The High Commissioner, although appointed by the League, was financially supported from other than League funds and was required to report, not to the League, but to a separate Governing Body. On 1st January, 1939, by which time Germany had withdrawn from the League, the two organizations of the Nansen Office and the High Commissioner for German Refugees were superseded in favour of a single organization, and Sir Herbert Emerson became the single High Commissioner, an official of the League, responsible for the following categories of refugees: Russians, Armenians, Assyrians, Saarlanders, and refugees from Germany, Austria and Czechoslovakia.

The duties of the High Commissioner were then set out as being:

- (a) To provide for the political and legal protection of refugees, as entrusted to the regular organs of the League of Nations by the resolution of the Assembly of September 30th, 1930;
- (b) To superintend the entry into force and the application of the legal status of refugees, as defined more particularly in the Conventions of October 28th, 1933, and February 10th, 1938;
- (c) To facilitate the co-ordination of humanitarian assistance; and
- (d) To assist the governments and private organizations in their efforts to promote emigration and permanent settlement.

It will be observed that the main task of the High Commissioner was therefore to improve and protect the legal status of refugees. In regard to humanitarian assistance, emigration and re-settlement, his responsibility was merely to co-ordinate and assist the efforts of others, whether governments or private organizations.

As persecution in Germany grew more ferocious the pressure increased upon the private and Governmental organizations concerned with emigration and resettlement. At the initiative of

President Roosevelt a conference was held in July, 1938, which led to the establishment of the Inter-Governmental Committee for Refugees charged 'to undertake negotiations to improve the present conditions of exodus from Germany and to replace them by orderly conditions of emigration and to consult with countries offering opportunities of permanent settlement'.¹ The inter-governmental committee was able to take an active part in arranging for emigration and investigation of possibilities for resettlement of refugees from Germany. That the High Commissioner for Refugees appointed by the League of Nations should discharge his responsibility for co-ordinating and assisting the work undertaken by the inter-governmental committee, by governments, and by private organizations, in the closest possible collaboration with these bodies was ensured by his appointment in February, 1939, as Director of the Inter-Governmental Committee in addition to his office as High Commissioner.

The outbreak of war in 1939 created many new movements of refugees, but at the same time, as one country after another disappeared behind German control, closed more and more of the escape routes. By 1940 the outward flow had practically ceased. The problem of re-settlement of those who had escaped remained. New organizations were formed for the assistance of refugees. In August, 1943, the inter-governmental committee was enlarged and the scope of its work extended 'so as to include, as may be found necessary and practicable, in addition to those already within the mandate, those persons wherever they may be who, as a result of events in Europe, have had to leave, or may have to leave, their countries of residence because of the danger to their lives or liberties on account of their race, religion or political beliefs'. The committee was also empowered to take positive action itself to care for refugees coming within its mandate, the cost of such operations to be shared by the governments who were members of the committee.

Meanwhile, particularly after the outbreak of war between Germany and Russia in June, 1941, the great forced movements of population within German-controlled territories had begun and it was becoming clear that, after liberation of these countries, Europe would be faced with the vast problem of displaced persons, a problem in some respects similar to that of refugees, but of an entirely different order of magnitude. The similarity lay in the immediate practical needs of the displaced persons. The dissimilarity arose from the fact that in most cases (but not in all, as will appear later in this chapter) the displaced persons wanted to return to their homes, whereas the refugees did not and could not. It has been recounted in the previous chapter how, in connection with the relief of the

¹ Hope Simpson, *Refugees*, Chatham House, 1939, p. 19.

civil populations, the Inter-Allied Committee on Post-War Requirements came to be set up in September, 1941.¹ During work on the preparation of estimates, it became clear to the committee that an important aspect of relief would be concerned with the care and control of displaced persons. Preliminary collection of statistics was undertaken by the Allied Post-War Requirements Bureau and in June, 1943, a Technical Advisory Committee on Displaced Populations was appointed. This submitted a report in October of the same year, describing the nature of the problem that would be encountered and estimating that some 21,000,000 displaced persons would be found in Europe. This, in the words of the committee 'creates a situation of great gravity for the military and civil authorities, the surrounding populations and the displaced persons themselves'. The committee recommended and assumed for the purposes of its report, the early creation of an international repatriation authority which should make preparations in advance. It assumed action by the military authorities for the care and control of displaced persons during an initial military period, and emphasized the need for co-ordination between the military and the international civil authorities. The committee showed itself not unaware of what was to become one of the most acute and distressing problems in connection with displaced persons: 'It is anticipated that it will be found that a considerable number of displaced persons are either legally stateless or in fact unable to return to the country from which they came and unable to remain in the country in which they are located'. In November, 1943, as recounted in the preceding chapter, U.N.R.R.A. was formally constituted. Amongst the purposes for which the Administration was set up there was included '. . . that preparation and arrangements shall be made for the return of prisoners and exiles to their homes . . .'

* * *

The responsibility for displaced persons assumed by the military authorities settled for the most part on S.H.A.E.F. It arose in any case mainly in the North-West Europe theatre of operations for which this headquarters was responsible. It forced itself upon S.H.A.E.F. with such insistence that the problems involved had been given extensive study, and an elaborate Outline Plan had been prepared, before the Directorate of Civil Affairs in the War Office had so much as decided which deputy director should be responsible. There is accordingly not a great deal to be said in the present volume concerning a matter that was mainly handled in a particular theatre

¹ Cf. p. 139.

of war rather than at the centre. But one aspect, a particularly grievous and harrowing one, was to demand the attention of the War Office and of ministers. This was the case of those displaced persons who were required but did not wish to return to their countries of origin behind the iron curtain. Of this aspect some account must be given here. But to make this intelligible it is necessary first to give a brief outline of the arrangements made by S.H.A.E.F. for the care of displaced persons. This, in fact, involves little or no repetition of what has been said in the theatre volume concerned. For that volume, interested particularly in the British effort and 21 Army Group, described mainly arrangements and events in the field, rather than the high-level negotiations in which S.H.A.E.F. became involved and which are recounted in the present volume.

* * *

At S.H.A.E.F. in January, 1944, the Refugee Section had been renamed the Displaced Persons Section. As in the following months the magnitude of the problem became clearer, this section was expanded into a branch. By the end of May, 1944, the new branch had produced its Outline Plan for Refugees and Displaced Persons. To understand what was proposed it is necessary to look at the definitions adopted for 'refugees' and 'displaced persons'. Refugees were

' Civilians not outside the national boundaries of their country, who desire to return to their homes, but require assistance to do so, who are:

- (1) Temporarily homeless because of military operations;
- (2) at some distance from their homes for reasons related to the war '.

This definition, incidentally, runs counter to the accepted dictionary meaning of the word 'refugee' quoted earlier in this chapter. It clearly had in mind primarily battlefield refugees. Displaced persons were

' Civilians outside the national boundaries of their country by reason of the war, who are:

- (1) desirous but are unable to return home, or find homes without assistance;
- (2) to be returned to enemy or ex-enemy territories '.

The broad distinction was that a homeless person was a refugee if found in his own country, but a displaced person if found elsewhere.

Under the outline plan the military authorities were to be responsible and to plan for 'control, care and disposition', for an initial military period, of all refugees and all displaced persons if found in liberated territory. In Germany they were to be responsible only for displaced persons of Allied nationality. German refugees (who, by definition, must be found within, not without Germany) were to be no concern of the military authorities. If any German administrative authorities survived, and at this time the expectation was that they would, they must be made to care for their own people. If none survived, that would be unfortunate for the refugees. German displaced persons (who, again by definition must be found outside Germany, that is to say in liberated territory) must be repatriated to Germany in order to relieve the countries where they were found of the burden of caring for them. Once back within their own country they presumably became refugees and ceased to be an Allied military responsibility.

This responsibility of the military authorities for refugees and displaced persons was to pass to civilian agencies 'at the earliest practicable date'. It was contemplated that in Allied territories the civilian agencies would normally be the 'Allied National Authorities'; but if in any military area the Allied National Authority concerned did not in fact exercise administrative authority, then responsibility might be passed to U.N.R.R.A. It was expected that at a later stage the Inter-Governmental Committee on Refugees would resume the responsibilities it had exercised before the war. As for Germany, it was too early to suggest whether, and to whom, the military authorities could expect to transfer their responsibilities. But there was the hope that U.N.R.R.A. might be authorized to work for Allied displaced persons in enemy and ex-enemy territory, which early in 1944 it was not. Since the military task was to be no wider in enemy territories, this would enable the whole of their responsibility to pass to U.N.R.R.A. There was also the prospect that some form of Allied control council would take over all responsibility from the military authorities, after the surrender of Germany. As these plans developed the British authorities repeatedly urged that as much use as possible should be made of U.N.R.R.A. at as early a stage as possible.

The S.H.A.E.F. outline plan was submitted to the C.C.A.C. and examined by U.S. and U.K. authorities. Its broad provisions were approved by the C.C.S. on 30th September, 1944, by which time work was well advanced on the drafting of S.H.A.E.F. Administrative Memorandum No. 39 on the subject of Displaced Persons and Refugees in Germany, incorporating and developing the principles of the outline plan.

* * *

In order to give effect to the plan four sets of negotiations needed to be undertaken.

It was necessary, in the first place, that S.H.A.E.F. should negotiate agreements with the Allied national authorities for the co-ordination of the measures to be taken by the S.H.A.E.F. forces and by the civil authorities respectively. These negotiations proceeded with little difficulty. 'Working arrangements' which were held to dispense with the need for formal agreements, were reached with the governments of Belgium, Luxembourg, the Netherlands, Norway, Poland and Yugoslavia, with representatives of the Governments of Denmark, Czechoslovakia, and Greece, and (but in this case with some difficulty) representatives of the French Committee of National Liberation. Under these arrangements the authorities concerned agreed to co-operate with S.H.A.E.F. and with each other in the care, control and repatriation of displaced persons. They agreed also to furnish liaison officers to be attached to the military authorities and to be accredited to those other Governments in whose countries operations were expected, in order to assist in the execution of the S.H.A.E.F. plan.¹

It was, in the second place, necessary that the outline plan should be co-ordinated with Russian plans. This proved much more difficult, and was, in fact, never achieved. S.H.A.E.F. had proposed contradictory procedures for this, suggesting in one place that negotiations should be conducted with the Russians by themselves, and in another that they should be conducted by the Combined Chiefs of Staff. The Combined Chiefs of Staff decided that they should be conducted on a tripartite basis within the European Advisory Commission and 'within the nucleus of the Allied Control Commission Council for Germany as soon as that nucleus is ready to function'. This never happened. The control commission machinery was not ready in time, and the European Advisory Commission was not a very suitable forum. Nor would the Russians enter into negotiations with S.H.A.E.F. for the provision of Russian liaison officers.² Indeed, the Russians would discuss nothing concerning either displaced persons or prisoners of war until their demands had been met regarding the treatment of Soviet nationals who had been captured by the Anglo-American forces in North-West Europe while fighting for the Germans and had accordingly been made prisoners of war. These demands and the resultant difficulties will be referred to more fully in the next section of this chapter since they became an essential thread in the complicated negotiations with the Russians regarding the thorny problem of those displaced persons who were

¹ Proudfoot, *European Refugees*, London, 1957, pp. 111-113.

² *Ibid.*, pp. 132-133.

unwilling to be repatriated to their countries of origin, in which the War Office and the British Government became involved.

Thirdly, it was necessary, subject to the requirements of the next paragraph below, that S.H.A.E.F. should negotiate with U.N.R.R.A. regarding the eventual transfer to the Administration of responsibility for the care of displaced persons. The Combined Chiefs of Staff enjoined that these negotiations 'should be directed to the end that U.N.R.R.A. shall participate in the field to the fullest extent and as soon as possible . . .' These negotiations which had begun before the formal approval of the outline plan by the C.C.S., were conducted in Washington, in London, and later at S.H.A.E.F. headquarters in France, and resulted finally in the agreement of 25th November, 1944. The agreement had for its object ' . . . to facilitate the assumption by the United Nations Relief and Rehabilitation Administration in the post-military period of those responsibilities with which it may be charged and to insure a continuous uniformity of policy in the military and post-military periods'. It was made clear that these responsibilities would initially be confined to 'health, welfare and displaced persons' though the field might later be widened. To this end the agreement provided that an U.N.R.R.A. liaison staff should be attached to the G-5 Division of S.H.A.E.F., and that U.N.R.R.A. officials should assist the military authorities in planning and carrying out their operations.¹

Lastly, it was a condition precedent to the conclusion of any agreement between S.H.A.E.F. and U.N.R.R.A. for the operation of U.N.R.R.A. in any country, and for the transfer of responsibility from S.H.A.E.F. to U.N.R.R.A. that U.N.R.R.A. should first have negotiated with the administration of that country an agreement permitting such operation. Negotiations between U.N.R.R.A. and the Allied national authorities proceeded concurrently and on 2nd June, 1944, the Administration addressed letters to the governments of Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, U.S.S.R. and Yugoslavia, and to the French Committee of National Liberation, enquiring whether they desired U.N.R.R.A. assistance in the care and repatriation of displaced persons, in the military and post-military periods. The Russian reply was in the negative, many of the others indicated a desire for some help but most were somewhat non-committal. This was not surprising since many of these countries were classified as 'paying countries' and therefore ineligible for the receipt of free aid from U.N.R.R.A.² In these circumstances there was no clear balance of advantage in admitting U.N.R.R.A. to operate within their territories. A second

¹ Woodbridge, *U.N.R.R.A.*, New York, 1950, Vol. II, p. 477, Vol. III, p. 180.

² Cf. pp. 163-164.

letter was addressed to all authorities, except the U.S.S.R. Government, on 12th October, 1944, seeking for clear-cut replies. This time replies were in the affirmative. The way was now clear for the formal agreement between S.H.A.E.F. and U.N.R.R.A., already referred to above, to be concluded.

* * *

We can now return to the negotiations with the Russians, and the problem, with which these negotiations became intertwined, of the displaced persons who were not willing to return to their countries.

The vast majority of displaced persons wished to return to their own countries and were legally entitled to do so. The problem in the case of this category was merely logistical, though of staggering dimensions – how to care for the millions of persons involved, and how to transport them to their destinations. What was done by the military authorities has been told in volumes dealing with particular theatres of war, especially that concerning North-West Europe. There were two other categories, far less numerous comparatively, but none the less considerable: displaced persons who, whether they wished to return or not, were legally unable to do so, because of changes in international boundaries; and displaced persons who, though entitled, were unwilling to return. The first of these two categories raised no great problem for the military authorities, during their comparatively short period of responsibility. Since these unfortunate people could not go home, they must be allowed to stay. The fundamental and largely insoluble problem of finding a home for them, and of their ultimate absorption into new surroundings, was inevitably one to be passed on to civil authorities, when they took over responsibility. The second of these categories, that of the displaced persons who were unwilling, who refused to return to their countries, although legally entitled to do so, was to face the military authorities with sharp and distressing problems, legal, political, and moral, of which some account will be attempted here.

The Technical Advisory Committee on Displaced Persons established by the Inter-Allied Committee on Post War Requirements reporting in October, 1943, and the Council of U.N.R.R.A. at its first session in November, 1943, both recognized that after the war there would be a problem of stateless persons and of displaced persons who were unable to return to their countries of origin.¹ 'Unable', in this context, could mean 'unable to face' returning, but, in fact, it seems that what these two bodies had in mind was the case of displaced persons who, as a result of the re-drawing of national

¹ Woodridge, *U.N.R.R.A.*, New York, 1950, Vol. II, p. 474.

boundaries, would not be permitted by law to return to their countries. The different and more difficult case of the displaced person who was permitted to return to his country of origin but was unwilling to do so was not at this time clearly envisaged. But that displaced persons who were unwilling to be repatriated would constitute a problem was foreseen by others. In a survey of *The Displacement of Population in Europe* prepared for the International Labour Office and published towards the end of 1943, it was observed that 'In some countries, however, the political situation may be stormy for some time, and many refugees may hesitate to risk returning even if the legal obstacles to their re-entry are removed. There will also undoubtedly be many refugees who will be unwilling to return to an environment in which they had suffered racial and religious persecution'.¹ The United States delegates to the First Council Session of U.N.R.R.A. in November, 1943, were also instructed by their Government that 'to assume that all displaced persons may desire to return to their countries of origin will undoubtedly prove to be an over-simplification of the problem'.² And at S.H.A.E.F. through 1944 the planners were not unaware that there would be a problem of displaced persons who 'cannot or do not desire to be repatriated' when they provided, both in the Outline Plan of June and in the first version of S.H.A.E.F. Administrative Memorandum No. 39, issued in November, that the responsibility for such persons would continue to rest with the Inter-Governmental Committee for Refugees. It was implicit in these provisions that attempts should meanwhile continue to be made to provide care and resettlement for those unfortunate persons who for political, racial or religious reasons dared not return to their countries.

Underlying the S.H.A.E.F. policy were the libertarian and humanitarian considerations that have moved most governments to grant asylum to political refugees. But there may also have been legal reasons. The compulsory repatriation of persons who were or had at some time been in the armed forces was one thing; the compulsory repatriation of civilians against their will was another matter. The legal position in the United Kingdom was set out by the War Office:

'It is not possible to distinguish in this country between one civilian and another, except in the minor matters where the Government has allowed restrictions to be placed upon Aliens. It follows that . . . unless they committed some extraditable offence it would not be possible to repatriate any individuals who did not wish to leave'.

¹ Kulischer, *The Displacement of Population in Europe*, I.L.O. Montreal, 1943, p. 169.

² Woodbridge, *U.N.R.R.A.*, New York, 1950, Vol. II, p. 474.

It was not clear what the legal position might be in other countries, or what the governments would be prepared to do. But it was clear that the compulsory repatriation of unwilling displaced persons might prove difficult. The question of what to do with such persons if their governments demanded their return scarcely had arisen – indeed their predicament was normally caused by the determination of their governments to get rid of them at any cost. In order to understand how the S.H.A.E.F. policy, that no displaced person should be repatriated against his will, came to be breached in respect of Soviet citizens, it is necessary to follow the course of three sets of negotiations, which, although essentially different, became irretrievably and confusingly intertwined, largely because both parties sought to use one set of negotiations as a lever to gain their ends in the others.

It was in practice rather than in theory that the problem of displaced persons demanded by their governments, but unwilling to return, first forced itself upon the British, though at first on a small scale and in circumstances that tended to fog the issue involved. From the autumn of 1942 onwards British military missions and parties of British officers were dropped or landed from the air in Greece to join Greek guerilla forces in harassing the German lines of communications. From time to time Russians and others made their way from the Balkans to these British missions and were in due course smuggled out to the British forces in the Middle East. These persons, soldiers or civilians, not very numerous, were held and treated by the British as prisoners of war, largely on grounds of administrative convenience, and because there did not seem to be anything else to do with them. All those required by the Russians for further military or other service were repatriated to Russia, whether willing to go or not, under local arrangements. Then in June, 1944, a number of Russians were captured in France. There was no doubt that these men had been actively serving against the Allies in German military or para-military forces. They were treated as prisoners of war. At about the same time the British authorities in Cairo were considering what to do with forty-one Russians who had reached Aleppo from Greece. In contrast to the Russians captured in France, no less than thirty-nine of this particular party had escaped from German prisoner of war camps. Others who made their way out with British help in the Middle East included persons who had escaped from forced enlistment by the Germans; volunteers who had fought for the Germans but later deserted; and deserters from Armenian battalions, raised by the Germans, who now claimed to be Russians. Early in July a much larger party of Russians, numbering 2,006, arrived in Cairo. On 10th July the Resident Minister, telegraphing to the Foreign Office said 'It should further

be realized that no Russians have actually been captured with the German formations as in France and any who may have served therein have in all cases deserted'. Clearly, the case of the Russians captured in France, serving against the Allies, was not properly comparable to that of persons who had escaped from German prisoner of war camps at the peril of their lives, or deserted from German units, in order to reach the British missions in Greece and return to Russia. Yet it was also true that many of the Russians in France had been coerced by intolerable pressures into collaborating with the Germans. On the other hand, others had shown no particular reluctance to do so, and had fought with 'revolting' (the word was used in telegrams at the time) barbarity. The captures in France suddenly focused attention on the whole problem of the treatment of Russians, whether soldiers or civilians, falling into the hands of the Allies both in the Middle East and in France. The Russians demanded the immediate repatriation of all Russians captured in France or detained in the Middle East. It was this demand that gave rise to one of the three sets of negotiations.

Viewed from the Middle East the problem presented itself in comparatively simple terms. On the one hand the custody of the Russians was already embarrassing to Anglo-Russian relations and was likely to become more so. On the other hand the Russian representatives in Cairo made no secret of the fact that numbers of the Russians were due for 'liquidation' on their return. This was extremely repugnant to British humanitarian feelings. It was also feared that if the Russian authorities executed or otherwise punished these persons, some of whom had fought for the Germans and all of whom technically had been classified as German prisoners of war, this might lead to reprisals by the German authorities against Allied prisoners of war. To guard against this the London authorities suggested that prisoners who feared punishment and were unwilling to return to Russia should not be handed over. The Middle East authorities replied that this safeguard would be quite ineffectual because many prisoners who feared punishment and who might in other circumstances choose not to be repatriated, would not dare to do so because of the presence in Cairo of Soviet representatives to whom their election would become known. Furthermore these prisoners believed (with every justification, as will be seen) that the British would not in the long run be able to withstand Russian pressure for their repatriation. Punishment by the Russians and the occasion for reprisals by the Germans would therefore still occur.

In London the matter was complicated by other considerations. There was the desire not to add to the general difficulties of Anglo-Russian relations by giving the Soviet authorities legitimate cause for complaint. More particularly, the British were already engaged

in trying to obtain from the Russians assurances regarding the care and swift repatriation of British prisoners of war who would be liberated from German camps by the Russians when they advanced into German held territory. Here was the second set of negotiations. It was feared that the welfare of these liberated persons would be endangered if the British made any difficulties about handing over Russians, whether from France or the Middle East. Finally the Middle East problem was not as clearly distinguished as it should have been from that of the Russians captured in France, with which it was not strictly comparable.

On 24th August the Secretary of State for War wrote to Mr. Eden:

'I don't know how the question of Russian prisoners which you have referred to the Russian Government now stands, but the enclosed telegram from the Middle East shows that it is necessary to be quite clear as to our policy and to make that policy clear to the Military Commander who will have to implement it.

We are in an obvious dilemma. If we do as the Russians want and hand over all these prisoners to them, whether or not the prisoners are willing to go back to Russia, we are, as the telegram implies and as Selborne's minute of 25th July suggests, sending some of them to their death; and though in war we cannot, as you point out in your minute of 2nd August, afford to be sentimental, I confess that I find the prospect somewhat revolting, and I should expect public opinion to reflect the same feeling. There is also the danger that if we hand the men back there may be reprisals on our prisoners in German hands. But I think that that risk is probably growing appreciably less, and that the Germans have probably enough to think about without keeping their eye on what happens to Russians whom they forced into the German Armies.

On the other hand if we don't do what the Russians wish there may be the danger that they will not be ready to co-operate in getting back speedily to us the British and other Allied prisoners who fall into their hands as they advance into Germany. Obviously our public opinion would bitterly and rightly resent any delay in getting our men home, or any infliction of unnecessary hardship on them, and if the choice is between hardship to our men and death to Russians the choice is plain. But I confess that I am not at all convinced that, whatever we do, the Russians will go out of their way to send our prisoners westwards at once or to deal with them in any special manner.

In any case the dilemma is so difficult that for my part I should like a Cabinet ruling as to its solution. If we hand the Russian prisoners back to their death it will be the military authorities

who will do so on my instructions and I am entitled to have behind me, in this very unpleasant business, the considered view of the Government'.

The matter was accordingly laid before the War Cabinet which decided, with regard to the Middle East prisoners, 'to send back all Russians whom the Soviet authorities wish to have back irrespective of whether the men wish to return or not'. The Cabinet felt that the danger of reprisals by the Germans had receded and that this risk could be sufficiently guarded against by obtaining an assurance from the Soviet Government that they would not punish the repatriated persons while the war continued. The humanitarian aspect was not overlooked but if some prisoners did not wish to return to Russia others, and these might be more numerous, did. The Cabinet were advised by the Foreign Secretary that 'the *prima facie* case against all the prisoners is that they were captured while serving or having served in German military or para-military formations . . .' In regard to the Middle East prisoners this would not appear to accord with the information received from the Resident Minister in Cairo. The Foreign Secretary continued 'A refusal to hand back to the Soviet Government their own nationals on the ground that they might treat them too harshly would place us in an indefensible position. We have no legal or moral right to dictate to any Allied Government what steps they should or should not take in dealing with their own nationals who may have committed offences under their own law by serving with the German forces . . .' But many of those in the Middle East had not served with the German forces, and had therefore presumably not committed any offences under Russian law. Other reasons given were that if the prisoners were repatriated the Soviet government would be treated in much the same way as other Allied governments, that refusal to hand back some prisoners wanted by the Soviet government might create difficulty with the Russians and that to be saddled with permanent responsibility for the prisoners would be a great embarrassment. Finally, and this probably weighed most heavily of all, it was clearly going to be impossible to separate the question of the treatment of the Russian prisoners from the problem of obtaining the speediest possible release of British prisoners liberated by the Russian advances.

But the decision of the War Cabinet was not the end of this matter because no transport was at first available to repatriate the Russian prisoners and when ships later could be spared not all could be repatriated. The Soviet authorities turned their attention to the conditions in which the prisoners were being detained and demanded that they should be treated not as prisoners of war under British control but as liberated Allies under the command and discipline of

Soviet officers. The only way to concede the measure of extra-territoriality requested by the Russians was by the issue of an order under the Allied Forces Act, 1940, permitting the formation and maintenance of units of the Soviet military forces within the United Kingdom. The prerequisite to such an order was the conclusion of an appropriate agreement between the Soviet and the British governments. As the Soviet authorities could not grasp the necessity for this legal procedure and would not at first agree to it the matter of these prisoners continued as a cause of negotiation and friction between the two governments.

Most of the Russians to be repatriated under this decision of the War Cabinet had served in the Soviet armies, although some may have been civilians. The case of displaced persons, who by definition were civilians, and with whom alone this volume is strictly speaking concerned, was informally raised by S.H.A.E.F. with the Soviet military mission in London during the summer of 1944. By October it had been raised in Moscow also through the British and U.S. military missions, which were requested to seek an agreement with the Soviet authorities in regard to the care and repatriation of both prisoners of war and civilian displaced persons.¹ It was this request that gave rise to the third set of negotiations. For some months already the matter of the negotiation of a reciprocal agreement regarding prisoners of war had been agitated both in London and Moscow but with little or no response from the Russians. The matter of the displaced persons was new but quickly became entangled in that of the prisoners of war. In October, 1944, also the Soviet authorities informed the British Ambassador in Moscow that a large number of Soviet citizens were in Greek territory, both prisoners of war escaped from German custody and civilians forcibly deported from Russia, and asked for facilities for their repatriation. The Ambassador was informed by the Foreign Office that 'Our general policy is that all Soviet citizens should be repatriated including any who declare that they do not wish to return to the Soviet Union'. This policy had been formulated on the premise that, as the Foreign Secretary had informed the Cabinet, all those to be repatriated had served in the German military or para-military forces. This was not necessarily true of those who would be found in Greece.

Confused, fruitless and frustrating discussions regarding all three sets of negotiations continued between British and Russians, and Americans and Russians, mostly in Moscow. On 6th November in talks between Soviet and British representatives in Moscow regarding the reciprocal repatriation of prisoners of war there was mention of

¹ Proudfoot, *European Refugees*, London, 1957, p. 153.

the case of liberated civilians in terms which suggested to the British that it might be possible to conclude a separate but similar reciprocal agreement for the care and repatriation of civilians. Two agreements were drafted by the British, one to deal with the particular case of the repatriation of the Soviet citizens captured by the Allies in France, the other for the reciprocal repatriation of liberated prisoners of war in general. 'As regards civilians liberated in similar circumstances', the Foreign Office informed the British Ambassador in Moscow, 'we could either fit them into the draft exchange of notes referred to in the preceding paragraph or, if more convenient, have a further exchange of notes covering them'.

Despite British and American efforts, there was no progress in negotiations until on 20th January, 1945, the People's Commissariat for Foreign Affairs made counter proposals to the British and Americans for two agreements, one to cover reciprocal arrangements for the repatriation of liberated prisoners of war, the other to cover repatriation of the Russians captured in North-West Europe. The Soviet authorities considered, and from the standpoint of the present history this was the important part of their proposals, that the case of liberated civilians should be dealt with in the first of these agreements, not separately. The British and Americans, so long thwarted in their attempts to ensure the proper care and speedy repatriation of their own prisoners of war, were losing patience and had by now decided to raise the matter at the conference to be held at Yalta a fortnight later. They were resolved to obtain execution at the conference of the agreements necessary to the safety of their own prisoners. General Bedell Smith commenting on behalf of S.H.A.E.F. on the agreements proposed by the Russians said 'Whereas we greatly prefer not to include liberated civilians in the same agreement as prisoners of war, nevertheless knowing how strong Russian feeling is on this point we feel it is essential so to include them if we are to get any agreement at all'. A similar view was taken by the Foreign Office. This settled the matter. There is nothing to show that anyone else considered the implications and the desirability of including civilians in an arrangement designed to cover the reciprocal repatriation of liberated prisoners of war. Accordingly, under the agreements concluded at Yalta, civilian displaced persons who were Soviet citizens became liable to be treated in the same manner as liberated Soviet prisoners of war.

The article bearing on the repatriation of these displaced persons ran as follows:

'The contracting parties shall wherever necessary use all practicable means to ensure the evacuation to the rear of these liberated citizens or subjects. They also undertake to use all practicable means to transport liberated citizens or subjects to places to be agreed upon

where they can be handed over to the Soviet or British authorities respectively. The handing over of these liberated citizens or subjects shall in no way be delayed or impeded by the requirements of their temporary employment'.

It does not, perhaps, leap to the eye that this would involve the forcible repatriation of displaced persons even if they refused to return, and even if it was known that they would in all probability be 'liquidated' on reaching Russia. But it is difficult to escape the conclusion that such a provision does lie concealed in the middle sentence of the article; and in view of the known attitude of the Russians there can have been little doubt that this was the interpretation upon which they would insist. The responsibilities fastened upon the military authorities by the provisions of this agreement proved heart-rending and distasteful in the extreme – to the point at which British and American soldiers protested against the orders they were required to carry out.¹

One cannot help wondering how far there was any general realization of what had been done. S.H.A.E.F. had been consulted regarding the terms of the agreement proposed to be concluded and had, as we have seen, replied on 26th January, 1945, that they greatly preferred not to include liberated civilians in the same agreement as prisoners of war. They made no comment, however, on the repatriation provisions. And exactly a month later, more than a fortnight after the conclusion of the agreements, it was proposed in a memorandum by S.H.A.E.F. to insert the following addition to Administrative Memorandum No. 39:

'It is not the policy of this Headquarters to repatriate or return to their districts of origin United Nations displaced persons who do not wish to be so repatriated or returned, unless they have committed war crimes, trial for which requires their presence in their countries or districts of origin'.

The State Department in Washington was understood to have this policy under consideration, but its only comment at this stage was that

'... pending further instructions it is believed the policy set forth in your memorandum should be followed'.

And months later in London when a meeting was convened in the War Office on 31st July, 1945, to consider what should be done with certain Soviet displaced persons who had refused to return to Russia, the Director of Civil Affairs opened the proceedings by asking 'whether any part of the Yalta Agreement could be interpreted to mean that Soviet nationals uncovered by the Allies, who are unwilling to return to Russia, could be forced to do so'.

¹ Proudfoot, *European Refugees*, London, 1957, p. 215, footnote 1.

But the Foreign Office had been aware all along and the State Department soon realized that the agreement meant that all Soviet nationals, whether prisoners of war or displaced persons, must be treated alike and be handed over to the Russians, whether they were willing to return or not.

The S.H.A.E.F. policy that no displaced person should be repatriated against his will was seriously breached. It became necessary to amend S.H.A.E.F. Memorandum No. 39 and a revised version issued on 16th April, 1945.¹ In this it was provided that 'After identification by Soviet Repatriation Representatives, Soviet displaced persons will be repatriated regardless of their individual wishes'. For other United Nations displaced persons the liberty not to be returned to their former countries if they were unwilling to go, formerly merely implicit, was now explicitly guaranteed in the provision that 'these persons, unless they have been identified as Soviet citizens by Soviet Repatriation Representatives, will not be returned to their countries of nationality or districts of former residence unless they have committed war crimes, trial for which requires their presence there'.

Two postscripts require to be added. When, in virtue of the Yalta agreements, the Soviet authorities later claimed to have compulsorily repatriated as their citizens all displaced persons originally domiciled east of the then Soviet boundaries but west of the boundaries of pre-war Russia, the British and Americans refused. The instructions issued by the British ran: 'Persons coming from territories acquired by the Soviet Union since 1st September, 1939, will not be repatriated against their will'.²

At the Geneva conference held in 1949 for the purpose of establishing a Convention for the Protection of Civilian Persons in Time of War there was included in Article 45 of the Convention the following provision:

' In no circumstances shall a protected person [i.e. a person who in case of conflict or occupation finds himself in the hands of a Party to the conflict or Occupying Power of which they are not nationals] be transferred to a country where he or she may have reason to fear persecution for his or her political opinions or religious beliefs '.

* * *

In all military preparations for dealing with the problem of displaced persons the British and American authorities had agreed, the former mainly on administrative, the latter rather on political

¹ Reproduced in Proudfoot, *European Refugees*, London, 1957, Appendix B.

² Quoted Proudfoot, *European Refugees*, London, 1957, p. 217.

grounds that responsibility should pass as soon as possible from the military to the civil international organization of U.N.R.R.A. The S.H.A.E.F. Outline Plan for Refugees and Displaced Persons provided that responsibility might be delegated by S.H.A.E.F. to U.N.R.R.A. 'at a time and to an extent to be determined by S.C.A.E.F.' There was nothing in the plan or in the letter submitting it to the C.C.S. to indicate that S.C.A.E.F. attached any urgency to the effecting of such delegation. The British pressed that S.H.A.E.F. should be specifically instructed to make as much use as possible of the services of U.N.R.R.A. as early as possible. They believed that the Supreme Commander was opposed to an early transfer of responsibility. The Americans, with little discernible justification, considered that S.H.A.E.F. had clearly indicated in the plan and the covering letter that they were anxious to use U.N.R.R.A., and declined to agree to the issue of the instructions desired by the British, considering this unnecessary. In fact, when the Outline Plan was superseded by S.H.A.E.F. Administrative Instruction No. 39, in January, 1945, this provided that 'It is the intention of the Supreme Commander A.E.F. that U.N.R.R.A. personnel shall replace military personnel to the maximum extent, and as soon as possible in the handling of displaced persons and refugees, subject to the requirements of the military situation . . .' In the event any difference of opinion between British and Americans was rendered academic by U.N.R.R.A.'s unpreparedness. Neither British nor Americans would have wished to see S.C.A.E.F. make an earlier or more extensive hand over of responsibility than in fact took place.

The only countries in which the transfer of responsibility by the British military authorities was to U.N.R.R.A. were Germany, Austria, and Italy. In all other countries responsibility passed at the appropriate time to the civil government concerned. And even in Germany, Austria and Italy, the transfer was late and only partial.

It could be only partial because of the limitations within which U.N.R.R.A. was required to work, limitations established by the original U.N.R.R.A. agreement, by subsequent resolutions of the Council, and by executive decisions of the Administration. Shorn of technicalities, which confuse but otherwise do not greatly affect the picture, U.N.R.R.A. was authorized to assume responsibility in Germany, Austria, and Italy for the following classes of displaced persons and no others: United Nations nationals, Italians, stateless persons, and enemy or ex-enemy persons if their displacement had been effected by the enemy on account of race, religion, or activities in favour of the United Nations. This responsibility did not extend to Italian displaced persons within their own country (who, indeed, under the S.H.A.E.F. definition would then be refugees, not

displaced persons). These limitations meant that on 31st December, 1945, a full year after S.H.A.E.F. had requested U.N.R.R.A. assistance, of all displaced persons receiving care in Germany, only 57·4 per cent were receiving it from U.N.R.R.A. In Austria and Italy less than 50 per cent of such displaced persons in each country were under U.N.R.R.A. care.¹ But in fact transfer of responsibility was far less complete even than these percentages would suggest. For even with regard to those displaced persons who had been transferred to the care of U.N.R.R.A. 'basic supplies' which included camp sites, food, fuel, clothing, medical supplies, and accommodation stores such as furniture, bedding and household equipment, and many other facilities – in fact, by far the greater part of their needs, were provided, not by U.N.R.R.A. but by the military authorities.²

The lateness of the transfer of responsibility to U.N.R.R.A. was due mainly to the unreadiness of the Administration, but partly also to the limited scope of the functions which it could at best offer to undertake. When so much responsibility must in any case continue to rest upon the military authorities, there was no great incentive to an early hand over of the less burdensome part of their task.

The historian of U.N.R.R.A. writes: 'During the period when the U.N.R.R.A. employees were, to all practical purposes, agents of the military authorities, that is, from the time they first went into the field in March, 1945, until at least October, 1945 . . . the military officials assigned U.N.R.R.A. workers to camps where they were needed, giving scant if any consideration to whether the residents of such camps were or were not eligible in U.N.R.R.A. terms'.³ To the military authorities a displaced person was just as much a source of danger, perhaps also just as much an object of compassion, if he was a central European to whom U.N.R.R.A. was entirely unknown instead of being the subject of a government which had enrolled itself as a member of the Administration. The military authorities would assume no responsibility for Germans within Germany (unless they had suffered displacement at the hands of the Nazis on account of race, religion, or activities favouring the United Nations) though even German refugees in practice were sometimes assisted by the military authorities. All other displaced persons received such care and control as the army could provide, regardless of nationality. In this respect the military authorities were a more truly international organization than U.N.R.R.A., which was

¹ Woodbridge, *U.N.R.R.A.*, New York, 1950, Vol. II, pp. 491-492.

² Woodbridge, *U.N.R.R.A.*, New York, 1950, Vol. II, p. 507, Vol. III, pp. 194-201, Agreement between Commander-in-Chief B.A.O.R. and U.N.R.R.A. See also Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 346.

³ Woodbridge, *U.N.R.R.A.*, New York, 1950, Vol. II, p. 507.

necessarily restricted by its membership and the competitive claims of its member governments, and therefore tended to oppose wider distribution of available resources.

* * *

What in detail was achieved by the military authorities in the care and control of refugees and displaced persons has been recounted in the several volumes of this series dealing with particular theatres of operations. In Africa the problem scarcely arose. In the Far East there were three major operations – an evacuation of some 30,000 persons on the borders of India and Burma in order to facilitate military operations, the care of some 50,000 battlefield refugees north of Rangoon, and the rescue and repatriation of civilian forced labour found on the railway built by the Japanese between Siam and Burma. In Italy there was the care and evacuation to the Middle East of some 30,000 Yugoslavs, refugees from the mainland of Yugoslavia or persons evacuated from the Dalmatian islands. At the end of the war a comparable number of persons fleeing before the communist advance into central Europe reached Italy. Finally, some 500,000 Italians discovered in Germany and Austria were repatriated to their own country and required to be received and dispersed to their homes. In Austria the British military authorities helped to repatriate some 65,000 Italians to Italy, and had to undertake the control, care, and when possible repatriation of twice that number of other nationalities – Yugoslavs predominating. But it was in North-West Europe, in Germany and to some extent in neighbouring liberated countries that the main task arose. Here the British military authorities alone arranged for the care and control of close upon two and a half million displaced persons, and repatriated close upon two million. From the whole of what had been the S.H.A.E.F. theatre of operations almost six million were repatriated by 30th September, 1945. By the same date the Russians had repatriated almost four and a half million. By June, 1946, the grand total had risen by another half million.

CHAPTER X

MONUMENTS, FINE ARTS AND ARCHIVES

THIS particular function of civil affairs, like many others, first developed in the field as the result of individual initiative, rather than at the centre as a result of comprehensive planning.

In December, 1940, the first of the three occupations of Cyrenaica by British forces began. No particular instructions were issued beforehand for the care of any archaeological sites and monuments that might be found. More general instructions were to be found in the Manual of Military Law. This included the Hague Rules, Article 56 of which ran.

‘The property of local authorities, as well as that of institutions dedicated to public worship, charity, education, and to science and art, even when state property, shall be treated as private property. [i.e., under Article 46, may not be confiscated].

Any seizure or destruction of, or wilful damage to, institutions of this character, historic monuments and works of science and art, is forbidden, and should be made the subject of legal proceedings.’

(It is noteworthy that, of all the Hague Rules concerned with the administration of occupied enemy territory, this is the only one for breaches of which legal proceedings are positively enjoined). There was also paragraph 133 of the Manual of Military Law, based on Article 27 of the Hague Rules, under which, during bombardment, ‘all necessary steps must be taken to spare, as far as possible, buildings dedicated to public worship, art, science, or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected.’ There were paragraphs 429 and 431, based on Article 56, under which ‘the property of institutions dedicated to public worship, charity, education, science and art, such as churches, chapels, synagogues, mosques, almshouses, hospitals, schools, museums, libraries and the like’ was to be treated as private property; ‘seizure, destruction, or wilful damage to the property of such institutions, or to historic monuments, or works of science and art, is forbidden’; and ‘crown jewels, pictures, collections of works of art, and archives’ were to be respected and not appropriated. There were no other instructions.

But the Manual of Military Law was not every combatant officer's chosen reading. And in any case there was little about these provisions that was positive. They enumerated prohibitions, the observance of which was largely a matter of good discipline. They did not enjoin positive action to protect historic monuments and works of art. Furthermore, that branch of the army which was to become responsible for the administration, in accordance with the Hague Rules, of occupied enemy territory, and which might accordingly have been expected to know these provisions of the Hague Rules and the Manual of Military Law, was only just being created and had not yet taken the field in Africa. Not until February, 1941, was a military government organization improvised for Cyrenaica¹ and when it then took the field it had plenty of other problems of more immediate importance than the protection of classical sites and monuments. It had no specialist officers who could with a clear conscience neglect the present in order to save the past. Nor were there any lists or other information concerning the monuments which would require to be protected.

In the course of the occupation of Cyrenaica the site of the ancient Greek city of Cyrene was overrun by the British forces, with its fine and extensive remains. When it was afterwards desired to ascertain what, if anything, had been done to protect these important ruins, this proved difficult since there had been nobody specifically responsible. To judge from what happened elsewhere the probability was that, after an initial period during which no protective measures were taken and a certain amount of wanton damage was done, both by British troops and by local pilferers, somebody realized the importance of the site and placed it out of bounds to troops. It is unlikely that more was done, and the action taken would not have prevented looting and damage by local inhabitants.

The occupation was short lived for in April the British forces, weakened for the sake of the Greek campaign, found themselves hustled out of Cyrenaica and back in Egypt. On the recovery of Cyrene the Italians, in an illustrated pamphlet entitled 'Che cosa hanno fatto gli Inglesi in Cirenaica', alleged that the British and Australians had smashed and defaced monuments of the ancient city and were no better than vandals. The charges were supported by photographs purporting to have been taken in the galleries of the archaeological museum at Cyrene. They showed statues overthrown, mutilated and surrounded by broken fragments. Others showed a room full of pedestals from which the statues had been removed, and the gallery walls disfigured by rudely inscribed names which were claimed to prove the identity of the stealers and spoilers of the

¹ Rennell, *British Military Administration in Africa 1941-47*, H.M.S.O., 1948, p. 35.

monuments.¹ The British military authorities both at G.H.Q. Middle East and in the War Office, were disturbed concerning these allegations and anxious, if not to preserve the antiquities, at least to protect the good name of the Army. This was before M.O.11 had been expanded and raised to the status of the Directorate of Civil Affairs. It had no specialist on these matters within its staff. It happened, however, that Major Sir Leonard Woolley was serving in the War Office in the Directorate of Public Relations and in view of his special personal qualifications, he was consulted regarding the Italian accusations.² Little could be done at the time regarding these. But it became the practice unofficially to refer to Sir Leonard Woolley the occasional questions that arose in this field.

No steps appear to have been taken to prevent a recurrence of such vandalism (if indeed it had ever taken place) before the second, even more shortlived, occupation of Cyrenaica from the end of December, 1941, to the beginning of February, 1942³. This time there was a military government in being, but it had no specialist officers responsible for the care of antiquities, and it was in the field for barely four weeks. It is not surprising that in this brief period the matter of the protection of archaeological sites and monuments did not receive any attention. But as by degrees in subsequent campaigns measures of protection were devised, it does not need a Philistine to feel that the truly remarkable thing is, not how much, or how little, was done by the military authorities to save and care for monuments, works of art, and archives, but that, at a time when the survival of the country and the lives of its people were in the balance, it should have been decided to divert any resources at all to the preservation of these treasures from the past.

* * *

Following the battle of El Alamein, the third and final occupation of Cyrenaica, and the occupation of Tripolitania took place. As a result of the Italian accusations concerning the behaviour of British troops in Cyrene, instructions were on this occasion issued to the officers who would be in charge of the military administration. These reinforced the provisions of the Manual of Military Law and required officers to take 'immediate steps for the preservation of any archaeological monuments which might come into our possession during the course of the occupation'.⁴ They were an improvement in that they

¹ Ibid, p. 243. Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 11.

² Ibid, p. 5.

³ Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, pp. 243-246.

⁴ Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 11.

required positive and immediate action to be taken, but they still applied only to monuments ' which might come into our possession '. Nobody was required to search out monuments that ought to be protected. And no lists of such monuments were provided. However, the instructions were not without fruit, for on the re-occupation of Cyrene the Tribal Affairs Officer of the military administration at once placed guards on the museum and the outside antiquities and cleaned the interior of the museum.¹ But officers of the administration were few and had many other more pressing tasks. They could do something in rear areas, but it was not normally their duty to be forward in the battle areas. And still there were no specialist officers.

It happened, however, that two professing archaeologists were at this time serving in the Royal Artillery in the Eighth Army forces advancing into Tripolitania. Lieutenant-Colonel Mortimer Wheeler was perturbed by the damage and looting by British troops that he saw around him. It needed no exceptional perspicacity to realize the need for protective measures, of which there was a complete absence in forward areas. ' It was on the night of 19th January, 1943 ', he later wrote, ' on the summit of a stony monticule behind Breviglieri, that the need first thrust itself starkly on my consciousness. As I have narrated elsewhere, we had that evening boxed our guns in the ruins of a tiny Roman building, from which many other similar vestiges had been visible on adjacent hilltops in the dusk; and I reflected that down on the coastal plain lay the great Roman cities which must now or shortly be battlefields in the main advance, and thereafter easy meat for any dog that came along.'² Lieutenant-Colonel Wheeler went immediately to his senior officer, was allowed to make a quick reconnaissance of Leptis Magna with its magnificent ruins of the Basilica of the Emperor Severus, and of other sites already over-run, in company with Major Ward-Perkins, the other archaeologist. In the course of their tour the crucial need became clear for properly briefed expert staff able to take measures of protection in the early operational stages of any invasion. Lieutenant-Colonel Wheeler reported his findings to the officer in charge of military government in Tripoli. Temporary arrangements were immediately made, with Eighth Army and War Office approval, for Major Ward-Perkins, under the general control of Lieutenant-Colonel Wheeler, to devote the whole of his time to the salvage and care of the monuments discovered.³

On the occupation of Sabratha with its Roman theatre there were discovered Dr. Gennaro Pesce, the head of the Italian archaeological

¹ *Ibid.*, p. 11.

² Mortimer Wheeler, *Still Digging*, London, 1955, p. 153.

³ Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 12.

services in Cyrenaica and Tripolitania together with some forty Italian members of these services. These and thirty Arab guards and labourers were placed under the control of Major Ward-Perkins.¹ Back in Cyrenaica a British N.C.O. was placed in charge of the Arab guards on Cyrene, who, without such stiffening, were helpless to deter souvenir hunters. Little by little an adequate system of protection was evolved. It was now possible to conduct inquiries the result of which was to disprove the Italian allegations of vandalism during the first occupation of Cyrenaica; the supporting photographs had been deliberately faked, and many of the allegations were lies. Little damage had been done on that occasion. In the absence of planned preparations, however, this was more by good luck than design. The antiquities of North Africa had been exposed to great danger and had unquestionably suffered damage, not serious perhaps considering that it was a time of war, but greater than it need have been. And it might well have been far worse.

In April, 1943, the improvised organization set up was regularized by the official secondment of Major Ward-Perkins to the military government organization. He thus became the first Monuments Officer to be appointed.

Four months later the Deputy Chief Civil Affairs Officer in charge of the administration of Tripolitania, commenting on a report by Major Ward-Perkins, and discussing the lessons of the occupation, summarised the responsibilities of the Administration as follows:

1. The preservation of the sites at Leptis Magna and Sabratha and other less well-known remains of antiquity in various parts of the territory.
2. Sorting out and annotating thousands of existing plans and photographs.
3. Protection from curio-hunters and vandals.
4. British supervision of personnel and work.
5. Enforcement of the Antiquity Law.²

There was no shirking of these responsibilities once they became clear. That they were recognized and that practical steps were taken to discharge them in North Africa was very largely the doing of Lieutenant-Colonel Mortimer Wheeler and Major Ward-Perkins. For without specialist staff the instructions to officers of the military administration were largely unenforceable. The next test was to be in

¹ Mortimer Wheeler, *Still Digging*, London, 1955, p. 156.
Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 13.

² *Ibid.*, p. 15.

Italy which, with its wealth of historic and artistic treasures, would provide a problem on an altogether different scale. It was soon to become clear that there were still lessons to be learnt.

* * *

Meanwhile, in London, during the spring of 1943, public realization of the problem was beginning to grow. It has been told how, when the Italian accusations of vandalism had been made in 1941, the War Office had naturally been concerned to protect the good name of the army, and how Sir Leonard Woolley was consulted.¹ Early in 1943 the Italian accusations had not yet been rebutted. News filtered back to archaeological and antiquarian circles in England that, whatever might prove to be the truth of these allegations, the situation in North Africa had not been without its dangers. On the 28th January, 1943, attention was focussed on the problem when the American Council of Learned Societies took steps that led to the formation of the American Council of Learned Societies Committee on Protection of Cultural Treasures in War Areas.¹ It was also becoming increasingly clear that the future course of the war would probably take the British and American forces into Italy, with all its treasures of art and architecture. Amongst others, Major A. F. (later Sir Anthony) Blunt was anxiously seeking how to set the ball rolling to devise measures of protection. As a result, on 16th June, 1943, a letter was addressed to the Adjutant-General at the War Office by the Directors of the British Museum, the National Gallery, and the Victoria and Albert Museum, the Chairman of the Fine Arts Commission, and the Chairman of the National Gallery, enquiring how steps could be taken to ensure, as far as possible, that no unnecessary damage should be done to buildings, monuments, and other works of art on an invasion of the continent. The writers suggested that a frequent cause of damage was ignorance of the importance of monuments and offered to provide lists prepared by experts covering the whole coastline of Europe and many parts of the interior. Specimen lists were attached. These lists, so far as they concerned Sicily and Italy, were sent at once to North Africa where the A.M.G.O.T. planners were at work. Others were passed to the Director of Civil Affairs, and the writers were invited to get in touch with the directorate and to provide it with further information.

Within the directorate the position was at this time described as 'a little indeterminate' though 'in an unofficial way we have the services and advice of Sir Leonard Woolley'. But a few days later, in view of the mounting interest in this matter, it was arranged that

¹ *Ibid.*, p. 5.

Major Sir Leonard Woolley should give one hour a day to the Directorate of Civil Affairs and in respect of that time be a member of the directorate and be authorized to act for the director in all matters connected with the protection of monuments and other works of art.

By now there had been further developments in America. The American Defense – Harvard Group Committee on Protection of Monuments had come into existence. On 20th August, 1943, President Roosevelt drew various American threads together by approving the appointment of a national body, the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas.

The invasions of Sicily and of Italy had taken place. Naples was occupied by Allied forces on 1st October, 1943, and soon there was talk of disgraceful behaviour by these troops, of looting and destruction of objects of historical and artistic interest.¹

It became clear that the part-time enjoyment of Sir Leonard Woolley's services by the Directorate of Civil Affairs would not suffice to deal with the rising tide of work in connection with the care of monuments, fine arts and archives. On 1st November, 1943, Sir Leonard became whole-time Archaeological Adviser to the Director of Civil Affairs, with the rank of Lieutenant-Colonel, and with a small staff consisting of Lady Woolley and one clerk.²

* * *

We must return to events in Sicily and Italy. Here the invasion was a combined Anglo-American operation, and the previous planning and preparation were undertaken primarily by the various headquarters concerned, in Africa, but in communication with the Combined Chiefs of Staff in Washington. (The C.C.A.C. and its London appendage the C.C.A.C.(L) had not yet come into existence within the Combined Chiefs of Staff organization.) For this invasion the headquarters of the Allied Military Government of Occupied Territories, A.M.G.O.T. for short, was attached to General Alexander's Fifteenth Army Group Headquarters. Provision was made at A.M.G.O.T. Headquarters for an Adviser and an Assistant Adviser on Fine Arts and Monuments, one to be American, the other British.³ Specialist officers were to be employed, but no further forward than A.M.G.O.T. Headquarters, which meant that for a

¹ But cf. p. 221 for extent of damage.

² Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, pp. 5–6.

³ *Ibid.*, p. 18. Harris, *Allied Military Administration of Italy, 1943–45*, H.M.S.O., 1957, p. 8, also Annex III (facing p. 32).

long time responsibility in the field would lie upon that overworked jack-of-all-trades, the Civil Affairs Officer. As static administration was set up behind the Fifteenth Army Group zone, it was planned to exercise civil administration through a number of Regions to be activated successively as the Allied forces advanced northwards. Twelve Regions were proposed, Sicily constituting Region I. It was planned that there should be one specialist Monuments and Fine Arts Officer in each Region.¹ In the event not all of these Regions were set up. The surrender of the Italians, and their entry into the war against Germany, resulted in less direct administrative arrangements, control being exercised through the Italian Government which was given responsibility for the administration of an increasing proportion of Italian territory behind the forward military zones. On 24th October, 1943, A.M.G.O.T. was divided into A.M.G. Forward and A.M.G. Rear. A.M.G. Forward operated in forward areas and comprised A.M.G. 15th Army Group, A.M.G. 5th Army, and A.M.G. 8th Army. On 10th November, 1943, A.M.G. Rear was amalgamated with the newly constituted Allied Control Commission to which was entrusted the task of controlling the Italian Government.² The Adviser and Assistant Adviser for Monuments and Fine Arts remained with A.M.G. Rear and became a part of the Allied Control Commission. The organization of this was, very properly, designed to parallel, so far as possible, the organization of the Italian Government, with which it would have to deal. Since in the latter the Directorate of Fine Arts was a part of the Ministry of National Education, in the former the Monuments and Fine Arts Advisers became a sub-section of the Sub-commission for Education. This, in the circumstances of the time, was to have unfortunate results.

The organization planned for the care of monuments and fine arts was an improvement on anything that had gone before, in that more numerous specialists were provided and more information was on record. But its weaknesses were soon to be revealed. Its first major test came on the occupation of Naples, on 1st October, 1943. Allegations were soon circulating that Allied troops had been guilty of pilfering and of acts of vandalism. It was these, and mounting concern in England, that led to the transfer of Sir Leonard Woolley from the Directorate of Public Relations to the Directorate of Civil Affairs, and his appointment as whole-time Archaeological Adviser. As soon as possible he set out on a visit to Italy, Sicily, and North Africa to ascertain whether, and why, the planned organization for the protection of monuments and works of art had failed. It quickly became clear that it had failed, particularly perhaps in Naples.

¹ Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 21.

² Harris, *Allied Military Administration of Italy, 1943-1945*, H.M.S.O., 1957, p. 96.

As a result of Sir Leonard's investigation a Commission of Enquiry was appointed by A.F.H.Q. to investigate damage alleged to have been caused to real and personal property of historical and educational importance in Italy. As for his own report on the planned measures for the protection of monuments, it appeared that the organization was faulty in two respects. In the first place it was clear that there were no Monuments, Fine Arts and Archives Officers where they were most needed, that is to say, in forward areas. This was partly because, as we have seen, the Monuments and Fine Arts headquarters organization had been made a subsection of the Sub-Commission for Education, itself a part of the Allied Control Commission. The resuscitation of education could take place only in rear areas; consequently the whole of the activities of the Education Sub-Commission, including the care of monuments, tended to be carried on in the Regions where static administration had been established rather than in forward areas. In the second place, Monuments and Fine Arts work in the rear areas tended to be conducted on a rigid Regional basis, not through a flexible pool of officers rapidly switching effort from one point of need to another. There were also the ever-present and inevitable difficulties of transport and communication. The Archaeological Adviser proposed remedies for these two organizational defects. But the chief cause of failure was more fundamental, that it had not been brought home to the rest of the army that a responsibility lay on them to protect monuments, and that the acceptance of this responsibility must be made a matter of discipline. Failing recognition and inculcation of this basic principle, the Monuments and Fine Arts Officers found themselves without authority to deal with the soldiery if they said, as once a divisional commander did say, 'What would it matter if the whole of these . . . ruins were pushed into the sea.'¹ This omission was remedied at once by the issue of a letter to all commanders and of a General Order, on lines suggested by the Archaeological Adviser, over the signature of General Eisenhower, the Commander-in-Chief. The letter ran:

'Today we are fighting in a country which has contributed a great deal to our cultural inheritance, a country rich in monuments which by their creation helped and now in their old age illustrate the growth of the civilization which is ours. We are bound to respect those monuments so far as war allows.

If we have to choose between destroying a famous building and sacrificing our own men, then our men's lives count infinitely more and the buildings must go. But the choice is not always as clear cut as that. In many cases the monuments can be spared

¹ Mortimer Wheeler, *Still Digging*, London, 1955, p. 154.

without any detriment to operational needs. Nothing can stand against the argument of military necessity. That is an accepted principle. But the phrase "military necessity" is sometimes used where it would be more truthful to speak of military convenience or even of personal convenience. I do not want it to cloak slackness or indifference.

It is a responsibility of higher commanders to determine through A.M.G. officers the locations of historical monuments whether they be immediately ahead of our front lines or in areas occupied by us. This information passed to lower echelons through normal channels places the responsibility on all Commanders of complying with the spirit of this letter.'

The General Order placed very close restrictions upon the use for military purposes of listed historical buildings and concluded with the following paragraph:

'The prevention of looting, wanton damage and sacrilege of buildings is a command responsibility. The seriousness of such an offence will be explained to all Allied personnel.'¹

When the Commission of Enquiry appointed by A.F.H.Q. reported, it also recognized that the problem was overwhelmingly one of the maintenance of the discipline and *morale* of the troops. It made numerous detailed suggestions for facilitating the maintenance of discipline and control. It recognized, of course, that in battle military considerations must be paramount. It added:

'The crucial time is when the battle has gone forward and reserve formations and administrative units begin to take over the newly won area. Everything is in a state of confusion, and that is the time when by far the most loss and damage is liable to occur. Everything depends on the control exercised by incoming formations and units, and on the discipline of the troops, during these early days.'

It stressed the importance of Monuments and Fine Arts Officers being with the incoming troops at these crucial times, thus supporting the Archaeological Adviser's recommendation that these officers should work much further forward. That they had not done this in the past, was in no way due to reluctance on the part of the officers themselves, it should be added, but rather to unwillingness on the part of the military commanders to admit them into forward areas. Once it had been made clear to commanders that they would be held responsible for failure of discipline and consequent losses or damage, their attitude towards Monuments and Fine Arts Officers

¹ Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, pp. 21-24.

changed; instead of being an incumbrance, these officers began to be seen as possible trouble-savers.

We are not here concerned with the particular extent of damage done by Allied troops in Naples, but it is reassuring that the Commission found that this was less than they had been led to expect, and that no historical monument or object of art of first importance had been damaged or lost by the action of Allied troops. The most serious harm was the wanton destruction of scientific instruments and collections in the University and the wholesale looting of brocades, paintings, furniture, clocks and ornaments from the Royal Palace of Naples. Otherwise the damage, although extensive, was of minor importance and was apparently due mostly to souvenir hunting – admittedly on a somewhat lavish scale.

* * *

In London, from mid-November, 1943, onwards, there had been an anxious increase of pressure on the War Office and the government to improve the arrangements made for the protection of monuments and works of art. On 12th November a deputation headed by Squadron-Leader E. H. Keeling, M.P. waited upon the Deputy Prime Minister to press for action to ensure, first, that no unnecessary damage be done to historic monuments and works of art during the course of operations, second, that adequate measures be taken to prevent vandalism and looting during the subsequent period of occupation, and, third, that a record be kept of works looted or destroyed by the enemy with a view to their subsequent return or replacement. The delegation urged that an expert be sent to Sicily and Italy to report on existing arrangements, that an Advisory Committee be set up on the lines of the American Commission, and that an expert adviser be attached to each bomber command. Sir Leonard Woolley was present, on the invitation of the Deputy Prime Minister (and to the embarrassment of at least one member of the delegation, who had intended to criticize Sir Leonard's work, and instead, after the meeting, accused him, quite without justification, of lying to the delegation). By 28th November Lieutenant-Colonel, now Brigadier, Wheeler, just returned from Italy, had drawn up some notes on the preservation of buildings and articles of artistic or archaeological importance 'resulting from first-hand experience with the 8th Army in Africa and the 5th Army in Italy'. These stated and analysed the problem, as he saw it, and reviewed what had been done. 'In Africa, *no* steps were taken in advance by O.E.T.A. to safeguard any of the historical sites, collections or records.' (This would appear to have been true enough of forward areas; in respect

of rear areas the statement required some modification). 'In Sicily an officer was appointed by Allied Forces H.Q. to deal with the problem . . . Fortunately no major monument of art or antiquity is known to have suffered seriously there, owing to the absence of fighting in most parts of the island and the restricted number of historical buildings and collections in the battle-area.' 'In Italy, the situation was deplorable. On the staff of A.M.G.O.T. at Naples a major, with one sergeant as his total staff, was appointed to look after "Education and Fine Arts"! "Education" included the immense task of re-opening the Italian schools, and it will be appreciated that "Fine Arts" scarcely entered the picture.' He urged the appointment of an Archaeological Adviser to the D.C.A. of the rank at least of Colonel, the appointment of District Officers of the rank of Lieutenant-Colonel, the recognition that these officers should have a lien on the services of some half dozen military police, the appointment of a small staff of clerks, and the provision of a car for each district.

On 29th November Brigadier Wheeler called on the Permanent Under-Secretary, Sir Frederick Bovenschen, and both at this interview and in a subsequent letter canvassed views similar to those in the notes. On 10th December Squadron-Leader Keeling, never very satisfied with what the delegation of 12th November had achieved, and now armed with further information received from Brigadier Wheeler, wrote to the Prime Minister, the Deputy Prime Minister, the Secretary of State for War, and the Secretary of State for Air, enclosing a copy of Brigadier Wheeler's notes, and asking that the matter should receive the urgent attention of the War Cabinet. To the Secretary of State for Air he wrote:

'We consider it of the utmost importance that the R.A.F. should not only refrain from "Baedeker" raids, whatever the pressure upon you to retaliate for such raids by the enemy, but should also make every effort, by careful planning, both in the Mediterranean and in Western Europe, to avoid damage to beautiful and historic buildings, the loss of which would be a disaster to civilisation. Operational requirements must obviously come first but we are convinced that if expert advice is provided much can be done to prevent such damage without reducing the effectiveness of bombing.'

He added that, although lists of monuments had been supplied to the Allied forces in the Mediterranean, it appeared 'that the lists were in practice dead letters'.

On 14th December Sir Frederick Bovenschen saw Brigadier Wheeler again in connection with the notes which had been attached to Squadron-Leader Keeling's letter.

If the military authorities appear sometimes to have been slow in meeting these many requests, three points must be borne in mind. In the first place they were being asked to divert manpower and some portion, however small, of their material resources from the prime task of defeating the enemy to an object, of great but imponderable importance, and which could scarcely contribute to their main task. In the second place they had continually to be on their guard against a common tendency that had apparently already begun to show itself in the Middle East, to judge from the following telegram sent by the Commander-in-Chief at the time:

‘ In this matter policy should be of strict care and maintenance unaffected by any artificial agitation started by experts who welcome opportunity of war-time when financial control is relaxed to continue and extend their peace-time avocations at the public expense.’

Thirdly, they had, in fact, already sent Sir Leonard Woolley to diagnose what was wrong in military arrangements, and decisive improvements were already being incorporated in these. The War Office understandably wished to see the results of these before making any further changes.

On 3rd January, 1944, pressure shifted from the War Office to the government itself, when Archbishop Lang sent to Sir Edward Bridges, Secretary to the Cabinet, a memorandum signed by three principal Trustees of the British Museum, by himself as Chairman of the Standing Committee of the Trustees of the Museum, by the Chairman of the Trustees of the National Gallery, and the Chairman of the Advisory Council of the Victoria and Albert Museum, together with a copy of Brigadier Wheeler's notes, and an account of the setting up of the American Commission by President Roosevelt. The Archbishop requested that the memorandum should be considered by the Prime Minister or by the Cabinet. The memorandum discussed the protection of cultural monuments and works of art under three heads, first, the minimizing of damage by bombardment, especially from the air, second, salvage, preservation and stock-taking behind the battle front, and third, the post-war problems of compensation and restoration with regard to looted or destroyed property, of restoration of buildings, and the general redistribution of works of art. It urged the establishment in the United Kingdom of a commission comparable to that set up in America, and the improvement of protective measures at the battle fronts.

* * *

The whole matter was considered by the War Cabinet at its meeting on 20th January, 1944. The matter in the memorandum

fell into two parts. The one was concerned with the measures of protection that could and should be taken in and behind the battle, the other with arrangements for post-war restitution of looted works of art or, failing that, for compensation, in cash or in kind. War-time protection was clearly a matter for the services and the service ministries. But post-war restitution was not. In a paper for the Cabinet the Secretary of State for War, while expressing sympathy with the memorandum in general, drew this distinction and very properly addressed himself mainly to those parts which concerned the army and the War Office. He gave an account of the measures taken before the invasions of Sicily and Italy for the protection of monuments, but explained that there were strict limitations of principle and of practice, upon what the army could do. As to principle he said:

‘The Army, in the face of the enemy, is concerned with his destruction to the exclusion of all other considerations. It will not exercise any nice discrimination in the selection of its targets, since the enemy would be quick to take advantage of the sanctuary offered by any such doctrine.’

‘Immediately behind the advancing armies the situation is different. But here, too, the prime object of the military staff proper and of the civil administration staff attached to it is to facilitate military operations by attending to certain necessities, of which the safeguarding of objects of historical interest is not one.’

As to practice, he reminded the Cabinet that any seaborne invasion is ‘conditioned and limited in its extent by the availability of shipping’ and that in Sicily, since even the more essential services had to go short in men and equipment, the less essential services, which included art preservation, perforce suffered even worse. As it had gradually become clear that the paper arrangements for the protection of monuments in Italy were not working as they should, the Secretary of State had appointed Sir Leonard Woolley, Archaeological Adviser to the Director of Civil Affairs, and sent Sir Leonard to Sicily, Italy, and North Africa to discover what was amiss. The Secretary of State reported that:

‘Sir Leonard Woolley found that while the staff of officer experts was admirably equipped for its purpose, they were not distributed to the areas where they were most needed; in so far as they were distributed they had lost touch with the centre of their own organization, and they lacked the authority necessary for the effective performance of their duties.’

‘The organization, therefore, was not working as it should and although it is an exaggeration to speak of “much” avoidable damage and loss having occurred there is no doubt that there were abuses and that some opportunities of salving monuments were let slip.’

He added that reorganization had been undertaken in Italy. Monuments and Fine Arts Officers were now attached to military formations so that they could operate in forward areas instead of only in the Regions where static administration had been inaugurated. These officers were given authority which they did not formerly possess. In addition, military commanders had been instructed by the Allied Commander-in-Chief that no building listed as a work of art might be used for military purposes without the explicit permission of either the Commander-in-Chief or the General Officer Commanding-in-Chief 15th Army Group. Above all it had been made a matter of military discipline that monuments and works of art should not suffer. The War Cabinet approved the measures taken by the War Office.

There had also at this time been considerable pressure, both in and out of Parliament, that the names of the officer experts employed by the War Office should be published in order, it was said, to reassure the public regarding the measures of protection that were being taken. The War Office resisted this request on the general grounds that it was no less undesirable to reveal the names of individuals within the military organization for the protection of monuments, than to do this with regard to any other military headquarters or government department. They may also well have judged from the tone of the representations received that names were wanted, not so much for the reassurance of the public, as for the purposes of hostile criticism, which might well have had the opposite effect on confidence. In fact the officers selected by the army were technically well qualified, some outstandingly so. But these qualifications were only a part, in some ways the least part, of the qualifications needed. The officers appointed had to be able, and willing, to understand, and fit happily into the military organization. They needed to know the language of the country in which they were going to operate. They needed character, personality, and if possible a military record that would earn for them the respect and confidence of the commanders they would have to deal with, and that would enable them to live down the inevitable first thoughts that they were something to laugh at. In comparison with the need for these latter qualifications, the need for technical expertise came a poor second.

* * *

There remained the request for the appointment of a commission to deal with post-war problems. There was ready recognition of the need for this both in and out of the Cabinet. It was, however, clearly not the concern of the fighting services or of the War Office. It had

not been suggested in the memorandum that the commission should be concerned with wartime measures of protection and it was generally accepted within the Cabinet that these were the exclusive responsibility of the service authorities. The appointment and functions of the commission would accordingly not appear, *prima facie*, to be any concern of the present volume. But when the memorandum had been under consideration by the War Cabinet, the Secretary of State for War had also given an account of the measures already taken by the War Office. These included the formation in London, by the Archaeological Adviser at the War Office, of an advisory panel of experts to whom he could turn for technical advice. There was probably some failure by the War Cabinet to distinguish clearly between this wartime advisory panel and the proposed post-war commission, and between the respective functions of these two bodies. This may have arisen from the fact that it was proposed in the memorandum that the commission should be on the lines of that in the United States, and that the American Commission did exercise both wartime and post-war functions – indeed its wartime functions were conceived of as being its primary purpose. In addition, it is clear that some of those who may have expected to be appointed members of the commission when this came into existence were expecting the commission to exercise some degree of supervision over the war-time measures of protection undertaken by the War Office, in addition to the commission's post-war functions. However all this may be, the Lord Chancellor, speaking in the House of Lords on 16th February, 1944, concerning the proposed commission said, *inter alia*: 'But, though the machinery during the War must be the executive authority of the Commander-in-Chief and the officers under his command, questions may arise – they will arise – and His Majesty's Government hope, and the War Office hope, that he will be able to make use of the Commission . . . as advisers in suitable cases.' The Lord Chancellor had introduced the new idea that the commission, although primarily concerned with post-war matters, might also exercise advisory functions in regard to wartime measures in the field, somewhat in the same manner as the American Commission. This in fact was far from what the War Office hoped. The American Commission was a civilian body appointed under the orders of the President of the United States and ultimately responsible to him alone. Although it was required to deal with post-war problems, its primary purpose was to protect and conserve works of art and artistic or historic monuments and records in Europe, during and to the extent allowed by military operations. In order to do this the Commission, with the approval of the President, provided a body of experts for commissioning into the army, and drew up directives for their guidance. The War Department subscribed to the

general purpose of the Commission and co-operated where necessary. But ultimate responsibility, which was in any case but vaguely defined, lay upon the Commission rather than upon the military authorities. The War Office view, greatly strengthened after Sir Leonard Woolley's visit to Italy, was that the civilian character of the American Commission had been a chief cause of the failures in Italy, and that within areas and periods of military responsibility, the only way to secure effective action was to incorporate the organization for the protection of monuments fully into the military machine and to place responsibility for its working unequivocally upon military commanders. The Prime Minister replying to Archbishop Lang's request for the appointment of a commission said 'The weakness of the Monuments and Fine Arts organization in the past was in large measure due to the fact that it had been elaborated by and depended on an external civilian body not in touch with the Army, whereas it is only as part of the appropriate branch of the Service that it can function at all.' The War Office was for these reasons unalterably opposed to the conferment upon the commission of any responsibility, supervisory or other, for the execution of war-time measures. To make any such transfer could, in their view, only operate to weaken military responsibility and create difficulties within the military machine.

In fact it was nothing so drastic that had been proposed in the House of Lords by the Lord Chancellor. It was only that the War Office should make use of the commission as advisers in suitable cases. But the War Office did not like this proposal much better. Partly it feared, in view of opinions already expressed, that if advisory functions were conceded, the next request would be for supervisory powers, a request to which as we have seen it was strongly opposed, but which it might prove very difficult to resist. But partly there were difficulties about the proposal itself, that the commission should be consulted in its corporate capacity, rather than that the Archaeological Adviser should seek the expert advice of individual members of the commission. Sir Leonard Woolley, writing to Archbishop Lang after a personal meeting, put the matter thus:

'It might seem at first to be but reasonable that the Commission, while possessing no executive powers, should none the less assist the War Office by advice and suggestion, as was done in the United States of America. But I did point out to you that in the case of the United States of America Commission, this had failed in practice, and I think that it is bound to fail. Personally I have been and am most ready to ask advice of individuals, whether members of the Commission or not; but I see every disadvantage in consulting the Commission as such. As Adviser I am solely and personally responsible for the advice I give to the

Directorate and the War Office; should I consult the Commission as such, and its advice differ from my own views (and I am *ex officio* in a better position for knowing the practical needs and difficulties) it would be impossible for me to press a course of which I did not approve, and most invidious to reject the considered opinion of so influential a corporate body. Moreover, the very fact that the Commission would have Government standing would increase my difficulty, as any difference of views between it and the War Office would become departmental and involve a clash of authority.'

However, on the assurance of Archbishop Lang that this would not be made the thin end of any wedge, the War Office agreed to the commission being endowed with strictly advisory functions with regard to wartime measures. There was, in fact, no later attempt to expand the functions of the commission by demanding supervisory powers for it.

On 9th May it was announced from Downing Street that 'The Prime Minister has appointed a Committee with the following terms of reference:

1. To be at the service of His Majesty's Government in connection with the post-war restitution of monuments, works of art and archives misappropriated by enemy Governments or individuals in the course of the war.
2. To co-operate with the Commission already appointed by the President of the United States for similar purposes, and with any like bodies which may be set up in other Allied countries.
3. To avail themselves of the special information possessed by other bodies such as the Conference of Allied Ministers of Education.
4. To investigate and consider the technical problems (other than legal) of restitution, and to advise His Majesty's Government regarding the policy to be adopted in the matter of restitution, and if requested to do so, of reparation in kind.
5. To make such enquiries, adopt such methods and promote such collaboration as seem best calculated to secure the general purposes to be served by the Committee.

The Committee is being set up at once, as, while its main task appertains to the period following the cessation of hostilities, nevertheless there is much important work now waiting to be done, without which our post-war preparations on these heads will not be ready.

Such a Committee may well be of great value to the Government while the war is going on, inasmuch as it will be possible for the authorities at the War Office and the Air Ministry to consult the body when needful, and to consider representations made by it if occasion should arise.

The following have consented to serve on the Committee:

Lord Macmillan, Chairman
Sir John Clapham
Sir Kenneth Clark
Sir John Forsdyke
Sir Frederick Kenyon
Sir Eric Maclagan
Mr. J. G. Mann
Mr. Vincent Massey
Mr. R. C. Norman
Professor G. M. Trevelyan
The Duke of Wellington.¹

The committee was formally the British Committee on the Preservation and Restitution of Works of Art, Archives and other Material in Enemy Hands, but soon came to be known, after its chairman, as the Macmillan Committee. Close and friendly liaison was quickly established between the committee and the Archaeological Adviser, and all information from the field that might have a bearing upon its post-war responsibilities was transmitted to the committee.

* * *

Within a month the Anglo-American forces invaded Normandy. There was no change of principle in the organization and methods adopted for the protection of art treasures as compared with those ultimately adopted in Italy. But the North-West Europe theatre started where the Italian theatre had left off, and with all the benefit of Italian experience. Before invasion General Eisenhower, the Supreme Commander, issued an order, based on the letter and General Order which he had issued as Commander-in-Chief in Italy, after the events in Naples, making the protection of art treasures a military responsibility to be enforced as a matter of discipline. Specialist officers were located further forward, being attached to Army headquarters. The importance of these officers working so far as possible close on the heels of the troops advancing in battle was recognized – the United States officer attached to Second British Army was in the Allied bridgehead within a week of the landings, when the area occupied by the Allied forces did not extend beyond Bayeux.¹ The need to provide these officers with transport was presumably recognized in theory. In practice many of the old difficulties inevitably remained. For his first ten days the officer mentioned above could move around only by “hitch-hiking”.

¹ Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 46.

As the bridgehead expanded, however, and more vehicles could be brought in, matters improved and a truck and driver were spared for him.¹ The duties of these officers were set out as being four. They were required, so far as military exigencies allowed, to protect from unnecessary damage monuments in territory still occupied by the enemy; to apply first-aid repairs to damaged monuments when such passed into Allied possession; to protect monuments from wanton damage or misuse on the part of Allied troops; and to record the thefts of works of art by the enemy and collect any evidence available that might facilitate their ultimate recovery. As the Allied forces advanced from liberated allied or friendly territory into occupied enemy territory, emphasis shifted from the co-operation with friendly governments in the protection of treasures recovered, to the tracing of works of art stolen by the enemy. In the early weeks some ten officers took the field, with four or five others ready to accompany the S.H.A.E.F. Missions to the Allied and friendly countries. As the bridgehead expanded and further formations took the field the total number rose to about twenty officers. Some two-thirds of these were American, one-third British. There was one Norwegian, an officer of the Norwegian Liaison Corps.

After entering Germany the task of the Monuments, Fine Arts and Archives Officers became largely that of locating, and protecting the numerous repositories, many of them in mines or castles, to which the Germans had removed both their own moveable art treasures, and those systematically looted from the countries they had occupied.

It is impossible to give any statistical assessment of the results of the work of these Monuments, Fine Arts and Archives Officers. Much of the damage done was quite beyond their control. There can be no record of the numbers of cases in which damage did not occur owing to their intervention. Repairs were undertaken not by them but by the local authorities. But that they succeeded in their first task of gaining the confidence of the military authorities can perhaps be demonstrated by the following incident recounted by Sir Leonard Woolley²:

‘ A few days before D-day, Colonel Webb circulated the official list of “ protected ” French monuments, and immediately I was rung up at the War Office by Supreme Headquarters and a distinctly worried Major-General told me that this portentous volume was quite impossible; it was so long that there could be scarcely a building left in which troops could be billeted or offices set up; it disregarded all the requirements of military operations and must be withdrawn at once. I could only ask for time to give a reasoned reply, and this took the form of an analysis of that part

¹ Ibid. p. 47.

² Methuen, *Normandy Diary*, London, 1952, Introduction, p. xvii.

of the volume which dealt with the five departments of Normandy. In that all-important area about half of the scheduled buildings were churches, which by international law are exempt from military use; many were public buildings, especially *Hotels de Ville*, which were normally employed for municipal government and would certainly be required by the French authorities who were to administer the recovered territories; there were statues and fountains and wayside crosses and there were stone circles and menhirs which no soldier would covet as a billet; in the whole of Normandy there were less than forty buildings which were likely to be wanted for military use and which it was proposed to exempt on the grounds of their historic or artistic value. The answer from S.H.A.E.F. was that we had been astonishingly moderate and that the list was officially approved. Nor was this the end. Some time later, as the Allies began to advance across France, headquarters of the United States First Army issued a general order whereby Monuments Officers were entitled to add to the published list any other buildings which they thought should be specially protected, and their supplements were to have the same authority as the official list in general – they were given *carte blanche*, and nothing could show better the goodwill of the Army to the purpose that we had in view or their complete confidence in the men selected to carry out that purpose.’

So trusted and supported, the potential of these officers was greatly expanded. As to what they achieved, Sir Leonard Woolley may be quoted once more:

‘As regards the success of this novel experiment made by the Allied Forces, a French Commission of experts reported that avoidable damage done by the Allies was negligible and that the extent to which the country’s monuments had been preserved was almost miraculous’.

* * *

The idea of a corps of officers with an expeditionary force, whose task it would be to protect and preserve the artistic treasures of the invaded country, was not new. Napoleon formed such a corps for his invasion of Egypt in 1798. Maison had one for the army in the Peloponnesus in 1828, and Franchet d’Esperey in Macedonia in 1918. It is noteworthy that all these examples were provided by the French. The Germans created the *Kunstdenkmalerschutz* in 1917. In the Second World War they were guilty of extensive organized looting for the benefit of the Nazi overlords. But parallel with their official buccaneering, they set up an admirable *Kunstschutz* which, if the Hitlers, the Goerings, and the Himmlers did not exercise their

option to loot, achieved fine work in the protection and preservation of monuments and works of art. The head of this organization in France was initially Count Metternich. Under him meticulous care had been taken of monuments and fine arts. When he dared to protest personally to Hitler against the depredations of the Fuehrer himself and of Goering, he was removed.

But to the British and the Americans the idea was entirely new. The British had the problem of protection forced on them by events in North Africa. The Hague Rules, and the provisions of the Manual of Military Law based on these, were concerned to prevent damage by the invading forces. They did not place upon the invading forces any responsibility for preventing damage by other persons, or for protecting monuments and works of art from physical deterioration. It is clear that during the first and second occupations of Cyrenaica nothing effective had been done to ensure even such protection as the Hague Rules required. Thereafter the need to defend the good name of the army led to rapid realization of the need for special measures for this purpose. It was realized almost as rapidly that the army's reputation would be made to suffer just as much if nothing was done to prevent damage by other persons and the normal processes of decay. Accordingly, as in other fields, the military authorities found themselves assuming, against their will, responsibilities well in excess of those laid upon them by the laws of war through the Hague Rules.

The Americans were probably the first to act in virtue of what, in connection with the invasion of Sicily, has been described as 'a civilised recognition on the part of the Allies of the importance of preserving, as far as war conditions allowed, the artistic patrimony of the island.'¹ Certainly they were the first to organize and channel this 'civilised recognition' in their own country when they formed the American Council of Learned Societies Committee on Protection of Cultural Treasures in War Areas, and a little later the American Defense - Harvard Group Committee on Protection of Monuments, and when in August, 1943, President Roosevelt appointed the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas. It is clear however that the overseas organization which grew out of this was not effective; Naples demonstrated that. It was Sir Leonard Woolley's subsequent visit to Italy that led to the establishment, for the first time, of effective machinery for the protection of monuments and works of art. A main feature of this was the recognition of the crucial importance of protection as far forward as possible, right in the wake of battle. But above all was the recognition, facilitated by the analogy before

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 8.

him of the civil affairs machinery (within which the monuments and fine arts organization must find a place) of the importance of complete integration with the military hierarchy, and of the full assumption of responsibility by military commanders. The orders by General Eisenhower could hardly have been bettered and formed the basis for all subsequent planning and preparation for the protection of monuments, fine arts and archives.

* * *

The measures advocated by Colonel Woolley and enforced by General Eisenhower were excellent so far as they went. But it is clear that there are two phases in the protection from damage of monuments and works of art. The first is *before*, the second *after*, occupation of territory. The measures described above were concerned only with the second of these phases. In his final report, the head of the Monuments, Fine Arts and Archives Sub-Commission in Italy wrote: 'At least 95 per cent of the damage inflicted on major monuments by the Allies was caused by air-bombardment',¹ that is, *before* occupation. Whether or not this precise figure is accepted, there can be no doubt that by far the greater part of the damage was done *before* occupation, and that consequently the measures which have been described so far scarcely began to touch the real problem.

In the War Office little direct responsibility rested upon the Archaeological Adviser in the Directorate of Civil Affairs for preventing unnecessary damage by air bombardment – this was chiefly a matter for the Air Ministry. But in the field, a wider responsibility was felt to lie upon the civil affairs organization. In the case of Italy, for example, the first of three duties laid upon the Monuments, Fine Arts and Archives Sub-Commission of the Allied Control Commission is reported to have been: 'So far as possible, to preserve from destruction by acts of war, historic buildings, works of art and historical records; this could only be done by furnishing the ground *and air*² forces with information as to the location of such monuments etc. within their prospective theatres of war.'³

In the North-West Europe theatre the conception of civil affairs responsibility was similar.

In order to place in its proper perspective what the Monuments, Fine Arts and Archives Officers were able to do, both before and after occupation, and since by far the greatest damage was caused by air bombing, we need to take at least a glance at the measures

¹ Woolley, *The Protection of Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 28.

² Author's italics.

³ Woolley, *The Protection of Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 20.

adopted for the preservation of monuments and works of art from this particular danger.

Air bombardment was one aspect of a new form of warfare, the potentialities of which had scarcely unfolded themselves in the course of the First World War. It was early realized that the rules of land warfare were of doubtful relevance to control of the new forces of destruction. In 1923 an attempt was made by a commission of jurists, appointed by the states participating in the Washington Conference of 1922 on the Limitation of Armaments, to draw up a set of rules for air warfare.

These rules attempted to extend the principles of the land warfare rules to the air. They commanded a wide measure of support.

But the draft rules were never adopted or ratified by the governments who had set up the commission, and when the Second World War came, the new weapon, as in the case of other new weapons, soon imposed its own pattern on the participants, driving them, often reluctantly, to a new philosophy of war.

Aerial bombing in the Second World War developed a dual character. There was bombing in close support of land operations, conducted in close liaison with the armies, with the purpose of giving direct and local assistance to these operations. This came to be known as tactical bombing. There was, on the other hand, bombing directed, not to the immediate assistance of particular military operations, but to their indirect support by the destruction of the resources upon which all the enemy's operations depended – his transport system, his oil stocks, his factories, the morale of his people. This came to be known as strategic bombing.

Tactical bombing may be looked upon as, in essence, an extension of land warfare, increasing the range, weight, and mobility of the artillery. If there were no recognized rules for the conduct of air warfare in general it was nevertheless not unreasonable, nor entirely impracticable, to seek to extend the existing rules of land warfare, or at least the principles underlying these, to the conduct of tactical bombing operations. And it seems that, in principle if not always in practice, tactical bombing was conducted by the Anglo-American forces with due regard to the provisions of Article 27 of the Hague Rules for land warfare that in ' . . . bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to public worship, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.'

If tactical bombing could be brought within the spirit of the rules for land warfare it soon became clear that strategic bombing could not.

The British early abandoned daylight bombing, having found – on

4th September, 1939, in the raid on Wilhelmshaven – that the casualties were prohibitive. As a result of the indiscriminate air bombing by Germany of Warsaw in September, 1939, of Norway in April, 1940, and of Holland in May, 1940, the British War Cabinet felt at liberty to order on 15th May, 1940, the night bombing of marshalling yards and oil stocks, notwithstanding the fact that this would entail the killing of civilians. Rather more than a year later, in the autumn of 1941, when it became clear that the techniques available to Bomber Command could not achieve the accuracy and inflict the damage that alone might have made acceptable the casualties they were incurring, the attack was switched from those selected targets to ‘area bombing’ of towns. Later the Americans, with the protection of long-range fighter-escorts, could bomb distant targets by day. This was never practicable for the British.

The only point which it is relevant to make here is that when the decision to undertake night bombing of Germany, which in cold fact could not be restricted to the specified target areas, and the later decision to adopt ‘area bombing’, were not ruled out by the desire to avoid the death of men, women and children who were not in the armed forces, they were not going to be restrained by any consideration for the safety of art treasures or historic buildings.

In these circumstances, there was not a great deal to be done by those charged with responsibility for minimizing damage to monuments and works of art, beyond making certain that the air forces, whether tactical or strategic, were not left without information concerning the treasures they might destroy.

This was almost entirely a matter of effectively briefing the air forces. First steps in the preparation of lists of buildings of artistic or historical importance for each country of Europe were taken early in 1943 in America by Harvard University. At the same time in New York large scale maps were prepared of selected areas and cities showing the location of monuments of importance and giving detailed information concerning these. In August, 1943, the American Commission for the Protection and Salvage of Artistic and Historic Monuments in Europe, known more briefly as the Roberts Commission, was formed to co-ordinate the work already being done in the States.¹

Lists and maps already prepared were now issued by the commission to commanders of United States military forces, including specifically commanders of air forces. Where these were serving in combined commands they were asked to consult with British Commanders and to invite British co-operation. By the beginning of

¹ Woolley, *The Protection of the Treasures of Art and History in War Areas*, H.M.S.O., 1947, pp. 5-6.

October, lists and maps were circulating both at A.F.H.Q. and at C.O.S.S.A.C. headquarters. British lists had also been compiled and circulated to British commanders, but American preparations would appear to have been more comprehensive, more systematic, and more advanced. On the basis of the material furnished from America and Britain, zonal and regional lists of monuments to be protected were included in the civil affairs handbooks for Italy and, in due course, for the other theatres of war. The lesson had to be learnt that to ask for the protection of everything would inevitably result in the saving of nothing. The lists had to be selective. If only treasures of outstanding value were included, then there was good hope that something would be saved.

Valuable though these lists and maps might be, they were of no direct use, however, for the briefing of the pilots who would fly over the cities of Italy. The problem was to convert the material in them into something that could be readily inserted into the pilot's operational clip-board. Only so could such incidents be prevented as the bombing during 1943 of the old Pompeii in mistake for the new.

On 20th October, 1943, Air Marshal Tedder, Air Officer Commanding-in-Chief, Mediterranean Allied Air Forces, directed that steps should be taken to investigate this problem.¹ The solution reached was to prepare aerial photographs of seventy-nine cities and towns that it might become necessary to bomb, and to plot on these the location of monuments, objects and areas of historic or cultural interest concerning which information had been received. The pilot would have before him a photograph of what he was about to bomb, with all monuments clearly marked upon it. This work of photography was undertaken in great detail and accuracy, and at considerable risk, and was completed by February, 1944. When the destruction in the following month of the Mantegna Chapel in the Church of the Eremitani at Padua threw doubt on the working of the machinery evolved, direct liaison was established between the Monuments, Fine Arts and Archives Sub-Commission and the Director of Operations, Mediterranean Allied Air Forces. This liaison was later extended to the Tactical Air Forces. There was a steady improvement in the protection of monuments from air bombardment. The Director of the Sub-Commission reported ' . . . it is important to remember that the initiative came from the Air Force themselves; and the Sub-Commission wishes to put on record the outstandingly sympathetic hearing by strategic and tactical Air Force Headquarters whenever this difficult problem was discussed.'²

¹ Woolley, *The Protection of Treasures of Art and History in War Areas*, H.M.S.O., 1947, p. 28.

² *Ibid*, p. 29.

CHAPTER XI

FINANCE

THE decision, taken in February, 1941, that responsibility for the administration of occupied territories must lie upon the War Office, was taken in response to an enquiry contained in a telegram from General Wavell, Commander-in-Chief, Middle East.¹ The second part of General Wavell's telegram made clear, if this was not already so, the extent and unfamiliar nature of the new responsibilities that this decision would place upon the War Office, by going on to enquire what should be the economic and currency policy in territories occupied. At once a host of questions arose that fell clean outside the normal War Office horizon.

At the head of the Finance Department of the War Office, which would in the first instance at least, be called upon to deal with these questions, was the Permanent Under-Secretary of State (Finance). Under him were four directors of finance. The Director of Finance (A) dealt with general questions; the Director of Finance (B) was responsible for pay and pensions; the Director of Finance (C) for works and the purchase of stores; and the Director of Finance (D) for allowances and effects of prisoners of war and soldiers. Under each of the Directors were a number of finance branches. Under the Director of Finance (A) was a branch known as F.1, responsible for estimates and general finance, and the co-ordination of financial relations and adjustments with the Dominions and foreign countries. To this branch was allotted the responsibility for handling financial and economic problems arising in connection with the new responsibility of the War Office for the administration of occupied territories. It had dealt with such similar problems as had arisen in the First World War.

Eighteen months later, when attention turned seriously to the possibility of an invasion of Europe, and both the Administrative Planning Staff for this, and the Administration of Territories (Europe) Committee were constituted, it became clear that a great increase in the number and importance of civil affairs problems with a financial aspect must be expected. On 20th July, 1942, a new and separate branch, F.5, was formed out of the appropriate sections of F.1 to deal with all matters of currency, banking, and general finance and planning for the administration of occupied territories.

¹ Cf. Chapters I and II.

The branch was headed by Mr. C. E. (later Sir Charles) Key. Some of its currency problems fell outside the civil affairs sphere. These will not be discussed here for this is the story of civil affairs, not of F.5. But mostly the branch was concerned with the financial aspects of the problems of administering occupied territories. When, a year later still, in 1943, the Directorate of Civil affairs was set up to deal with the military administration of occupied territories, F.5 continued its separate existence and did not become a part of the new directorate. Partly this was because the War Office was organized on a basis of subjects, not operations (and, indeed, the subject handled by F.5 extended, as has been noticed above, beyond the field of civil affairs, in certain directions). Mainly it was because of the special responsibilities of the Finance Department to Parliament, which are discussed in the next section of this chapter. For the satisfactory discharge of these it was necessary that F.5 should continue responsible to the Director of Finance (A) and the Permanent Under-Secretary of State (Finance) who was the Accounting Officer to Parliament for the War Office, and not be placed under the Director of Civil Affairs and the Permanent Under-Secretary of State. Importance was attached throughout to keeping the staff of F.5 relatively small. This was achieved only by the vigorous adoption of a policy of leaving details to men on the spot.

When the Directorate of Civil Affairs came into existence there was appointed, under its Director, a Deputy Director of Civil Affairs (Economics), and the danger developed of some overlapping of the work of this Deputy Director with that of F.5. This soon disappeared when the Deputy Director, approaching the matter from a somewhat different aspect, drew attention to the fact that, while in the formulation of economic policy finance and economics could not be separated, the responsibility for these two subjects was nevertheless divided, that for finance resting upon the Finance Department, that for economics upon his own organization. He proposed that either finance should come to him or economics should go to the Finance Department. Neither of his proposals was accepted. But in practice the Deputy Director from this time on dealt mainly with the problems of civil affairs supplies (which were massive and complicated enough anyway) and left economic policy to be dealt with for the most part by F.5. And indeed during the early stages economic problems were very largely financial in character.

The civil affairs matters handled in F.5 fell mostly under one or other of four main heads. There was the provision of currency and the fixing of rates of exchange. There was the rehabilitation of the financial systems of the countries occupied, including banking, foreign exchange business, fiscal matters, financial institutions, insurance, and so forth. There was property control, a responsibility

imposed for the most part by the Hague Rules. There was the financing of, and payment for the civil affairs supplies imported to the countries occupied. This last function has been considered in detail in a separate chapter.¹ The other three will be dealt with below.

But before doing this we must first notice and understand why the Finance Department of the War Office (and therefore also its representatives at lower levels of command) enjoyed a special position within the military organization.

* * *

The military members of the Army Council spend moneys voted by Parliament, but they do so under the control of the Accounting Officer, who ensures that all such moneys are properly spent; he is answerable for this to the Treasury and to the Public Accounts Committee. The war-time system of Votes of Credit simplified the voting and appropriation of money, and allowed a wide discretion in its spending so long as this was directed to the prosecution of the war, but did not fundamentally affect the long-established principles of accountability. The Accounting Officer of the War Office is normally the Permanent Under-Secretary, but early in 1942 this post was split into two. The Accounting Officer then became not the Permanent Under-Secretary, Sir Frederick Bovenschen, but the Permanent Under-Secretary (Finance), Sir Eric Speed.

The Accounting Officer controls army expenditure through a series of civilian finance branches, and through command secretaries and financial advisers in commands. This arrangement applied throughout the war. A financial adviser, although one of the staff of the force commander, enjoyed direct access to the Accounting Officer in connection with matters which involved, or in the absence of such direct access might be expected to involve, his responsibilities to Parliament. The civil affairs organization, although a part of the military machine, had been created to deal with a range of problems outside normal military experience. This was, perhaps, particularly true of the field of finance, where the task was to be nothing less than the rehabilitation of the whole fiscal and financial system of the countries occupied. It was also desired to keep the accounts of receipts and expenditure in occupied territories separate from normal military accounts so that the financial position in any such territory could be readily ascertained, and so that hand-over to a successor administration at the earliest possible time would be facilitated. Accordingly the civil affairs organization was provided with its own

¹ Cf. Ch. VII.

finance staff, and the Chief Civil Affairs Officer with his own financial adviser and controller of accounts. This financial officer again enjoyed direct access to the Accounting Officer in the War Office.

The first such officer to be appointed was Colonel the Hon. F. Rodd (later Lord Rennell) who was posted on 24th February, 1941, as Controller of Finance and Accounts to the recently appointed Chief Political Officer at G.H.Q., Middle East, Sir Philip Mitchell.¹ The letter of instruction issued to him is reproduced in the history of British Military Administration in Africa 1941-47.² The title adopted was intended to mark the difference between the functions of the Controller of Finance and Accounts, dealing only with civil affairs and responsible to the Chief Civil Affairs Officer, and those of the Financial Adviser to the Commander-in-Chief (though in Burma, as a matter of convenience, both posts were held by the same man).³ In due course, Controllers of Finance and Accounts were appointed for all areas in which British military administration was established.

* * *

An essential munition of war is currency, to pay for labour, local supplies, information, the use of property, compensation, and to give the troops something to jingle in their pockets. The provision of this for all operations was the responsibility of F.5. For underground activities or minor operations in enemy occupied territories, where there was no question of the establishment of military administration, this function of F.5 fell outside the sphere of civil affairs and there is accordingly little excuse for lingering over description of the shifts to which the branch was driven to obtain the currencies required. British stocks of the currencies of enemy occupied countries were often meagre. No attempt had been made to build these up before the outbreak of war. Most of the subsequent purchases to increase these were made by secret agents in the blackmarkets in such places as Madrid, Lisbon and Tangier. Great care had to be taken to prevent agents of other organizations competing. As supplies grew less and Exchange Control in the neutral countries more effective, it became impossible to buy the money for neutral currencies or bank credits, and gold and diamonds had to be used. At one time gold had to be paid for German notes, which were generally the most difficult to obtain because German control was the most efficient and because once brought out of Germany they

¹ Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, p. 347.

² *Ibid.* pp. 348-352.

³ Donnison, *British Military Administration in the Far East*, H.M.S.O., 1956, pp. 218-219.

still had to be smuggled across occupied countries into neutral states. In fact all the currencies had to be smuggled and this was particularly difficult with the large quantities of smaller-denomination notes required for the provision of escape purses for R.A.F. crews operating over enemy occupied territories. In all this F.5 acted in conjunction with M.I.6 and the clandestine or other organizations requiring such currencies and there were regular meetings at the Bank of England. As the Germans became aware of these activities they began 'planting' marked notes on the neutral markets in order to discover the persons engaged in this traffic. But we must turn away from these fascinating twilight operations for they did not really concern civil affairs.

In procuring currency for major operations, where military administration was to be established, F.5 was discharging an essential function of civil affairs, for without adequate supplies of currency the normal life and administration of the occupied country, which it was the principal object of the civil affairs organization to revive, would come to a rapid stop. With this part of the activities of F.5 we are closely concerned.

The most satisfactory currency for use on invasion was that of the country occupied, since this was familiar, readily acceptable, and raised no question of claims upon the occupying power. Further, to the extent that such currency was available, it did not require special printing arrangements. It was accordingly the policy of the War Office to use indigenous currencies whenever possible. But of currencies actually in circulation, it was, as we have seen above, exceedingly difficult to obtain before invasion any considerable amounts, and usually quite impossible to obtain enough for the needs of the armies, and at the same time to supplement stocks already circulating so that these would suffice for the requirements of the population and of the civil administration in territory to be occupied. Nor was it possible to assume that sufficient stocks would be found in the occupied area; the enemy might well seek to ensure that none were left behind; and if he did not, it was still far from clear that at any moment, particularly the moment of invasion, enough would be in circulation in the area of occupation, for both civil and military needs, though it seemed permissible to hope that at a slightly later stage, as more of the country came under occupation, adequate stocks would be discovered. It was in fact, a matter of great difficulty for the planners to forecast the probable currency needs of areas to be occupied, since there was little or no accurate information regarding the seasonal or other flow of currency and goods in such areas. Aid was sought from the clandestine organizations. An officer of one of these, unable to answer the planners' questions, replied 'Well, I could easily be dropped in again to find

out'. Failing sufficient stocks of currency actually in circulation, it was possible, in those cases in which the government of the invaded territory had withdrawn and escaped the German or Japanese occupation, for that government to make a fresh issue of currency for use on liberation of its territories. This was done by the Belgian and Netherlands Governments in exile in England. The Belgian Government similarly provided a new issue of currency for the Duchy of Luxembourg. In the case of Malaya a new issue of dollars had been printed before the war but not put into circulation; this was used on the return. These new Malayan dollars were also used in Borneo. In a few cases the currencies of adjacent countries were acceptable in the occupied territories, and readily available, and were accordingly used by the invading forces. Egyptian currency was used in Cyrenaica and to a lesser extent in Eritrea. East African currency was widely used, though not so much in the early stages of occupation, in Ethiopia, Somalia, British Somaliland, and Eritrea. Indian rupees were used in British Somaliland, and circulated also in Burma.

Many countries remained, however, for which it was not possible to provide currency in any of these ways – enemy countries, countries whose governments were not accessible or not able to make new issues of currency, countries in respect of which the various methods described above had not succeeded in amassing sufficient stocks. For these it was decided that the military authorities would have to issue their own currencies. Most satisfactory would have been the issue of military currency for, and in the denominations of, each of the several countries to be invaded. But throughout 1941 and 1942 this proved impossible, for two reasons. In the first place, the printing of notes from start to finish normally took nine months. At this stage in their fortunes the Allies never knew nine months in advance where they would be operating and what currencies they would be needing. In the second place there was the danger to security, that the printing of notes for use in any country might reveal where the Allies planned to attack. The alternative course adopted by the British was to print British Military Authority notes in sterling denominations (from £1 down to 6d) which, notwithstanding these denominations, would be valid only in the countries in which they had been issued. The Americans, faced with the problem of currency for the invasion of North Africa at the end of 1942, provided themselves with 'yellow seal' dollars. They had originally proposed using ordinary blue seal dollars, circulating in the United States. The British were unwilling to put ordinary sterling into circulation in occupied territories since this would confer upon these territories claims against the United Kingdom. And since the tendency would be for sterling, the good money, to go underground and be hoarded, these claims

might be expected to accumulate and be presented without warning at the least opportune time. It was also known that there were large numbers of forged Bank of England notes on the continent (mostly printed by the German Government). Import control prevented their coming into this country; but if sterling circulated officially in occupied territories, there would be an opportunity to get value for them. The British did not like the proposal to use blue seal dollars, valid in the States, since this would tend to make the dollars more popular than the British Military Authority sterling, valid only in the occupied territory, and would therefore send the dollars to a premium over the B.M.A. notes, or alternatively compel the British to extend the validity of their notes. In an attempt to meet British objections, the Americans adopted the yellow seal dollars. These were in other respects identical with the dollars circulating in the States, but were differentiated by the yellow seal in place of the usual blue seal. But there were other reasons. There was constitutional difficulty about issuing currency that was not legal tender throughout the United States; the distinctive yellow seal would permit isolation of the currency if it fell into enemy hands; it would make it possible to prevent the influx into occupied territory of ordinary blue seal dollars; it could also be used to allow, if desired, the entry of yellow seal dollars into the United States at a time when the import of ordinary dollars was prohibited. But as these yellow seal dollars were nevertheless legal tender in the States as well as in the occupied territory, their tendency to go in any case to a premium over the B.M.A. notes was enhanced, as had been feared.

B.M.A. sterling notes were widely used throughout North and East Africa on first occupation of territory and became known as spearhead currency. Yellow seal dollars were similarly used by the Americans in Morocco, Algeria and Tunisia. (Ethiopia became an interesting special case. The Maria Theresa dollar was the favourite coin of the Ethiopian. Stocks were minted in London and India – the dies had been purchased before the war – and used for clandestine operations, and for large scale overt operations when these later began.) In due course these spearhead currencies were replaced by more normal and local currencies, in most cases by British East African currency, but in Morocco, Algeria and Tunisia by French North African *francs*, and in some places by Egyptian currencies. In the Italian territories in Africa it was found necessary to keep in circulation, and to use, *lira* coin and small denomination *lira* notes as subsidiary coinage for use as small change. The reasons were that there was a serious shortage of small denomination Egyptian currency, that the Maria Theresa dollar had no divisionary coin, no half – or quarter – dollar, that the transport of currency was at all times difficult, and, above all, that if these *lire*

had not been used it would have become necessary to print and import small denomination sterling or other notes, which would have been difficult and inconvenient.

From 1943 onwards, the Allies were looking and planning further ahead so that adequate notice could be given of the need that would arise for the currency of any particular country. Furthermore, the probable course of operations was becoming clearer to all, so that there was not much doubt which country or countries would be invaded by the Allies, only, as time passed, the particular point selected for attack remaining in doubt and requiring to be concealed. Accordingly the security objection to the printing of military notes for a particular country was somewhat reduced. From this time onward stocks of Allied military currency began to be printed for those European countries for which there was no certainty that normal currency (or new currency provided by émigré governments) would be available, and where occupation would be by combined Anglo-American forces. Allied Military *lire* were printed (in U.S.A.), Allied Military *kroner* (for both Denmark and Norway), Allied Military *marks*, and also Allied Military *schillings*. In addition supplemental French *francs* were printed; the political difficulties that arose in connection with this currency which was neither Allied nor indigenous, have been described in another volume of this series.¹ For Burma, which was a British responsibility, British Military Administration rupees (Indian rupees overprinted) were provided. A special case was that of Tripolitania, where British Military Authority (Tripolitania) *lire* were printed and used to replace Italian *lire*. These had continued in circulation side by side with B.M.A. sterling. The conversion was made to counter the situation arising on the invasion of Sicily and Italy where a higher value had been given to the *lira* than in North Africa (400 to the £ against 480 to the £). If Italian *lire* had been allowed to continue in circulation a flow would have developed, of *lire* to Italy and pounds to Tripolitania.

For the invasion of Sicily and Italy B.M.A. sterling and yellow seal dollars were successfully used as spearhead currencies, although in small quantities. They were early replaced by Allied Military *lire* and kept in reserve against any unexpected shortage of money. For the invasion of north-west Europe indigenous currencies or Allied military currencies were available from the start and little or no use was made of the B.M.A. notes or the yellow seal dollars, even for spearhead purposes, these being kept as a reserve against emergencies which, in fact, did not arise.

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¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, pp. 63, 82, 437, 442.

The degree of recognition to be accorded to enemy currencies found in territories occupied gave rise to a variety of problems. Enemy currencies fell broadly speaking into three categories. There were in the first place occupation currencies issued, or caused to be issued, by the enemy in territories occupied by him, and not valid in the metropolitan country. Examples of such were the *Reichskreditkassenscheine* put into circulation by the Germans in territories occupied by them, but not valid inside Germany, the Japanese rupees in Burma, the Japanese dollars in Malaya, and the Japanese guilders in the Netherlands East Indies. There were in the second place enemy currencies circulating and valid within metropolitan territory – *lire* in Italy, *reichsmarks* and, within certain limits, *rentenmarks* in Germany and Austria. Thirdly, there was the case of the Italian metropolitan *lire* circulating and valid both in the home country and in the colonial territories of Italy in north and east Africa. Different considerations arose in regard to these several categories.

The third was the first to be encountered in the African campaigns of 1941 and 1942. For these, local currencies, Egyptian or British East African, had, for the most part, to be used since there were no others available. It was, however, desired that the *lira* should, for a time at least, retain an appropriate value and continue in circulation. Later, when there was something to put in its place, its gradual displacement could be allowed. Nevertheless it was important in conferring a value upon the *lira*, at all costs to avoid any method by which the British military authorities could be held to be standing behind, or guaranteeing the *lira* in terms of British currencies, and so might become involved in a commitment, the magnitude of which could not be known, but which would certainly be vast. The Egyptian and British East African currencies imported were accordingly proclaimed legal tender for the territories into which they had been introduced. The *lira* was not proclaimed legal tender since to do so might have laid upon the British authorities a responsibility for supporting the Italian currency. On the other hand there was no proclamation terminating the existing legal tender status of Italian currency, and its continued use between inhabitants of the occupied territory was encouraged – there would in any case not have been enough other currency available at first. A comparative value had to be conferred upon the *lira* without allowing full and free exchange and without the issue of any proclamation that could be construed as guaranteeing the rate fixed. This was done by fixing a rate at which *lira* coin and low denomination *lira* notes (which, as we have seen, it was in any case necessary to keep in circulation and use as supplementary currency for small change) would be accepted by the British military administration in payment

for taxes and for supplies imported by the administration, and in payment for sterling credits which it was proposed to grant only for the import of specified goods. In this way a definite value was conferred upon the low denomination *lira* currency and through it an influence was exercised upon the higher denominations, which in fact continued to circulate at approximately the same proportionate value as the low denominations. Low denomination currency accepted by the administration for these purposes was re-issued in payment for services, as troop-spending, and for clandestine operations. *Lire* that could not so be used were kept and subsequently issued on the invasion of Sicily and Italy, so that, so far as Africa was concerned, there was no loss to the administration on this partial recognition of the Italian currency. When higher denomination notes, exceptionally, came into the hands of the administration, the policy, though there were some departures from this in practice, was not to re-issue them, lest the administration should thereby appear to be supporting the *lira*, and the latter acquire a legal tender status *vis-à-vis* the British Government. But the notes were in fact kept and later used in Italy, or for other purposes outside the North African territories. And when fixing a rate of exchange¹ care was taken not to overvalue the Italian currency lest this also might convey an impression that the British were supporting or guaranteeing it.

Ultimately, but not for a considerable time, the Italian *lire* faded out of circulation in North Africa, being ousted in most territories by British East African currency.

In regard to indigenous enemy currencies circulating in metropolitan enemy countries somewhat different considerations arose. As in North Africa it was initially desired that *lire* and *reichsmarks* should continue in use. But in the metropolitan countries, unlike North Africa, there was no intention to transfer sovereignty and accordingly no need in the longer run for the indigenous currency to be made to disappear. Furthermore, except for the limited use of B.M.A. notes and yellow seal dollars as spearhead currencies, there was no intention to use British or American currencies in Italy or Germany, and therefore no danger that the indigenous currencies might acquire legal tender status in regard to these by the fixing of rates of exchange or in any other way. Instead, in Italy and Germany, it was proposed to issue Allied Military *lire* and Allied Military *marks*, to the extent that the needs of the invading forces could not be met by such stocks of the indigenous currencies as had come into the hands of the Allies, before or after invasion. Accordingly the Allied military currencies were proclaimed legal tender, but the

¹ Cf. pp. 249-254.

legal tender status of the indigenous currencies was at the same time recognized, with the exception only that they could not be changed into either of the spearhead currencies. With the Allied military currencies they were freely exchangeable, *lira* for military *lira*, *mark* for military *mark*. Responsibility for redeeming the Allied military currencies in indigenous currency and for providing *lira* and *marks* for the needs of the occupying forces was laid upon the indigenous authorities by the surrender arrangements.

This leaves for consideration the case of enemy currencies issued for use in occupied territories and not valid in the metropolitan country. To these it was decided that no value could be attached. This decision was bound to cause hardship. But in Europe, where the currency in question was the *reichskreditkassenscheine* issued by the Germans in territories occupied by them, the hardship caused by refusing to give any value for this occupation currency was mitigated by the fact that *reichskreditkassenscheine* had been only a supplementary currency circulating alongside the indigenous currencies which continued to provide for the greater part of the monetary needs of the occupied countries. In the Far East, particularly in Burma and Malaya, the decision was taken only after considerable heart-searching, for there it had to be assumed that the Japanese currencies or local currencies introduced under the Japanese régime would, by the time of re-occupation, have completely supplanted previous currencies. The decision to give no value to these occupation currencies would amount to the complete destruction of the monetary systems of the countries re-occupied. This seemed an unfortunate way to re-establish relations with members of the Commonwealth. The argument is set out in the following extract from the volume in this series dealing with military administration in the Far East:

'The case for non-recognition was very strongly supported from two quite different standpoints. From the one, it was argued that to give any value at all to Japanese money would expose the British currencies to inflationary pressure that would be heavy, since it was known that very large amounts of currency had been put into circulation by the Japanese, and would also be quite incalculable, since it was not known how large these amounts were. Furthermore, if re-occupation were to be gradual, the Japanese would be given the opportunity of pumping still more currency into circulation in the course of the campaign and so putting even greater pressure on the British currencies. In the event it was found that, up to the fall of Rangoon, the Japanese had issued in Burma some Rs 2,310,000,000 worth of currency as against a British peacetime circulation of about Rs 335,000,000. A further amount of some Rs 85,000,000 was left by the Japanese in the vaults of the Reserve Bank in Rangoon when they abandoned the

town. This was looted before the arrival of the British. In the four months after the fall of Rangoon and before their surrender, over Rs 3,000,000 more was issued by the Japanese. In Malaya it was conservatively estimated that the Japanese, during the period of their occupation, issued \$4,000,000,000 worth of currency, against a normal circulation of about \$220,000,000. Meanwhile, apart from any liability that might be incurred in regard to Japanese currency many other factors would in any case be tending to cause inflation of the British currencies. The other standpoint from which the policy of non-recognition received support was that, since re-occupation was likely to be gradual, the giving of value to the Japanese currencies would put into the hands of the enemy a strong power to buy treachery behind the forces of re-occupation. It was also argued that a policy of non-recognition would tend to discredit Japanese currency, even within enemy occupied areas, as soon as doubts arose regarding the ultimate success of Japan.

The main argument against non-recognition was that this destruction of the monetary system would inevitably cause hardship, particularly in towns, and particularly to the many people who had been forced by the Japanese to accept their currency in payment for goods or services. The poor and ignorant would be most affected, since the quicker-witted might be expected to dispose of their stocks of Japanese currency in time. The initial pauperisation of a large part of the population of re-occupied territories would have undesirable political results and would be likely to lead to disturbances that might embarrass the Administration. It could scarcely be disputed that considerable hardship would be caused. But the advocates of non-recognition could urge that the accumulation of large stocks of enemy currency was likely in most cases to be the result of profiteering or collaboration. And the poorer people, particularly in villages, turned over such cash as came into their hands so quickly that their balances of Japanese currency at any given time were unlikely to represent more than a very small proportion of their wealth. And, taking a broad view, the currency and credit systems involved were so much less substantial than those of an industrialized European community, that the hardship caused by their destruction would be in no way comparable.

It was ultimately decided that the disadvantages of this course would have to be accepted and that there must be no general recognition of enemy currency. Discretion was given, however, 'in the event of undue hardship,' to accept such currency, at a greatly depreciated rate, in payment for relief supplies and government dues until such time as sufficient British currency had been put into circulation to afford an alternative means of payment. And, in fact, in British territories, this policy was enforced with so little difficulty, apart from some criticism in the press in

England and last moment hesitations in Penang, that it was scarcely necessary even to have recourse to these discretionary provisions.¹

There were two occasions in the Far East when it became necessary to use Japanese currency more widely than was contemplated by the discretionary provisions. The one was in Indonesia where the nationalist movement was strong enough effectively to prohibit the use of the Dutch currency brought in by the occupying forces. In these circumstances it became necessary to use for a time the Japanese guilders found in circulation.² The other occasion was in Hong Kong when, owing to delay in the arrival of Hong Kong dollars, it became necessary to use for a short while the rapidly depreciating Japanese *yen*.³

* * *

After the introduction or recognition of currencies in the territories occupied, the next question to arise was that of the foreign exchange value to be attached to them. In peace-time, rates of exchange are normally settled by the operation of supply and demand. In war-time, when the play of these forces is apt to be distorted or to cease altogether, quite other considerations may arise, considerations of convenience, economy, fairness, psychology, and politics, and the matter is less simple.

There was no problem in regard to re-occupied British territories, Burma, Malaya, Borneo, Hong Kong and British Somaliland. Except in Hong Kong for the brief period mentioned above, no recognition was accorded to any enemy currency. The territories had, formed part of the sterling area and resumed their pre-war status on re-occupation. The currencies used were valued at pre-war exchange rates.

In liberated countries, France and French Indo-China, Belgium, Holland and the Netherlands East Indies, Luxembourg, Norway and Denmark, the rates of exchange were fixed by the governmental authorities concerned (though not without persuasion and pressure from the British and Americans), and except for the French rate represented the best possible guess at the genuine value of the currencies *vis-à-vis* sterling and American dollars. In the case of France considerations of prestige led to the fixing of a rate that was unduly favourable to the *franc* and had in due course to be lowered.

The most complicated problem was encountered in the Italian colonial territories of North and East Africa, and in the Middle East.

¹ Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956, pp. 222-223.

² *Ibid.*, p. 224.

³ *Ibid.*, pp. 224-225.

We have seen how in this area it had not been possible to provide the invading forces with occupation currency and how, in consequence, it became necessary for them to use neighbouring local currencies. These included Egyptian currency, Maria Theresa dollars, Indian rupees, and British East African currency. Italian metropolitan *lire* were found in circulation in the occupied territories. We have seen the measures taken to confer a temporary value upon the *lira* without at the same time involving the British military administration in general responsibility for this currency. Here we are concerned with the value in fact conferred upon it.

In fixing a rate of exchange for currency found in occupied enemy territory the fundamental consideration was the real value of that currency in terms of other currencies. It was a matter of great difficulty to ascertain this. War had interrupted trade, the act of invasion struck at the very basis upon which the currency rested, and the success of invasion was bound to result in a progressive fall in the value of the currency. Official rates of exchange before invasion were seldom any indication of the real value of the currency, such rates having often been fixed with prestige considerations in mind. The real value, probably a moving target in any case, had to be guessed at in the light of other considerations—value in neutral black markets, apparent purchasing power, information available as to the extent of inflation. If the rate was fixed seriously out of line with the real value the danger would arise of smuggling or of the purchase and hoarding of good currencies introduced. The precise degree of latitude available varied according to circumstances, depending mainly upon the ease or difficulty of smuggling.

Within the limits dictated by the considerations set out above, the rates selected were also influenced by the following conflicting considerations. On the one hand:

- (a) it was desired to enable the troops to change their spending money into liberal amounts of the indigenous currency;
- (b) it was desired to reduce the liability of the British Government in terms of sterling for local purchase, for payment for services, for the provision when necessary of credits for foreign trade;
- (c) It was not desired to place the local inhabitants in such comfortable circumstances as would remove the spur to work for the occupying power.

On the other hand:

- (d) it was not desired to pauperize the inhabitants;
- (e) it was desired to avoid adding to the inevitable inflation;

- (f) it was desired (in the case of North Africa) to give to the native owners of *lire* sufficient value to enable them to revive trade, internal and external;
- (g) it was desired to gain the sympathies, or at least not unnecessarily to arouse the antagonism, of the Italians.

There were finally the practical considerations that the rate fixed should involve the simplest possible calculations in regard to all the currencies concerned, and should, if possible, not require early, or any, change of level.

Rates were generally fixed in London in the light of these and other relevant considerations – but there is a story that the Controller of Finance and Accounts in North Africa on one occasion found himself fixing rates of exchange by looking out of the window of the Bank and judging the length of the queue seeking exchange! F.5 was the authority primarily concerned in London, but the rates were fixed by committee procedure, the Treasury, the Foreign Office, the Colonial Office, and the India Office being concerned besides the War Office. The Bank of England also played a large part. There was always vigorous debate between British and Americans, the latter being generally willing and able to adopt more generous rates than the British could afford.

In the light of the considerations referred to above, the rate fixed for the *lira* in Africa was 480 to £1 sterling, or one *lira* to the halfpenny which made it readily calculable in terms of all the currencies used – the Maria Theresa dollar being worth forty-five halfpennies, the rupee thirty-six, the Egyptian pound 492, the East African shilling twenty-four, and the pound sterling 480. For a more detailed account the reader is referred to the volume on British Military Administration in Africa.¹

The occupation of metropolitan enemy territories gave rise to somewhat different considerations. The earliest occupation of this kind took place in Sicily and Italy. It will be convenient, however, to consider first the cases of Germany and Austria, returning later to that of the invasion of Italy. In Germany and Austria, as we have seen, the indigenous currencies were recognized as legal tender. Allied Military *marks* and Allied Military *schillings* were also proclaimed legal tender. They were freely exchangeable with *marks* and *schillings* at the rate of one for one. They were in fact additional indigenous currency issued by the Allies as needed by them, but redeemable, under the surrender arrangements, by the German authorities. No rate of exchange other than for the limited purposes of troops pay and other military accounting, which are referred to below, was fixed between *marks* and *schillings* on the one hand

¹ Rennell, *British Military Administration in Africa, 1941–47*, H.M.S.O., 1948, *passim*.

(including Allied Military *marks* and *schillings*), and sterling and dollars on the other hand (and through these the rest of the world). There were a number of reasons for this decision to fix no rate of exchange. In the first place, the Allies did not introduce spearhead currencies – sterling, B.M.A. sterling, dollars, yellow seal dollars – into Germany and Austria. If they needed labour, or services, or anything else, they either required these to be provided at German and Austrian expense, or else they paid for them with Allied Military *marks* or *schillings* (which came to the same thing). Either way, they did not require to use sterling or dollars for such payments. There was, accordingly, no need to fix a rate of exchange between these and the indigenous currencies. Secondly, there was initially no question of trade or commercial relations, so that the normal reason for a rate of exchange was in any case lacking. Thirdly, it would have been extremely difficult to determine any rate of exchange, for economic and financial conditions in Germany and Austria were unknown but would certainly be chaotic, and the fortunes of the *mark* and *schilling* were completely uncertain. Fourthly, whatever these conditions might turn out to be at the time when the Allies entered Germany and Austria, they were bound to be very different after a few months of occupation, and any rates fixed initially would rapidly become inappropriate. In all these circumstances it would have been highly dangerous to establish any kind of link between the Allied and the German and Austrian currencies.

It should perhaps be added that for the limited purposes of the pay of troops and of internal accounting only, a rate of forty *marks* to £1 was adopted. Rates of pay of British troops are, of course, fixed in sterling, but issues of pay to troops abroad are made in indigenous currencies. Issues of *marks* and *schillings* to troops had to be recorded against their sterling entitlement, so that the net sterling balances, for ultimate issue in sterling when troops returned to the United Kingdom, could be ascertained. As for internal accounting, the *marks* and *schillings* issued for pay and all other purposes had to be included, with all other army expenditure all over the world, in the Army Account presented to Parliament each year comparing actual receipts and expenditure with the sterling sums voted by the Commons. All receipts and expenditure abroad, therefore, required to be converted into sterling. Even the *marks* and *schillings* received from the German and Austrian authorities were converted into sterling and brought to account in this way, the War Office paying sterling to the Treasury for the *marks* and *schillings* received. The adoption of a rate for these internal purposes, however, in no way amounted to the fixing of a general rate of exchange.

We can now return to the case of Italy. Here a rate of exchange was fixed and the first question that arises is why this was done when

no rate was established in the other enemy territories, Germany and Austria. It is true that Italy was technically an enemy. But she was not whole-hearted in the Axis cause and it was hoped to detach her from Germany and to enlist her support for the Allies. It was important therefore to gain the sympathy of her people. In the United States the large number of Italians, and of persons of Italian descent, exercised an influence upon the attitude of the Government. It was hoped also to revive trade and to bring Italian resources in against Germany. Then, unlike Germany and Austria, considerable use was made of spearhead currencies in the early stages of invasion, and it was necessary to establish a relation between these and the indigenous currency. If no rate of exchange had been fixed an awkward flow of currency to Africa might have developed, where 480 *lire* would buy £1. For all these reasons there was never any doubt regarding the need for a rate of exchange in Italy between the *lira* on the one hand, and the pound and the dollar on the other.

In deciding upon the rate to adopt for the invasion of Sicily the first relevant fact was that the Italian metropolitan *lira*, which circulated also in the Italian colonies in Africa, had in those territories been given by the British the value of 480 *lire* to the pound. To the British this seemed the convenient and proper rate to establish in Sicily also. But in order to gain the goodwill of the Italians, and in accord with the expressed wish of Mr. Roosevelt that the occupation of Italy should be on benevolent lines, the Americans pressed for a more favourable rate than that fixed in Africa. Eventually a rate of 400 *lire* to the pound and 100 *lire* to the dollar was agreed upon and established, notwithstanding British objections. The same rate was fixed for the subsequent invasion of the mainland of Italy. Yet the official historian of the Allied Military Administration of Italy contends that this rate greatly undervalued the *lira* at the time of the occupation of Sicily and by putting too much money in the pockets of the troops was a contributory factor to the inflation that rapidly followed the Allied invasion. Dr. Harris writes: 'As Professor Southard points out [Southard, Frank A., Jr., *The Finances of European Liberation*, p. 138], at the time of the invasion the *lira* was under-valued at the official rate of exchange. This fact was implicitly recognized when the prices to be charged for imports into Sicily came to be considered, for it was found that to charge the equivalent of 'landed cost' at the official rate of exchange would bring them far above the existing level. There can be no doubt that on the basis of parity of purchasing power the *lira* at the moment of occupation was worth a good deal more than one cent. The fixing of a lower rate would have meant that the amount of *lire* expended by the troops out of their pay and by the armed forces for labour and other services would have been smaller, but if it had been only half as

much, as it would have been if the exchange rate suggested in Washington during the planning period of fifty *lire* a dollar had been accepted, a considerable degree of inflation would still have been inevitable. The inflationary pressure arising from the unbalanced budget would have continued unabated. Yet the historian finds it hard to resist the conclusion, official arguments notwithstanding, that the degree of inflation which actually occurred might have been reduced somewhat by an initial exchange rate giving greater value to the *lira*.¹

It is probable that the *lira* was undervalued for the period of the operations in Sicily. But by the time the Allied forces set foot on the mainland, inflation, and the very fact of the invasion, had depreciated the *lira* to a point at which the exchange rate brought over from Sicily certainly overvalued the Italian currency. For more than two years this over-valuation continued in an attempt to do nothing that might contribute to inflation. The rate was then dropped, early in 1946, to 900 *lire* to the pound. It seems less than probable that the initial temporary under-valuation exercised any appreciable influence on the course of inflation. There were such gigantic inflationary tendencies at work any way. And there was so little for troops to buy outside the N.A.A.F.I. canteens, that the *lire* put into circulation by them could scarcely have affected the result.

* * *

Before leaving the subject of the provision of currency, it should perhaps be noted that many of the military administrations were in their early days, brought up against the elementary fact that paper money, of itself, has no intrinsic value at all; it is valuable only for the goods into which it can be exchanged. If there are no goods, it has no value. And if it has no value, no one will work for it. In all theatres of war the armies needed civilian labour, to work on roads, bridges, airfields, to handle stores, to act as guides, and to repair or rebuild damaged buildings for military or civilian use. They needed to buy fresh food, which had to be produced and brought to market. Some occupied territories were producers of scarce and essential raw materials, mica, rubber, cement, timber, leather, hemp, tin, and it was of vital importance that these resources should be used in support of the Allied war effort. In most countries there were war-time shortages, or a complete absence, of the kinds of goods that confer a value upon money for the ordinary consumer. It was soon found that if the armies brought in currency hoping to buy something with it, they must also bring in goods that would make people

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 382.

want to work or sell for it. In most cases the overwhelming need was for food. But in some theatres of war it became necessary to use valuable shipping space for the import of goods that, particularly by wartime standards, seemed to be, and indeed were, luxuries. So it came about, for example, that nylon stockings, good shoes, dresses, underclothing and trinkets of all sorts were promoted to the status of munitions of war in the effort to persuade miners in Belgium to hew coal so that their wives and families could buy these 'incentive goods.'¹

* * *

Once an adequate supply of currency had been assured for the use both of the invading forces and of the population within areas occupied, the concern of F.5 and the Finance Officers in the field turned towards the general financial systems of the territories occupied. To these there were two distinct but closely connected aspects. The first concerned the working of the financial institutions and procedures upon which the trade and industry, indeed the economic life, of the country depended, the banks, both central and other, the insurance companies, the stock exchanges and the commodity exchanges, and the control of foreign exchange. The second concerned the fiscal system – the revenue and expenditure of the state. Broadly speaking, the policy was to revive the financial machinery of occupied territories and to set it working again at the earliest possible date – subject to control if necessary. Such a policy was in line with the international law conception that the occupant of enemy territory, having made it impossible for the enemy government to exercise sovereignty, must temporarily assume responsibility for the territory occupied and administer it, at least on a care and maintenance basis, until it could be returned to its permanent government or until arrangements could be made under a peace treaty for its disposal otherwise. But the policy was also dictated by self-interest. For the restoration and maintenance of public order was a prime object of any military administration, and a major factor in bringing this about was that the economic life of the occupied area should not be disrupted more than was inevitable in war conditions, and that the population should not be prevented from earning a livelihood. It was for similar reasons of vital importance that an administration should be kept in being, if possible, and should collect its taxes.

But if the general policy was to revive banking facilities as soon as possible (after, in most cases, a temporary closure, to prevent

¹ Cf. Donnison, *British Military Administration, North-West Europe, 1944-46*, H.M.S.O., 1951, p. 400.

panic withdrawals and to give the bank staffs and the finance officers a breathing space in which to take stock of the position) there were differences of method in the varying situations encountered. In North Africa it was the policy to continue in existence those Italian banks for which there appeared to be a need, but in no way to use them for British business, or to give them any support or backing. Barclays Bank (Dominion, Colonial and Overseas) Ltd. who were already acting for the military paymasters in the Middle East, discharged in places the functions of a central bank, and handled the banking business of the British military administration. As in respect of the currency used in this theatre, a main consideration was to guard against the British military administration incurring moral or other responsibility for the continued existence of the Italian banks. In other theatres this pre-occupation was not present. It sprang as we have seen in connection with currency, from the fact that only in the North African theatre was it proposed permanently to displace existing sovereignty, that of the Italian African empire. Pending the emergence of a new sovereignty, the military administration might have found itself sucked into the vacuum and compelled to assume responsibilities never intended.

In the Far East British military administration was established only in re-occupied British colonial territories. It was a revival of British sovereignty and responsibility that was involved. The resuscitation of all banks, other than Japanese banks, was encouraged. Much of the official banking business was, as in the past, conducted by the government treasuries established to deal with a situation in which there were no commercial banks suitable for the handling of government business.

In the liberated territories of North-West Europe full use of indigenous banks was made as soon as these were in a position to operate. A difficulty in this theatre was that during the early stages of invasion and occupation, banks inside an Allied bridgehead found themselves cut off from their head offices and all their assets other than cash in the bank. In these circumstances, the currency sections of the invading forces took on the role of central banks, using the reserves of currency brought in by them, until some bank within the bridgehead could undertake the task, or until the progress of the invasion uncovered the normal banking organization and reserves.

Within enemy territories the emphasis was on control of the revived banking organization, and the elimination of Nazi and Fascist employees and influence. This was sought to be effected mainly through legislation for the blocking and control of property and for the control of foreign exchange. Blocking legislation prohibited, in the absence of a licence from the military government authorities, all dealings whatsoever in any property of, broadly

speaking, any of three categories. There was, first, any property of the enemy government, whether central or local, or of the Nazi, Fascist, or other objectionable organizations. This must not be allowed to escape seizure in satisfaction of fines or compensation. There was property of the United Nations governments or of their nationals, which must be safeguarded for absent owners. There was, lastly, any property of religious, cultural, or artistic importance, which must be preserved for the world at large. In the matter of foreign exchange, there were prohibited, in the absence of a licence, all dealings in foreign exchange assets of any kind, or in property found within the country but owned or controlled by any person outside it.

It has been mentioned above that the civil affairs currency sections on occasion found themselves discharging the duties of central banks in regard to the currency needs of the occupied territories. In respect to the needs of the invading forces they acted in this capacity throughout, holding the resources of currency and making bulk issues to paymasters as required for army use. Had the need for currency been confined to the invading forces there might have been no need for such a dualism, and paymasters might have held all the currency themselves. But, as soon as it became necessary to provide currency also for the civil population and economy, considerations arose of a wider and more specialized banking and financial nature than the Pay Services were, by training or experience, for the most part qualified to handle. It became necessary to create a new organization, the Civil Affairs Currency Sections, to undertake the currency functions of a central bank.

* * *

The revival of the fiscal systems, in the case of liberated Allied territories and recovered British territories, presented few problems of principle – though many of practice and detail. It was mainly, in the first case, a matter for the Allied governmental authorities. But when, as for example in Normandy, it became necessary to administer for some time a part of the country completely isolated from the rest, and from the central administration, the practical problems presented were numerous and complex. Who should collect the taxes? Where should the proceeds be remitted? How should these be used? In the case of recovered British territories it was mainly a matter of the re-establishment of well-understood pre-war legislation and machinery. The revival, in the case of enemy territories, was closely governed by the Hague Rules.

There was, first, Rule 48 which applied to the field of taxation the conception that authority in occupied territories had passed

only temporarily to the occupant, who was not entitled to make fundamental changes in the machinery transiently operated by him. The rule ran:

‘ If, in the territory occupied, the occupant collects the taxes, dues and tolls payable to the state, he shall do so, as far as is possible, in accordance with the legal basis and assessment in force at the time, and shall in consequence be bound to defray the expenses of the administration of the occupied territory to the same extent as the national Government had been so bound ’.

This rule was reinforced by the general provisions of Rule 43 under which the occupying power was required to respect ‘unless absolutely prevented, the laws in force in the country’, including, of course, fiscal laws. The effect of these two rules was to forbid both the imposition of any new tax and any increase or change of incidence in an old tax, unless the presence in Rule 48 of the words ‘as far as possible’ could be held to justify such change.

On the other hand, however, Rule 49 permitted the occupant to levy ‘other money contributions’ in the occupied territory provided that these were ‘applied to the needs of the army or of the administration of the territory in question’, and provided that the condition imposed by Rule 51 was observed that ‘the collection of the said contribution shall only be effected in accordance, as far as is possible, with the legal basis and assessment of taxes in force at the time’. These two rules very largely invalidated Rules 48 and 43 since the effect of Rules 49 and 51 was that a new tax could be imposed and an old tax increased, provided only that the new levy was described as a contribution and not a tax, and that there was no change in the incidence of the tax (or contribution) i.e. that no classes of persons were taxed who would not have been taxable under the enemy government, and that the burden of the tax (or contribution) was distributed in the same proportions as taxation under the enemy government.

At an early stage in the occupation of the Italian colonies in North Africa the British military administration was faced with the need to increase taxation, partly in an attempt to combat inflation, partly to offset the loss of the heavy subsidies from Italy which alone had enabled these colonies to balance their budgets. Both these purposes were in the clear interest of the inhabitants of the territories, for the alternative to the raising of extra revenue was to cut down the functions of the administration. Proposals for an increase in taxation were not, as we have seen, in themselves objectionable, provided they were described as contributions. But some of the methods suggested for gaining an increase in revenue raised questions of their legality under the Hague Rules. Two cases may be mentioned as

examples of the kind of problem encountered in the application of the Hague Rules to the fiscal measures of the military administration.

In Eritrea the Italian administration had levied an income tax at rates which varied both with size of income and according to categories of earners. Manual workers had paid 4 per cent of income but clerical and administrative workers 8 per cent. With a rise in the earnings of manual workers and a fall in the incomes of the others the reason for this differentiation had largely vanished. In order to simplify income tax and make it more equitable, and at the same time to raise more revenue, it was proposed to levy a new contribution at such a rate as would result in both manual workers and administrative and clerical workers paying a combined tax and contribution at a similar percentage on earnings. This entailed levying a contribution not 'in accordance . . . with the legal basis and assessment of taxes in force at the time'. And since this change of incidence was due not to any impossibility of collection on the legal basis and assessment but merely to a desire to secure a more equitable incidence of taxation, the legal adviser to the military administration took the view that it was not in accordance with the Hague Rules. In view of the importance of the principle involved the matter was referred by the War Office to the Legal Adviser to the Foreign Office. The view expressed by him was to the effect that since the change in the relative earnings of manual and clerical workers had rendered the incidence of pre-occupation taxation inequitable, and since to levy a contribution on the same basis would only increase the inequity, to do this would conflict with the wider duties of the occupying power to ensure good government and to prevent exploitation and discrimination in respect of the inhabitants of the occupied territories. He held that the change in circumstances resulting from the change in relative earnings justified recourse to the escape clause afforded by the words 'as far as possible'.

On the other hand, a year later, in Eritrea again, it was proposed to raise increased revenue by withdrawing exemptions from income tax in respect of certain categories of new buildings, an exemption which had been granted by the Italian government in 1938. The advantages of the proposal were that it would be certain in effect, simple in operation, productive in result, and would fall on sources able to bear the impost. The Controller of Finance and Accounts in the Middle East sought to justify this change in the incidence of taxation by the argument that the measure would not change the fundamental system of taxation but would merely withdraw a short term concession granted under this system for a particular purpose, and should not therefore be considered to conflict with Hague Rule 48. The legal advisers (in the Middle East, at the War Office, and at the Foreign Office) would have none of this. Whereas in the case

of the manual and clerical workers there had been a clear change in circumstances which, it was held, could justify recourse to the 'as far as is possible' escape clause, and invocation of the general principle that the occupying power should act in the best interests of the territory and inhabitants, in the present case they took the view that there was no comparable change in circumstances. In the opinion of the legal advisers the change proposed in the incidence of taxation could not be reconciled with the requirements of the Hague Rules.

Perhaps the clearest impression left by these two cases is one of the scrupulous care taken to comply in all fiscal measures with the requirements of the Hague Rules.

* * *

The appointment in North Africa in 1941, of a Custodian of Enemy Property was without precedent in the field of military administration, and merits notice. The need for such an appointment arose out of the contrasting provisions of two groups of the Hague Rules. The one group, comprising Rules 46, 47 and 56 (and Rules 52, 53 and 55 in so far as these place limits upon the powers conferred by the first three rules) enjoins upon the occupying power respect for private and other property. The other group, comprising the remaining provisions of Rules 52, 53 and 55, confers upon the occupying power the right to use certain property on certain terms and for certain purposes. The functions of the custodian were partly legal, involving complicated questions of the status of property and of the rights of the occupying power, and partly financial and economic, involving decisions regarding the best use of property at the disposal of the occupying power. In North Africa departmental responsibility for these functions lay at one time with the Controller of Finance and Accounts, at another with the Legal Department. In other theatres, as Custodians of Property were appointed in accordance with the North African precedent, practice was similarly varied, responsibility resting sometimes upon the Finance Department, sometimes upon the Legal Department. In the War Office responsibility was borne at first by F.1 later by F.5. It is accordingly convenient to deal with the subject here in a finance, rather than a legal, chapter.

The principal rule enjoining respect for property is Rule 46 under which private property 'must be respected' and 'may not be confiscated' – though, as will appear below, such property may in certain circumstances, and subject to certain conditions, be requisitioned or seized. Under Rule 47 'Pillage is expressly forbidden'. Under Rule 56 'The property of local authorities, as well as that of institutions dedicated to public worship, charity, education and

to science and art, even when State property, shall be treated as private property', and damage to such institutions and to historic monuments and works of science and art was prohibited. As will be seen below, wider powers were conferred upon the occupying power for the use of public property, though even in this respect limits were imposed.

The rules conferring powers upon the occupying forces for the use of property are Rules 52, 53 and 55. An eminent lawyer, speaking at the Civil Affairs Staff Centre, spoke of these as 'execrably drafted' and indeed it is a matter of the utmost difficulty to gain a clear picture of what they mean. Under Rule 52 the occupying power may demand requisitions in kind and services, from local authorities or inhabitants provided they are 'for the needs of the army of occupation', and subject to certain other provisions. Under Rule 53 the occupying power may take possession of 'cash, funds, and realizable securities which are strictly the property of the State, depots of arms, means of transport, stores and supplies, and, generally, all movable property belonging to the State which may be used for military operations'. In addition, the occupant may seize 'all appliances adapted for the transmission of news, or for the transport of persons or goods, whether on land, at sea, or in the air, depots of arms, and, in general, all kinds of war material . . . even if they belong to private individuals . . .' Private property seized under this rule must be restored at the conclusion of peace and indemnities paid for it. In respect of public property this is not necessary. Under Rule 55 the occupying power may use 'public buildings, landed property, forests and agricultural undertakings' if these are the property of the State, but must in that case administer them 'in accordance with the rules of usufruct' and must safeguard their capital. The effect of these 'execrably drafted' rules has been summarised as follows:

' . . . There are four kinds of property. First there are certain things that the occupant may seize outright. These include cash, realisable securities – a very ambiguous term – arms, means of transport, stores and in general all movable property of the State which is capable of being used for military purposes. That means that practically all public movable property may be made booty of war. The only important exception is property dedicated to religion, charity, education, science or art.

Secondly, there is property that the occupant may seize, but which he is to restore at the peace, but the draftsman seems to have overlooked the difficulty of restoring some of the things mentioned *in specie*. This category includes appliances for the transmission of news, means of transport, arms, and all kinds of war material, even though privately owned.

Thirdly the occupant may administer and use without compensation, public lands, buildings, forests, etc.

Fourthly he may requisition anything else that is needed for his army. But requisitioning, which may be either of goods or services is dealt with in some detail, and it must comply with five conditions. These are that

- (1) They are only to be exacted "for the needs of the army of occupation" . . .
- (2) They are to be "in proportion to the resources of the country" . . .
- (3) They are "not to involve the inhabitants in the obligation of taking part in military operations against their own country" . . .
- (4) Requisitions can only be demanded "on the authority of the commander in the locality occupied".
- (5) They must be paid for in cash, if possible, and in any case a receipt must be given which can be cashed as soon as possible'.

Custodians of Property were appointed to exercise functions in respect of both groups of rules discussed above. Which of the two functions, the protection of property or the exploitation of resources, was emphasized, varied greatly from theatre to theatre. In the Middle East, it was clearly the second that was dominant, the function of ensuring that national or quasi-national enemy property was used to the best advantage of the war effort and that industrial concerns should continue to serve the economic life of the country. On the other hand, at the Civil Affairs Staff Centre, the doctrine was that the primary duty of a Custodian of Property was 'to safeguard the interests of absent owners' in accordance with the responsibilities of an occupying power under the Hague Rules. And in most theatres other than the Middle East it was this aspect of the work of the Custodians that was emphasized. Further, it was in practice, naturally enough, the property of Allied or United Nations' nationals that was in the first place taken over and protected. At the Civil Affairs Staff Centre and in the Far East Custodians were further required to seize and control any private property that was being used against the interests of the Allied forces. The right to do this is not expressly conferred by any of the Hague Rules governing the occupation of enemy territory but presumably flows clearly enough from the general rights of a combatant to use any amount and any kind of force not prohibited by international law, if this is necessary for the realization of the purpose of war, namely, the overpowering of his opponent. In Germany the emphasis was strongly punitive, the Custodian being required before anything else to ensure that the

property of the German State, of the Nazi Party, or of any other objectionable organization should not escape control or the penalties to which such property had been made liable.

A major responsibility of Custodians in all theatres, but particularly perhaps in the Middle East, was that of ensuring that state or 'parastatal' industrial or other concerns, and privately-owned concerns of which the owners had disappeared, should continue to operate, or be resuscitated, if this was necessary for the benefit of the army or of the occupied territory. This was a function that had not been in the minds of those who had drawn up the Hague Rules, before the advent of 'total' war. It is scarcely surprising therefore that the rules should not have fitted the new circumstances with any precision, and that the legal position was difficult to ascertain and often obscure. A quotation from the account of military administration in Africa will illustrate the variety of responsibilities arising from this task of the Custodians of Property.

'What this aspect of the work meant may be gauged by recording that the Custodians of Enemy Property in Eritrea and Ethiopia at one time or another had control of a group of hotels, two cinemas and a theatre, six different motor or engineering firms, a salt monopoly, a gum concession, an establishment for the manufacture of orthopaedic instruments and artificial limbs, a milk pasteurisation plant, a large factory for making buttons and other ornaments out of vegetable nuts, and a mineral water monopoly'.¹

* * *

For the handling in London of the great and varied problems which the War Office responsibility for military administration brought to the Finance Department there grew up a system of committees, more or less formally constituted, and re-inforced by numerous *ad hoc* conferences as required. It is unnecessary and would be confusing to consider the work of these in detail. But the picture would be inaccurate if it did not at least suggest the manner in which expert advice was mobilized and responsibility was distributed. These activities centred on F.5 but representatives of many departments besides the War Office were also drawn into them.

Reference has been made earlier² to the difficulties experienced in accumulating stocks of certain currencies. A committee was formed of representatives of all the organizations concerned, including M.I.6 and the Special Operations Executive, to make arrangements for the purchase and allocation of stocks of scarce and 'difficult' currencies. It met monthly at the Bank of England.

¹ Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, p. 428.

² Cf. pp. 240-241.

In the early days another committee was constituted to deal with the provision of currency for occupied territories in Africa. The Treasury provided a chairman and its members included representatives of the War Office, the Bank of England, the Foreign Office, the Colonial Office and the India Office (the Indian Mint manufactured currency for these territories and Indian rupees already circulated or were put into circulation in some of them).

A formally constituted committee was set up for the revival of banking facilities in Malaya. First thoughts of the Malayan Planning Unit had led to a request to the four principal British banks which had operated in Malaya before the war to form a new joint banking company for the provision of these facilities until such time as it was practicable for the banks to operate individually again. The banks concerned were the Chartered Bank of India, Australia and China, the Eastern Bank, the Hong Kong and Shanghai Banking Corporation, and the Mercantile Bank of India. Later the proposal for a new company was abandoned in favour of the creation of an official banking service within the civil affairs organization and under military control. Recruitment for this would be from the staffs of the four banks. The organization was known as the Official Malayan Banking Agency or O.M.B.A. (the Colonial Office took the precaution of ascertaining that these initials conveyed no opprobrious meaning in the Malayan language – it seemed that A.M.G.O.T. might be susceptible of a *double entendre*). The committee of O.M.B.A. consisted of representatives of the War Office, the Treasury, the Colonial Office, the Bank of England, and the four participating banks, with a chairman and secretary provided by the War Office. The inclusion of civilian bankers in an official committee to control a military organization was noteworthy.

There were frequent meetings, under F.5, of representatives of the Bank of England and the departments concerned with financial planning for the early stages of the occupation of Germany.

There were also meetings with the Trading with the Enemy Department (Treasury and Board of Trade) and other departments concerned in connection with problems, of which the following are samples.

In Eritrea it was felt desirable, both on political and military grounds, to adopt a more generous policy in regard to payment for requisitioned goods and services than that stipulated by international law. In some cases the alternative might well be the provision of gratuitous relief. It was necessary, however, to ensure that any such departure from the bare standards of the law should not prejudice the policy to be adopted later in Italy and Germany. Questions arose also of the treatment to be accorded to the 'parastatal' institutions found in the Italian colonies.

In Malaya it became necessary to establish policy, procedure, and the necessary offices for receiving, during the period of military administration claims which had arisen against the civil authorities before the Japanese occupation, so that at least a beginning could be made with assessment and payment of these.

The need also arose to arrange for the care, on reoccupation, of British, Allied and neutral property. In respect of enemy property the Custodian of Property was by international law required to assume certain responsibilities. To assume no more than comparable responsibilities for British, Allied and neutral property would have needed far more staff than could in the circumstances have been spared for the Custodian. It was felt that it would be preferable to do nothing to care for this property than to make an unsuccessful attempt to do so with insufficient staff. Yet if the Custodian did nothing the military authorities would be exposed to the criticism that they were doing more for enemy than for British and Allied property. In Malaya and other re-occupied British territories in the Far East the solution reached provided for the appointment of committees of inspection, staffed and paid for by owners of property, under the aegis of the Colonial Office, but operating subject to military control.

In Italy a procedure was devised for furnishing reports on the condition, and arrangements for care of the property of United Nations' nationals. Difficult questions arose regarding the responsibility and payment for such care after the Italian surrender, the terms of which were not very explicit in this respect. Here also it was out of the question to give to the Custodian the staff that alone would have enabled him to take such property into effective control.¹

The procurement of goods and services also presented problems. For instance, in the case of Germany, it was planned that, with inconsiderable exceptions, procurement should be by requisition, the German central authorities (if any survived) being required to pay those from whom requisition had been made. In Austria, where the German annexation was to be annulled without delay, there would be no central government surviving, and it became necessary to envisage that if procurement by requisition was to succeed at all, the military authorities would be compelled to assume some responsibility for payment. Yet it was desired to guard against putting too many Allied Military *schillings* into circulation, since this would increase the difficulty of the currency conversion that was contemplated.

In all liberated territories Anglo-American civil affairs operations were conducted in accordance with civil affairs agreements entered

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, pp. 450-451.

into by the British and American governments on the one hand, and on the other by the governments (or, in the case of France, the French Committee of National Liberation) of the territories concerned. The negotiations leading up to the execution of these agreements were conducted for the British by a legal sub-committee of the Administration of Territories (Europe) Committee. This sub-committee was set up by resolution of the A.T(E) Committee on 26th February, 1943, and consisted of Sir Henry MacGeagh (Judge Advocate General) as Chairman, and of Sir William Malkin (Legal Adviser to the Foreign Office), Brigadier S. S. Lee (Deputy Chief Civil Affairs Officer for North-West Europe), and Mr. J. G., later Sir John, Ward (Foreign Office) as members. It negotiated first the Norwegian, Dutch and Belgian agreements. The French agreement was taken up later and was in fact not executed until Anglo-American operations had almost moved out of France. In each case supplementary agreements included one to regulate financial and currency matters. These took the form of a mutual aid agreement under which, broadly speaking, each party to the agreement, while bearing the cost of the pay of its own forces, undertook to provide to the military forces of the other, such supplies, services and facilities as could 'most effectively' be provided by it, and to make no claim against the other for reimbursement of the cost of supplies, services and facilities so provided. Under these agreements the governments of the liberated countries undertook also to supply currency for the use of the Allied forces. Whether a supplying government should be reimbursed the cost of currency provided would depend upon whether or not the currency was used to procure supplies, services and facilities which, under the agreement, fell to that government to provide. For the negotiation of these supplementary agreements, the legal sub-committee was reinforced by representatives of the Finance Department of the War Office and of the Treasury. These negotiations were of peculiar difficulty and delicacy. When it became a question of who was to pay, hard questions of sovereignty immediately obtruded, which it had been easier to avoid or gloss over in other connections.

As civil affairs operations increased in number, and moved from the primitive countries of Africa into the more highly developed, complex and industrialized economies of Europe, as they moved also towards the post-war period, an increasing tendency emerged, in the consultations and preparations referred to above, for the Treasury and other civil departments to take a greater interest. But throughout the war it was the War Office that chiefly bore the burden.

* * *

An unprecedented feature of the Second World War was the extent to which the British and Americans pooled their resources in a common war effort – the conduct of genuinely combined operations as against the waging of war by merely Allied armies. The Supreme Commander in combined operations had, inevitably, to be British or American. But his staff was neither one nor the other, being recruited equally from both. Furthermore, as we have already seen,¹ the headquarters staff was not composed on the diarchical principle of opposite numbers. There was an organic integration of both nationalities. And the Supreme Commander himself was responsible neither to the British nor to the American Governments, but to the Combined Chiefs of Staff Committee (or in civil affairs matters the Combined Civil Affairs Committee) which in its turn was responsible to neither of the governments but to the heads of both, acting within their respective constitutional powers.

Before closing the present chapter we must for a moment consider the impact of Anglo-American operations on the machinery and method of financial control of the army by Parliament, particularly on the responsibility of the War Office Accounting Officer, both of which have been shortly described in the first two sections of this chapter.

Formally, and at the level of the Supreme Commander, the situation could be not unsatisfactorily rationalized. His headquarters was genuinely and fully combined, as were the operations conducted by it. But the forces controlled by the Supreme Commander remained national – notwithstanding extensive liaison representation of the opposite nationality. No order of the Supreme Commander, whatever its financial implications, could directly result in expenditure by the forces under his command. This could only be authorized by the commanders of the national forces, acting in accordance with their established procedures. The British commanders were provided, according to the British practice that has already been described, with controllers of Finance and Accounts and Financial Advisers. If either the commander or his advisers considered that orders of the Supreme Commander would result in expenditure of British funds in excess of instructions, or not in accordance with policy, agreed to by the British Government and authorized by the War Office, it was their duty to raise the matter with the Supreme Commander or if necessary with the War Office. Two safeguards ensured that matters should not normally develop so inconveniently. The first was that the need for close liaison between Supreme Headquarters and the national headquarters was well recognized. The second was that in both the combined headquarters actually set

¹ Cf. pp. 58–59.

up, A.F.H.Q. in Africa and Italy, S.H.A.E.F. in North-West Europe, the Chief Administrative Officer was British and could be used to ensure that British financial procedures were not overlooked. In civil affairs matters there was the additional safeguard that the Controller of Finance and Accounts in the G.5 or civil affairs Division of S.H.A.E.F. was a British officer, Brigadier M. J. Babington Smith. If formal communication with the War Office was denied to him, informal liaison was still possible. In this way difficulties or differences of approach could be smoothed out before they had arisen.

But this rationalization only obscured the real problem which stood revealed in its full difficulty at the next level above that of the Supreme Commander. The operations to be conducted by the Supreme Commander were determined by decisions of the Combined Chiefs of Staff Committee. This was a purely military body and it was not responsible to any department of the U.K. Government, or to Parliament. Its decisions could not formally authorize British expenditure. But they could make it virtually inevitable. That in the broadest flow of events British interests, financial and other, should be given their due weight was secured by the ultimate subordination of the Combined Chiefs of Staff to the President of the United States and to the Prime Minister of the United Kingdom, acting jointly as heads of their respective governments. But to influence the Combined Chiefs of Staff, from day to day, on lesser occasions, and in somewhat more detail; and to ensure that financial considerations which the British authorities wished to put forward were placed before them in good time, and were understood, less powerful machinery was required. This was not easy since the Combined Chiefs of Staff were on the other side of the Atlantic and the War Office financial authorities were accordingly denied the opportunity to present their sometimes highly technical arguments in person. There was, however, a Treasury representative permanently in Washington and the method adopted was to brief him to present the War Office case to the Combined Chiefs of Staff Committee, or to the appropriate agency of that body, in many cases the Combined Civil Affairs Committee. Although this procedure was cumbersome and not easy, no insuperable difficulty arose.

CHAPTER XII

THE POLICE CONTRIBUTION

THE contribution to military administration of the police forces of the United Kingdom was confined to the Italian and North-West Europe theatres of war. But within these limits it was far wider than the successful discharge of the Public Safety function, strictly conceived. The historian of A.M.G.O.T. in Sicily writes: 'The Metropolitan Police contingent proved itself astonishingly versatile in the role of Civil Affairs Officers, Supply Officers, and in any other administrative job on which they were employed.'¹ Even within the Public Safety function, the legitimate field for police officers, their task, the establishment and maintenance of law and order, was the indispensable basis without which no other form of civil affairs activity would have been possible. The present writer, explaining why in an earlier book there was no separate chapter on Public Safety, wrote: 'This springs from no under-estimate of the importance of the work of Public Safety officers – quite the reverse. Their part was of such fundamental importance that it has seemed better to set out to do justice to it in the general narrative chapters.'² That their contribution was of outstanding merit is reported from all sides. The historian of A.M.G.O.T. may be quoted again: 'It would be no exaggeration to describe them [the Metropolitan Police contingent] as more responsible than any other element for such practical success in military government as A.M.G.O.T. undoubtedly achieved.'¹ Of North-West Europe the present writer has said '... there is testimony from all sides as to the excellence of the work of these officers.'² In view of this outstanding contribution by the police it has seemed desirable briefly to record its nature, and how it came to be made. (The present writer has in any case always entertained the highest regard for the war services of the police since a night in 1917 when, as a very young officer, he first came under shellfire in the battle of Paschendaele, and an all but overwhelming desire to throw himself into the nearest shell-hole was only checked by the gruff reassurance and call to pull himself together from his platoon sergeant. He was a member of the Metropolitan Police and reassuring as a rock in a quicksand.)

¹ Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 43.

² Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 62.

In October, 1942, a Deputy Chief Civil Affairs Officer, Brigadier S. S. Lee, was appointed in the War Office and given the task, under the general direction of the Administration of Territories (Europe) Committee, of preparing plans to deal with all problems of civil administration that would arise in European territories which might be liberated by the armed forces of the United Nations.¹ Included in his responsibilities were the selection and training of the administrative staff that would be required. These matters will be considered more fully, and in a more general context, in a later chapter.² Here we are concerned only with the police. An early measure, taken by him on 2nd January, 1943, was to circularize a number of local authorities with a view to obtain the services of persons with technical qualifications needed in various fields of administration in Europe. The fields listed were: Local Government Administration, Public Works Utility Services, Public Health and Hygiene, Management and Maintenance of Transport, Agriculture, the Veterinary Service, Mining, Trade and Industry, Catering, Relief and Welfare, Police, Air Raid Precautions, and the Fire Service. A copy of the D.C.C.A.O.'s circular reached a Chief Constable, was seen by one of H.M. Inspectors of Constabulary, and by him referred, as a matter obviously requiring central co-ordination, to the Home Office, which at once arranged a meeting with the D.C.C.A.O. The first training course at the Civil Affairs Staff Centre at Wimbledon² was due to start in the following month, and the D.C.C.A.O. asked the Home Office if it would agree to select a number of senior police officers to attend. The Home Office and the Scottish Office agreed to do so and put forward eight candidates, six chief constables (two from counties, four from boroughs), one assistant chief constable (from Birmingham), and one superintendent (from Durham County). It was intended that these candidates should complete their training, return to duty with their respective police forces, and then (if successful at the course) be available at short notice for service overseas. The police authorities concerned had expressed their willingness to release these officers for such service, to keep their posts open against their eventual return, and, in the event of their army pay being less than their police pay, to make up the balance under the Police and Firemen (War Service) Act, 1939. All but one of the eight candidates completed the course with distinction.

Shortly after the beginning of the first Wimbledon course, the War Office approached the Home Office with two further requests. The first was that some officer in the Home Office should be designated as the authority whom the D.C.C.A.O. for North-West Europe might consult when considering police problems and preparations

¹ Cf. p. 28.

² Cf. Ch. XIII.

in connection with civil affairs or military government after the invasion of North-West Europe. As a result, Sir Frank Brook, one of His Majesty's Inspectors of Constabulary, was nominated by the Home Office as adviser on police matters in civil affairs. The second request was that a somewhat less senior police officer should be earmarked as available to be released to the military authorities at short notice for full-time planning. A very satisfactory arrangement was reached under which Mr. T. E. St. Johnston, then Chief Constable of Oxfordshire, was immediately made available to the War Office on a part-time basis, with an understanding that he would be released for full-time military duties when required. This occurred five months later, in August, 1943, when he was posted to C.O.S.S.A.C., later to become S.H.A.E.F., still wearing police uniform. In the autumn of that year, with the arrival of increasing numbers of American officers at C.O.S.S.A.C., it was considered that the time was ripe for Mr. St. Johnston to don army uniform, and in December he was commissioned in the rank of colonel.

In September, 1943, there was posted as deputy to Mr. St. Johnston, at C.O.S.S.A.C., Colonel O. W. Wilson of the United States Army who had been Chief of Police of Wichita in the United States of America, and the chief American Public Safety Officer in Sicily and Italy. (After the war Colonel Wilson was to become Professor of Police Administration at the University of California and later Chief of Police of Chicago, where he initiated a drastic re-organization of the police force.) A Manual of Procedure for Public Safety Officers in the Field was drafted, re-written four times, and became, it is believed, the only civil affairs technical manual to be printed and distributed in time for D-day.

For the second course at the Civil Affairs Staff Centre the War Office intimated to the Home Office that 100 police officers would be required, forty of these to be suitable for appointment to ranks of major or above, sixty to be suitable for appointment to ranks junior to that of major. The selection of these officers was left to the Home Office and the police authorities. Senior officers were selected by the Home Office in consultation with H.M. Inspectors of Constabulary. For junior officers selection boards were constituted at the beginning of June, consisting of H.M. Inspectors of Constabulary together with Chief Constables who had attended the first course at Wimbledon. Forty senior officers were selected, but in the event only thirteen could be given places on the second Wimbledon course. Another thirteen attended the third course, and others subsequent courses. The nature and scope of the training given at the Civil Affairs Staff Centre will be described in a later chapter.¹

¹ Cf. Ch. XIII.

Into this atmosphere of planning and training there arrived, on 12th May, 1943, an unforeseen and overwhelmingly urgent request, from the War Office and the Chief Civil Affairs Officer who had been appointed for the impending invasion of Sicily, for the services of fifty or more police officers who would be required to leave for the Mediterranean by the end of the month. (It was not until 24th March that an 'Appreciation and Outline Plan' for military government in Sicily had been submitted to the Chief of Staff at A.F.H.Q. or until 6th April that Lord Rennell was appointed to take charge of planning at this headquarters. The Allied Military Government of Occupied Territory, or A.M.G.O.T. was set up on 1st May and detailed planning began thereafter.) The first Wimbledon course had not yet ended. The special courses for police officers held at Peel House¹ had not yet begun. There were only a few days in which to call for volunteers, and to select, enrol, 'document', and equip the successful candidates for service overseas. It was out of the question within the limited time available, to recruit from police forces all over the country. The only single force that could reasonably be expected to release the numbers required, and to do it in time, was the Metropolitan Police. The call went to them, and on 31st May a party of sixty-six police officers, newly commissioned into the army, paraded at the London District Assembly Centre, and were addressed by the Commissioner of Police of the Metropolis before their departure – which, in the event, however, did not take place until 16th June.

The contingent reached Algiers on 27th June, 1943. A certain amount of instruction had been given on board, e.g. in Italian, mostly by a police officer who, despite assiduous study of his grammar book, was never, it must be admitted, more than one lesson ahead of his class. The party was taken immediately to Chrea where the Military Government School and Holding Centre was situated. Instruction continued in Italian and the principles of military government, but some twenty-five of the contingent left at once to be attached to the Eighth Army forces which landed on the south of Sicily on 10th July. Most of the remainder of the police party landed at Palermo on 27th July, having crossed from Africa by landing craft in a severe storm. From this point onwards, the story of what was achieved by these men is told in the volume of this series dealing with A.M.G.O.T.²

Two further contingents, this time of men who had received civil affairs training at Wimbledon or Peel House, were despatched from England for work in Italy, during August and September. This completed requirements for the Mediterranean theatre. From January 1944 onwards civil affairs officers of all functions, Public

¹ Cf. Ch. XIII.

² Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957.

Safety and other, trained at the Civil Affairs Staff Centre, were progressively posted to S.H.A.E.F. Civil Affairs Pools where C.A. Detachments and C.A. Formation Staffs were being constituted and their members assembled for the invasion of France.

In all, 113 senior police officers attended the Wimbledon courses (the first seven of these) of whom eighty-four were appointed to the Civil Affairs Service. Of those not appointed only five were found unsuitable. Seven candidates otherwise suitable failed to pass the medical test, and seventeen withdrew. Of junior police officers, 438 attended the seven Peel House courses, 389 being ultimately appointed to Civil Affairs. Of those not appointed only six were found unsuitable, twelve failed the medical test, and thirty-one withdrew. Most of the withdrawals were ascribable to dissatisfaction with the army ranks to be conferred on candidates. The 'exchange rate' was, roughly speaking, sergeant into lieutenant, inspector into captain, superintendent and chief inspector into major, chief constable, assistant chief constable, and chief superintendent into lieutenant-colonel or, in rare cases, into colonel. Assessment of fitness for ranks, within this rough scale, was made on the work of candidates during the civil affairs courses. Adding the sixty-four police officers who went to Sicily untrained, two chief constables who were appointed without attending a course (one of these was Mr. St. Johnston who undertook the early planning for Public Safety in the War Office and at C.O.S.S.A.C., and one candidate who cancelled his withdrawal, the total number of police officers employed in the civil affairs organization was 542.

* * *

What were these men to be required to do? They were, firstly, to be concerned with Europe only. The arrangements made by the British military administrations in Africa were already largely a matter of history. There new police forces had been created on occupation of the Italian colonies. They might be largely recruited from members of the old forces, but direct command was assumed by British officers imported for the purpose, there was a break with the past and a new loyalty was established. Arrangements for the Far East, i.e. for Burma, Malaya, Borneo and Hong Kong, were still to be made, but these were to involve the reconstitution of pre-war forces and the resumption of direct command, wherever possible, by their own officers. In Europe the problem was to be different.

When Mr. St. Johnston first began work in the War Office on the staff of the D.C.C.A.O., his task was defined as 'planning to control the movements of the civil population when the invasion of North-West Europe takes place'. It was the need to keep refugees and

displaced persons out of the way of army operations and movement that was looked upon as the prime reason for his appointment. But when planning began for Sicily, Italy, and North-West Europe there was never any doubt that the task would have to be far wider in scope than the mere control of battlefield refugees, and that it would inevitably involve the general maintenance of law and order, and the revival and supervision of the machinery for this purpose. Later instructions to Mr. St. Johnston, which were in due course adopted also for Sicily and Italy, accordingly required him to be 'responsible for the plans for the resuscitation of the Police, Civil Defence, Fire and Prison Services of the countries of North-West Europe to be liberated and for the seizure of control of the German Police, S.S. and Gestapo.' This was a task of which the importance cannot possibly be over-estimated. For the civil administration it was the indispensable preliminary to all other activity. Without the re-establishment of order there could be no revival of the economic life of a country, no relief of distress and no medical services, in fact no administration at all. For the military authorities any failure in this task would have endangered their lines of communication and would have necessitated the diversion of fighting troops from their proper pre-occupation of defeating the enemy, in order to safeguard their bases and communications.

The invasion of Europe gave rise to two widely different sets of conditions. There was, on the one hand, the liberation of friendly territory from German occupation; and, on the other, the occupation by the Allies of enemy territory. Policy naturally differed for these two cases.

In liberated territory there was to be the least interference with the processes of government and administration that was compatible with the success of the Allied forces. It was laid down that 'civil administration . . . will normally be controlled by the indigenous authorities . . . Only if initial recourse to the indigenous authorities fails will such executive action be authorized as will ensure the security of the Allied Forces or the success of the military operations.' So long as the administration of the indigenous authorities proved satisfactory the task of Public Safety Officers was to be strictly limited and would be to 'appraise the adequacy of the public safety agencies, ensure the co-operation of the indigenous authorities, and aid and advise them on matters in which the public safety agencies can assist the Allied Military Forces'. Only if there was a breakdown in the administration of the indigenous authorities was it contemplated that 'as a last resort' the civil affairs organization, through its Public Safety Officers, should assume direct control and supervision of the indigenous public safety agencies.

In liberated territories it was 'not contemplated that any radical changes in organization will be made so long as fighting continues in the country except that certain objectionable German innovations may be eradicated at once.' If, at a later stage, it became necessary to make changes, it was intended that this should be done by the indigenous authorities, not by the occupying powers. Specifically, 'British and American systems will not be imposed on indigenous public safety agencies.'

In order to prepare for the resuscitation of the police forces in liberated territories it was arranged that two Public Safety Officers, one American and one British, should be assigned to each of the relevant country sections¹ of the planning staffs and that these officers should work with the respective governments in exile, or such other authorities as were available, on the drawing up of plans.

In occupied enemy territory it was clear that a far more direct measure of control must be assumed. But here again there were two different sets of circumstances. There was the case of Italy, and there was the case of Germany (with the case of Austria falling somewhere in between but for practical purposes much nearer to that of Germany than that of Italy).

When the 'Appreciation and Outline Plan' for the military government of Sicily was drawn up and submitted to the Chief of Staff at A.F.H.Q. on 24th March, 1943, it was in the minds of its authors that it might prove necessary for the administration of police functions to establish 'an independent Allied force with specially recruited personnel—in line with the British colonial practice' as had been done in the African campaigns. But of the various police forces, central and local, of the Italian public safety system, good reports had been received of the continuing discipline and integrity of the Carabinieri Reali, even under Fascist rule. The Carabinieri were a quasi-military force centrally organized and administered by the Ministry of War, and under the central direction of the Ministry of the Interior. Of the local forces reports were less good. In the more detailed plans for the invasion of Sicily it was accordingly decided that 'At least for the initial period, the civil police will be organized on the basis of the Carabinieri, augmented by such other police organizations as may be considered reliable,' under the supervision of civil affairs police officers. There was clearly an element of risk in these arrangements, but in the event 'the decision to employ local Italian police forces in maintaining law and order in the island was amply justified . . .'² This was true also

¹ Colloquially known as 'Country houses'. For the work of these cf. Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, pp. 11, 13, 24-27.

² Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 5.

on invasion of the mainland – fortunately, for it is difficult to see how the vastly greater commitment of creating a new Allied police force could have been met, with the numbers of trained police officers that could be spared for work with civil affairs.

In Germany it was known that the police force, unlike the *Carabinieri Reali* in Italy, had been completely prostituted to the needs of the dictatorship, and that it had indeed become one of the principal instruments of Nazism. This might have been held to indicate the need to create a radically new and independent Allied police force, as had initially been contemplated for Italy. But the practical difficulty of such a course was now better appreciated and at no time was it even considered. Instead, the intention was to retain the German police and to establish at once a close and firm control. It was accordingly provided that ‘Military Government Public Safety Officers will, therefore, order the German Police to take all measures for the maintenance of law and order, the prevention and detection of crime and politically subversive activities and the preservation of life and property in all areas under the authority of the Military Commander.’ It was further provided that

‘Military Government policy and administrative control will be imposed on German public safety agencies by Military Government Officers through German civil administrative officials at the various levels of Government.

Operational control within the framework of these policies will be imposed by Military Government Public Safety Officers through the chief officers of the German Public Safety agencies.’

Looking further into the future, however, the need to make radical reforms in the German police system was incontrovertible. Nevertheless policy in this respect was on practical grounds initially similar to that in liberated territories since the early introduction of fundamental changes must be expected temporarily to destroy the efficiency of the indigenous police forces just when they were being called upon to make exceptional efforts to restore order. For example: ‘On entry into Germany, therefore, the existing police system will be left unchanged except as necessary to remove Nazi adjuncts and influences or to facilitate the imposition of Military Government control.’ But obviously matters could not be left thus for long. It was a foremost war aim of the Allies to eliminate Fascism and Nazism, together with the instruments through which they had established and maintained their dictatorships. Among the most important of these in Germany had been the police forces. It was of vital importance to guard against the police in Germany being used for political purposes and becoming once more the instrument of dictatorship, in fact to guard against the re-emergence of a police

state. This was a long-term problem which concerned the control commission that would in due course relieve the military government, rather than the latter whose responsibility would not long continue. But it was uncertain when this relief would take place and military government planning needed to take into account long-term policy. Indeed it could in various ways make its own contribution. This long-term policy was one of decentralization with the object of destroying the direct command of the police by the central executive and substituting control by local authorities, which it was at the same time planned to democratize. It was also planned to convert the police force from a quasi-military body into a truly civil force, to disarm its members, and to abolish its petty judicial functions.¹ What was to be attempted in the British zone of Germany, in contrast to policy in the liberated territories, was indeed the substitution of the British for the Nazi conception of the nature, functions and organization of a police force. In this reform Public Safety Officers would be required to play a key part in the general re-education and democratization of Germany.

It was clear that the proposed decentralization must be expected to result in a loss of efficiency, but it was felt that this must be accepted as part of the price for the destruction of the police state.

It should be added that the Public Safety function of civil affairs and military government was not confined to the administration of the police system. Its responsibilities included also the supervision of prisons, concentration camps, the fire-fighting services, civil defence, and even of the measures for the disposal of unexploded bombs and similar hazards. For the planning and discharge of these varied responsibilities the appropriate specialists were recruited.

A need to demarcate responsibilities arose from the fact that civil affairs Public Safety Officers were not alone in being concerned with the indigenous civil police; both the military police and the counter-intelligence organization were required to have extensive dealings with these forces. This need was met by an agreement reached between the staffs concerned within the S.H.A.E.F. theatre of operations. Since there was no Provost-Marshal at S.H.A.E.F. this involved negotiations between G.5 Public Safety staff at S.H.A.E.F. and the British and American Provost-M Marshals at 21 Army Group Headquarters and at the headquarters of the United States Army in the European Theatre of Operations. The main function of civil affairs Public Safety Officers was to assist the revival of the indigenous police forces, to establish liaison with them, and, if necessary, to

¹ It was later felt by many that the abolition of these functions had been a mistake and had in fact placed an unnecessary load of petty cases on the Courts, at a time when these were already over-burdened with more important work, cf. Friedmann, *The Allied Military Government of Germany*, London, 1947, pp. 172-173.

control them. These officers were not themselves intended to be an executive police force; rather were they to work through and with the local forces. The military police, on the other hand, under the Provost-Marshal, were an executive force concerned primarily with the internal maintenance of discipline within the army, the prevention or detection of crime by or affecting the military, and the control of all traffic, whether civil or military, along routes required for military purposes. The counter-intelligence organization was concerned with all aspects of ' security ' i.e. the prevention and detection of sabotage, espionage, propaganda, and other activities by, or for the advantage of, the enemy. The essence of the agreement reached was that civil affairs staffs and detachments, particularly the Public Safety Officers in these, should whenever possible serve as the channel for dealing with the indigenous police forces, and in particular that initial contacts and all matters of policy or difficulty should be handled by or through the civil affairs Public Safety Officers. On the other hand, in all day-to-day business, the military police and members of the counter-intelligence organization were authorized to deal direct with the civil police. Under such an arrangement, the closest co-operation was obviously necessary, and was enjoined, between all levels of the several organizations concerned. It was a part of this co-operation that civil affairs Public Safety Officers should require the indigenous police to do all in their power to aid the military police and the counter-intelligence organization, and should, although not under the direct control of the Provost-Marshal, promptly comply with all requests by the military police. Conversely, military police were to assist the civil police in controlling relations between troops and civilians, and counter-intelligence personnel were to assist the Public Safety Officers and the indigenous police in tracing and arresting war criminals, traitors, and members of suspect political organizations, and in other security enquiries. Responsibilities for traffic control were divided between the military police on the one hand, and the civil affairs Public Safety Officers and the indigenous police forces on the other.

* * *

How these arrangements worked out in practice has been told in the volumes dealing with Italy and North-West Europe. A quite remarkable measure of success can fairly be claimed for them. Here only a few impressions will be recorded of the various and difficult tasks that came the way of these police officers. After the comfortable tidiness of planning and theory, it is well, perhaps, to return to the intractability and confusion of actual events.

We have seen that it was not intended that Public Safety Officers should themselves police the countries occupied. Their task was to be the control of the existing indigenous police forces, gentle and unobtrusive in liberated territory, firm and direct in enemy territory. But when Cologne, which had had a police force of 2,700, was occupied by the Americans in March, 1945, not a single policeman was found remaining. In Essen, with a pre-war establishment of 1,670, there were found 450. In Duisburg with an establishment of 1,230, there were 147. In Mülheim, out of 200, as many as 170 were found on arrival. In Oberhausen, out of 500, there were none. In such circumstances, the first task was to recruit and train a fresh police force, or to re-assemble the old. But the policies of "epuration" in Italy and "denazification" in Germany excluded from employment many experienced members of the police forces and many otherwise likely candidates. The progress of inflation was pauperizing police, and indeed all government officials, still serving on pre-occupation rates of pay, and removing all financial incentives for new recruits. Uniforms, and in the case of Germany housing, were entirely lacking. For the training of the new German police force training schools were set up, a central school for senior officers at Hilstrup, and local schools at Aachen, Münster and elsewhere. A British Public Safety Officer writes:

' The setting up of these schools caused difficulties which can hardly be properly described. Accommodation had first to be found for about 600 students, and accommodation meant living accommodation as well as school-rooms. Furniture, stationery and text books had to be found as well as suitable instructors, but probably the greatest difficulty was in supplying food. Whilst the individual was serving in his own police force, it was his own responsibility to provide food for himself, but in the schools it was the duty of the Supervising Public Safety Officer to ensure that sufficient food was available to feed the students '.

Responsibility for the control of prisons posed nightmare problems for Public Safety Officers. One such, posted to Naples writes:

' The crime rate in Naples was destined to exceed that in any other theatre of war. The Allied effort in Italy was being deprived of millions of dollars worth of property. Truck loads of Allied supplies unloaded from Liberty ships rolled out of the port never to be traced. Equipment was spirited from Army dumps. Naples was the birth-place and shrine of American gangsterdom of the 1920s. The pattern of crime, corruption and extortion of the Prohibition era had been devised by Neapolitans and Sicilians. Here, in the metropolis of it all I was to fulfill a well-known role, that of District Attorney, the Public Prosecutor '.

Before retreat, the Germans had opened the gates of the Poggioreale jail, the largest in the Naples area. To restore the situation, Allied Military Police on arrival had rounded up and imprisoned hundreds of Neapolitans. Every night more were arrested and incarcerated. Others were imprisoned by the Carabinieri Reali or other Italian police forces. Seldom were there any charges, still more seldom any evidence. Yet without trial, none of this increasing number of prisoners could be released – though unauthorized releases from the prison, and escapes from the inadequate escorts on the way to court were frequent enough. It was the task of the District Attorney somehow to relieve the evergrowing overcrowding of the jail. But do what he could, in the face of the almost complete absence of charges, overnight the prison would fill up again to a higher level than ever.

Another Public Safety Officer writes:

‘ We were, of course, frequently dug out of our beds because the prison was being attacked to release prisoners, but fortunately they always used to disappear on our approach. In one case about fifty “green” partisans were besieged by about 100 “red” ones with much firing and explosion of the little red devil egg bombs. A British policeman walked in armed only with an ash walking stick and stopped them and sent them home – much, I may add, on his reflection, to his utter astonishment and relief.’

A different incident is described by the same officer:

‘ At one stage in Milan a play was put on at a theatre which was a satire on communist methods. The local communists showed their annoyance by wrecking much of the interior of the theatre. The prefect and the local police ordered the show to be taken off to avoid further trouble, but we butted in and said that this was all wrong. The play was quite harmless and no political gangs of any sort should be allowed to dictate by way of violence . . . When the show opened on our directions with much apprehension all round, there were two rows of thugs, armed with all sorts of weapons and obviously intent on giving everybody another lesson. However, three public safety officers walked along the lines and looked at them severely, and local police felt encouraged by their presence, and everything went off without any trouble, and in fact, after a day or so the police were withdrawn and the play went on for some time without any more trouble whatever.’

In Rome there was the notorious trial of Caruso, bearer of a famous name, on charges of having assisted in the rounding-up of 335 Italian youths, who were then taken to the Ardeatine Caves

and murdered by S.S. men in reprisal for the killing of thirty-two S.S. men by Italian partisans. The mob forced its way into court, screaming for Caruso. Someone then recognized a prosecution witness, Donato Carreta, as ex-warden of the Regina Coeli prison. They turned on him, dragged him outside, threw him over a bridge into the Tiber, took to boats, beat him to death with oars, and hung the body, head downwards, on a lamp-post outside the prison. The trial had to be abandoned. For the second trial of Caruso a Public Safety Officer was charged with responsibility for preventing repetition of these disgraceful scenes. His comment was 'We managed to prevent that sort of thing the second time, but the interior of the court was quite intense – with a battery of lights fixed up so that films and pictures could be taken. All quite different from the British Court atmosphere.'

Another comment by the same officer (though he was not the only one to observe this trait in the Italian character):

' One striking thing always was the condition of the Italians, i.e. the denounced Fascists – imprisoned by their fellow countrymen. Some were shot – some tortured – most treated abominably – and with few signs of any sense of justice. If these shores were invaded, would Englishmen treat Englishmen in this fashion? We would all like to say definitely "No – never" – but if we were subjected to as much as other countries were, I personally am not so sure. When the invasion of England was considered possible I was ordered to remain behind in the garrison town of Ashford and work with the enemy to get the best possible conditions and terms I could for the general public. When I got to Italy I saw Italian senior police officers in prison for having done just that, but they were treated as collaborators and denounced by the general public they tried to help.'

In Germany there was the incident referred to by the present writer in an earlier volume:

' There is a not altogether apocryphal story of an occasion, during the great advance into Germany, when a crowd was getting out of control – a mob of Russian displaced persons had murdered a farmer near Soltau and wanted to make further trouble. A Military Government Public Safety Officer arrived – in peace-time a London policeman. He pulled out his notebook and began "What's all this, we can't 'ave this 'ere . . ." It needed no more to restore the situation.'¹

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 219.

As an example of the hazards encountered by spearhead civil affairs Police Officers the following account is quoted of the taking of Florence by the Eighth Army in August, 1944:

‘The Germans had destroyed every bridge except the Ponte Vecchio which they had liberally mined. In spite of the mines Major Fielders led a contingent of Carabinieri across to the North side of the Arno and established himself in a barracks where he was entertained by the spectacle of street fighting between Allied troops, Partisans and Germans. The Carabinieri he had brought over the river gave a good account of themselves in this fighting and, apart from occasions when mortar bombs made direct hits on his barracks and also when he found that the Germans had advanced to a point South of his position, Major Fielders reports that he had no cause for anxiety. Captain Taylor was less fortunate and was wounded after crossing the Arno.

Meantime, on the South of the river, sniping and shelling were continuing and making life at Major Pullen’s headquarters somewhat exciting. He reports that during the early days in Florence apart from his normal police responsibilities, he acted as Supply Officer, Ambulance Officer and even as undertaker.

This was one occasion on which the combat troops commander ordered the U.S. and British flags denoting the A.M.G. headquarters to be hung *inside* the premises, because when they were hanging outside they attracted enemy sniper fire.’

A glance at the administration of the island of Ischia, ten miles off the Neapolitan mainland, will end this section in a more cheerful vein (the account of the work of one police officer in civil affairs is written by another):

‘Ischia was of importance as a base for small naval craft, and headquarters could not have selected a better man than this self-reliant country police sergeant as its Civil Affairs Officer—, isolated by water, enjoyed a degree of independence few of us knew, and virtually reigned as king. “Lookin’ after ye’self” was his favourite phrase, but he looked after Ischia also, reorganising its commerce and administration, and despatching sea-going schooners as far as Sicily for advantageous cargoes. Thin-faced, shrewd, a characteristic county policeman used to making his own decisions, he could boast he was one of the few A.M.G. officers who was a success . . . With a happy disregard for official directives, he set about his work with commonsense. Months later, when the hierarchy of Region 3 Economics and Supply Division awoke to realities, they severely criticised—. The organising of schooners was quite outside the scope of an island C.A.O.! It was a Regional matter! But—only grinned. On another occasion, when he was unexpectedly transferred to Fifth Army A.M.G. on the Garigliano, the population of

Ischia organised a monster petition for the return of their popular Governatore, and it is an unhappy reflection on police mentality that only in the minds of professional colleagues did the idea momentarily glimmer that—himself . . . well, who would want to leave Ischia ?’

The scrap-book could be continued, but these extracts may serve to give an impression of the variety of tasks that Public Safety Officers were called upon to perform, and to show that commonsense, courage and a strong nerve were qualities indispensable to their successful performance.

* * *

That the primary and legitimate task of these police volunteers was successfully discharged, would have been sufficient to place the rest of the army in the debt of these men recruited from the police forces of the United Kingdom. But in fact, their contribution was far wider and more varied. Of some 100 police officers sent to Sicily and Italy, about half were initially employed on work other than that for which they had been recruited. About one in five continued to be employed on such other work. A selection from the posts to which they were appointed will make clear the variety and value of this additional contribution by police officers. These posts included those of Provincial Commissioner, Provincial Engineer, Refugee Officer, Food Officer, Supply Officer, Transport Officer, Finance Officer, Fuels Officer, Exports Officer, Economics and Supply Officer, and Sanitary Officer. In the early stages many police officers were employed as spearhead Civil Affairs Officers with the forward troops – general administrative work of a first-aid, and often dangerous, nature.

In Italy and in the liberated countries of Europe civil affairs detachments were completely integrated Anglo-American units, serving with British or American formations as might be convenient. To the individual Civil Affairs Officer who happened to find himself serving in an environment predominantly of nationality opposite to his own, this arrangement presented challenges but at the same time offered great opportunities and rewards. This was particularly true perhaps in the case of the British police officers who were in most cases better qualified by character and training than their American counterparts. This state of affairs must not be taken to mean that good police officers were lacking or even scarce in the United States. It sprang rather from the fact that there was in America no central authority comparable to the Home Office in London which could undertake selection and recruitment on a

nationwide basis of suitability. In consequence, many recruits to the American Public Safety staff were appointed without sufficient discrimination.

For the invasion of Italy, France and Belgium, Civil Affairs Detachments were completely integrated on an Anglo-American basis. For the invasion and military government of Germany, where national zones were to be established, it became necessary to re-organize detachments on a national basis. 'So highly were they [British Public Safety Officers] esteemed in the integrated Anglo-American detachments of the civil affairs period, that when the time came to "unscramble" in preparation for the entry into Germany, the detachments that were to become American refused at first to release the British Public Safety staff.'¹

A number of factors contributed to the success of these officers. They were adept at obtaining information. They were practical men, good at getting things done. Their contacts were good – there is an international *esprit de corps* among the police and any police officer is quickly on terms with any other police officer, differences of nationality notwithstanding. As the writer has pointed out in an earlier volume, many civil affairs officers were of poor quality, having been discarded by their units, or having no satisfactory niche elsewhere. 'Police recruits, in contrast, were picked men released by the Home Office from an exacting and honourable service, eager to serve, but with good employment to which they could ultimately return'.² In the last resort it was the ability, training, and character of these officers that enabled them to make their outstanding contribution to civil affairs.

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, pp. 218-219.

² *Ibid*, p. 62.

CHAPTER XIII

RECRUITMENT AND TRAINING

THE need to administer occupied enemy territory arose first in Africa, some two years before it was felt elsewhere. The organization evolved to meet the need was an improvisation, almost entirely local. It could hardly have been otherwise, for Sir Philip Mitchell assumed the duties of Chief Political Officer, and the first Administration of Occupied Enemy Territory in Cyrenaica was hastily put into the field, before M.O.11, the branch created in the War Office to handle matters of military administration, had come into existence at all. And when M.O.11 was formed it inherited no body of knowledge or experience concerning military government, and, with its strength of only two officers, was clearly not at first intended to do more than act as a channel for communication between the headquarters of the Administration of Occupied Territories in Africa and the appropriate authorities in London, whether in the War Office or in other departments of Government. In addition there were the physical difficulties of communication at the time between London and Cairo, and the pressing need for quick decisions. In the words of the historian of British Military Administration in Africa,¹ 'throughout 1941-42 and a large part of 1943 . . . there was virtually complete devolution of responsibility to Sir Philip Mitchell and his senior officers.'

This applied to the recruitment of staff for the Administration of Occupied Territory in Africa, no less than to other matters. Of training there could initially be little, but at a considerably later stage, in June, 1943, the Middle East Civil Affairs Staff School was set up, with Colonel S. C. Dumbreck as Commandant. Throughout these years recruitment was done by the Chief Political Officer as occasion arose and from whatever field offered. First and foremost the Colonial Services of the British territories in East Africa and the Sudan Civil Service were laid under contribution and persuaded to release officers they could but ill spare. Cairo and Alexandria yielded non-official local recruits with knowledge and experience of the Middle East and Africa. The Palestine administration yielded at least one outstanding recruit. Officers were released from the forces serving in the theatre, especially from the Field Security Wing of the Intelligence Corps. A number of Finance Officers were recruited

¹ Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, p. 299.

from London; others were made available by local banks. If recruitment through these years was on the 'made-to-measure' rather than the mass-produced scale, it was, so far as can be judged, none the worse for that. A powerful asset was Sir Philip Mitchell's standing and experience. At the outbreak of war he was Governor of Uganda. 'Sir Philip Mitchell not only possessed the qualification of being an experienced Colonial administrator with an extensive knowledge of African affairs, but had in addition the particular asset of having had personal experience in the Tanganyika Military Administration. Here he had served during the East African campaign of the 1914-18 war. He had also seen the transition of Tanganyika Territory from a military to a civil administration under Mandate. At the beginning of the war in 1939 he was appointed Deputy Chairman of the East African Governors' Conference and played a prominent part in the organization of the East African War Supplies Board.'¹ It is unlikely that Sir Philip would have overlooked the existence of likely candidates anywhere in the Middle East or East Africa, or that, having noted them, he would fail to obtain their services. There were certainly some outstanding appointments, of which the following may be mentioned as examples. Major the Hon. Francis Rodd (subsequently Lord Rennell of Rodd) who had taken part in the military administration of Syria in 1918 and had general experience of the Middle East, became Controller of Finance and Accounts. He later succeeded Sir Philip Mitchell as Chief Political Officer, and later still was appointed Chief Civil Affairs Officer for Sicily and Italy. Brigadier G. H. Longrigg was placed in charge of the administration of Cyrenaica. He had experience of Iraq, Syria, and Palestine, and a knowledge of Arabic. Mr. M. S. Lush, re-commissioned with the rank of Brigadier, was appointed Deputy Chief Political Officer for Ethiopia. In the course of a distinguished career in the Sudan Civil Service, he had been attached to His Majesty's Legation in Addis Ababa from 1919 to 1922 and had travelled through much of Ethiopia. He later became Deputy Chief Civil Affairs Officer at 15th Army Group H.Q. in Italy.

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Almost eighteen months after the first improvisation of military administration in Cyrenaica, in June, 1942, as the prospect of invading Europe dawned, the scene expanded to include London, where the Administration of Territories (Europe) Committee was set up. In October, 1942, on the initiative of the committee, Brigadier

¹ *Ibid.*, pp. 24-25.

S. S. Lee was appointed Deputy Chief Civil Affairs Officer for North-West Europe. The D.C.C.A.O.'s task was to plan and prepare for relations with the civil population and the restoration of civil administration in such areas of North-West Europe as might be invaded and occupied by the Allied forces. He was Deputy, because it was contemplated that, when the time came to put the plans into execution, a Chief Civil Affairs Officer would assume responsibility under the Commander-in-Chief.

A main part of the D.C.C.A.O.'s task was to arrange for the recruitment and training of suitable officers to form a nucleus of the civil affairs staff for the invasion of North-West Europe. The arrangements made by the D.C.C.A.O. for the training of officers and the subsequent development and expansion of these measures will be dealt with later in this chapter. Here only the matter of recruitment will be considered.

Recruitment for North-West Europe began early in 1942 when one officer on the D.C.C.A.O.'s staff began interviewing candidates. These were mostly individual officers whose names had been put forward by the D.C.C.A.O. or his staff. France was uppermost in the selector's mind and a number of names of persons with knowledge of that country were put forward by the committee for the evacuation of British subjects from France. In the course of the next four months three other officers and a Junior Commander in the A.T.S. were added to the selecting staff, which became a section of the D.C.C.A.O.'s organization known as A4. This was not a part of M.O.11.

For the first course at the Civil Affairs Staff Centre (which began on 25th February, 1943, and will be more fully referred to in the later part of this chapter, dealing with training) A4 Section selected 150 officers working on its own. For the next two courses the machinery for the selection of serving and retired officers was given a wider background. Civil Affairs Selection Boards were convened which consisted of the D.C.C.A.O., the Commandant of the Civil Affairs Staff Centre, and a representative of the Civil Service Commission as chairman. The selection of civilians continued to be done by A4 from candidates who had survived the inquisitions of No. 8 War Office Selection Board for officers. The *ad hoc* measures taken for the recruitment of police officers during these early months of 1943 have been recorded in the previous chapter.¹

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Then, in July, 1943, the Directorate of Civil Affairs was created and Major-General S. W. Kirby was appointed Director of Civil Affairs.

¹ Cf. pp. 271-272.

A₄ Section was transferred to the new directorate from the Staff of the D.C.C.A.O. and expanded into a branch. Recruitment was now, in theory at least, centralized in the War Office for all theatres – though Burma was to constitute a partial exception, much recruitment for this territory being conducted in India. Selection of officers for civil affairs became the responsibility of C.A.8, a branch under the new Deputy Director of Civil Affairs (Personnel and Training). Two other branches came under the Deputy Director, C.A.9 and C.A.10. The second of these was responsible for formulating training policy for the candidates selected by C.A.8 and for the general control of the various training establishments and courses devised. It took over responsibility for the Civil Affairs Staff Centre which had been brought into existence by the A.T.(E) Committee and the D.C.C.A.O. North-West Europe. C.A.9 was responsible for the appointment, posting, and post-training administration of the officers selected by C.A.8 and trained under the arrangements made by C.A.10.

C.A.8 itself was divided into three sections, C.A.8(a), C.A.8(b), and C.A.8(R). C.A.8(a) was responsible for the selection of candidates from the services, and C.A.8(b) for the recruitment of civilians. C.A.8(R) became responsible for the maintenance of a record in card-index form of all candidates whose cases had passed through the branch.

* * *

The division of responsibilities between C.A.8(a) and C.A.8(b) will have shown that recruitment was made both from the services and from civil life. Service recruits were drawn from among both serving and retired officers. Naturally the demands of civil affairs could not be allowed to interfere with the needs of the more combatant branches of the services. No officer below the age of thirty-five, of a medical category higher than category B permanent, was eligible for civil affairs. An officer above the age of thirty-five but below the age of fifty-five was eligible whether in category A or B. Specially qualified officers were eligible even above the age of fifty-five. No officer of category C or below was eligible in any circumstances. Recruitment took place for the most part by selection from volunteering officers, serving or retired, from all three services (though in practice the army provided the greatest share). Recruits came also from the Dominions, and from the forces of the Allies. On entry into Germany the need for Military Government Officers was such that Emergency Military Government Officers, many of whom were not volunteers, were appointed under a special procedure. Other Ranks were not normally commissioned for employment as

Civil Affairs Officers, though very exceptionally this might be done in order to make use of specially qualified persons. Normally Other Ranks were required to gain their promotion to commissioned rank by the established procedures, and then to apply for employment in civil affairs, if they wished. Members of the A.T.S. were not initially eligible for employment within civil affairs (although they had served in administrative, secretarial and domestic capacities at the Civil Affairs Staff Centre at Wimbledon from the time when this was set up), but later became so, for restricted purposes, mainly in connection with police, prisons, and the relief of refugees.

Suitably qualified civilians who applied or were recommended from civil life (in practice these were for the most part civil servants, police officers, Civil Defence workers, or members of the National Fire Service) could be commissioned into the army for employment as officers in civil affairs. At a later stage, more especially after active operations had ceased, civilians were allowed to be recruited and employed as such, provided only that this would not involve them in command of military personnel.

* * *

The machinery through which C.A.8 discharged its recruiting functions is described below in the form it had assumed towards the end of 1943.

Candidates for employment in civil affairs who were serving or retired officers above the rank of lieutenant-colonel were interviewed by a Senior Civil Affairs Selection Board convened by the Military Secretary's Branch of the War Office. The Board generally consisted of the Permanent Under-Secretary of the War Office, the Military Secretary, and the Director of Civil Affairs. Officers of the rank of lieutenant-colonel or below appeared before a Junior Civil Affairs Selection Board which, if in the United Kingdom, was convened by C.A.8 of the Directorate of Civil Affairs. To guard against recruitment of unsuitable persons Junior Boards normally consisted of a senior representative of the Civil Service Commissioners as president, a representative of the Civil Affairs Directorate (usually the Staff Officer 1 of C.A.8), and a representative of the Military Secretary's Branch. If Air Force officers were to be interviewed, there was also a representative of the R.A.F. Junior Civil Affairs Selection Boards were also convened overseas if required. On such occasions a senior military officer replaced the Civil Service Commission representative. Emergency Military Government Officers referred to above were selected by a shortened procedure under which they were not required to come before any selection board but were interviewed by C.A.8.

The recruitment of civilians was not frequent until the end of 1945. While active operations continued, such as were recruited were required to be commissioned into the army. These candidates were called to appear before No. 8 War Office Selection Board, together with candidates for commissions in other branches of the army. A representative of C.A.8 was included as a member of the board, and, when this was possible, special days were earmarked for the testing of potential civil affairs officers. Civilian candidates for employment as civilians were not recruited under arrangements made by the Directorate of Civil Affairs. Initially they were selected by a branch of the War Office known as C.10, later by C.4.

Candidates with technical qualifications, whether service or civilian, were, in addition, tested by the appropriate Technical Interviewer, found either from the staff of the Civil Affairs Directorate or from the appropriate War Office Branch. The technical advisers to the Directorate included experts on finance, police, the fire service, civil defence, the law, public works, railways, posts and telegraphs, public health, fine arts and ancient monuments. F.5 Branch had a considerable say in the recruitment of Finance Officers. A.T.S. officers were not eligible for service in civil affairs until May, 1944, and even then very few could be spared. For such candidates special selection boards were convened.

An essential part of the selection procedure for all candidates for civil affairs was a preliminary scrutiny of applications by C.A.8 to eliminate applicants who were *prima facie* ineligible on account of age, medical category or disciplinary disqualifications, or who appeared to be of doubtful integrity, unsatisfactory from a security point of view, or otherwise obviously unsuitable. Initially this scrutiny was undertaken for all candidates before they were interviewed by a selection board. This was the logical order, but when it was found that the selection boards were rejecting 66 per cent of applicants, it became clear that much of this laborious and detailed pre-interview work was being wasted. It was then decided to examine the applications only of successful candidates, after interview by a selection board. To avoid trenching, by this inverted procedure, upon the prerogatives of the selection boards the principle was accepted that while the boards would select candidates for their general suitability for employment C.A.8 would disqualify them only in regard to the particular objections set out above. Lest the power to disqualify on the ground of 'obvious unsuitability' should arouse suspicion it may be added that many applications for employment in civil affairs were made for ulterior motives, often in order to gain early entry to a country so as to revive a business or to steal a march on competitors. It was a prime object of the procedure of scrutiny to detect these. Two, admittedly extreme, cases will serve as examples of the dangers

that needed to be guarded against. One applicant for employment in the Control Commission proved on investigation to be a gun-runner of international repute. Another was a convicted forger 'wanted' by a neutral government.

* * *

The high proportion of candidates rejected by the selection boards need cause no surprise if the very exacting qualifications required of civil affairs officers are considered. These were not only exacting, but so varied as not often to be found united in one person.

The basic qualification was knowledge and experience of civil administration. But there was another, that was rated even higher, and without which administrative skill and experience might be worthless. This was that the candidate must be acceptable to, and must be able and willing to work with soldiers. If not a soldier himself, he must by character and record command the respect of the soldiers with whom he would be called upon to work, understand the working of the military machine, and appreciate the difficulties of the fighting troops. The civil affairs officer began as something of a joke and his first task was to live down this reputation.

Having done this, his real qualifications as a civil administrator could come into play. These needed to be wide and general, rather than specialized and intense. For, if not serving as a staff officer at the headquarters of a military formation, the civil affairs officer would be likely to find himself set down, in the midst of a strange population, at the headquarters of a civil administrative area, far from his senior officer and the support of the military machine, and, in the early stages at least, without technical assistants. Every conceivable problem in connection with the revival of the ordinary life of the community and the re-establishment of administration would press in upon him urgently. Initiative, common-sense, the power to improvise and co-ordinate were of paramount importance — though a smattering of technical knowledge might often not come amiss. The qualities needed were those of the general administrative officer, not of the specialist. In any bureaucracy, provision has to be made for the discharge of these functions. In India there was the Indian Civil Service, elsewhere in the Commonwealth, the Colonial Service. In a democracy, supervision and co-ordination of administration and the formulation of policy are largely the function of elected bodies; the general administrative officer required in the Civil Affairs Service scarcely existed, all civil servants becoming in greater or less degree specialists. Unfortunately the Indian Civil Servant and the Colonial Service officer, otherwise so suitable, were

suspect on the ground that they must be expected to have developed a 'colonial' attitude that might make it difficult for them to establish good relations with the people under their administration, and to take part in the democratic developments which it was the policy of the Allies to introduce.

Knowledge of the country in which they were to work, and of the language spoken there, were clearly desirable. But linguistic experts tended to be poor risks from a security point of view, and were frequently not persons who could gain the confidence of the soldiers. The conclusion was early reached that ' . . . it is far better to have a really good man who is not a linguist rather than a doubtful man who possesses outstanding linguistic qualifications.'

In the fourth place there was imperative need for the highest integrity. A civil affairs officer, as we have seen, was likely to have to work on his own, far from the support of the military organization or the supervision of his superiors, where every sort of problem would come at him, and where he would certainly be exposed to the play of every sort of pressure and temptation.

The fifth qualification, last in importance as in order, was that of specialist knowledge. A certain number of functional experts were required in such matters as Public Safety, Public Utilities, Public Health, Civil Defence, the Fire Service, Transportation, Telecommunications, Finance, the Law. But it was an over-riding requirement that such experts must be ready to turn their hand with a good will to whatever task most needed doing, whether it fell within their expert field or not. A lecturer at the Civil Affairs Staff Centre put it this way: ' It is stressed, however, that a specialist in say " sewers " who cannot (when not employed in his specialist role) turn his hand to more mundane tasks such as " feeding the living " and " burying the dead ", is not the type of officer the civil affairs organization are looking for.'

Perhaps it has become clearer why at one stage 66 per cent of candidates for civil affairs were being rejected.

The great difficulty was to attract volunteers of the very high calibre required. The civil affairs organization was the last in the market, at the time when there was the greatest demand for manpower for all purposes, and enjoyed only the lowest priorities. The prospects it could offer inevitably lacked glamour. Officers with the high qualities required were likely to have gained promotion elsewhere which they might be required to forfeit on transfer to civil affairs. Even if that was not the case, they might be reluctant to leave appointments in which they had done well. It was partly in order to overcome this difficulty that it was decided to allow staff pay to all officers in civil affairs, a measure that gave rise to a good deal of

administrative difficulty.¹ In the case of the British territories in the Far East it was possible to offer the additional incentive of continued employment after the war in the civil services concerned. But doubts soon arose, especially in the case of Burma, whether this would amount to much of a career. In the case of Germany the prospect of employment under the Control Commission could be held out – but clearly this could only be an even more speculative attraction.

* * *

It is not easy to gain a coherent picture of the total numbers recruited and employed through the machinery operated by C.A.8. But from the time C.A.8 was formed in July, 1943, until it was disbanded on 31st December, 1946, some 34,300 applications for employment in civil affairs were received and dealt with. Of these applications 27,600 related to service in Europe and Africa; 6,700 related to the Far East. It seems that as many as a quarter or a third of these applications were excluded on the preliminary ‘vetting’ conducted by C.A.8. Of the surviving applications less than a third were selected and sent for training at the Civil Affairs Staff Centre – the number taking the courses there being something over 7,000 officers. During the peak period of July, August and September, 1945, however, the total number of male persons (other than persons locally recruited) employed in civil affairs topped 15,000. This figure included Other Ranks – not a very large number – and a very considerable number of officers who for one reason or another had not passed through the Civil Affairs Staff Centre. In addition, C.A.8 ‘vetted’ some 2,700 Emergency Military Government Officers for Germany.

The best indication of the sources from which this recruitment was effected is contained in a letter written by the commandant of the Civil Affairs Staff Centre when this was closing down in December, 1945. This showed the composition of 3,591 successful candidates for civil affairs in North-West Europe. The figures were:

<i>Source</i>	<i>Number</i>	<i>Per cent</i>
Regular Army	261	7·26
Regular Army Reserve of Officers	203	5·65
Territorial Army	460	12·80
Territorial Army Reserve of Officers	118	3·25
Special Reserve	19	·55
War Emergency	1,308	36·42
Retired Regular Army	34	·94

¹ Cf. Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 32.

RECRUITMENT AND TRAINING

<i>Source</i>	<i>Number</i>	<i>Per cent</i>
Commissioned Civilians	174	4·84
Police	111	3·10
National Fire Service	35	·97
Marines	1	·02
R.A.F.	109	3·03
A.T.S.	83	2·30
Civil Servants	2	·05
Canadian Officers	264	7·35
South African Officers	14	·38
Australian Officers	2	·05
U.S. Army	100	2·78
U.S. Navy	63	1·75
France	79	2·19
Belgium and Luxembourg	38	1·05
Netherlands	62	1·72
Norway	21	·58
Poland	26	·72
Czechoslovakia	9	·22

These figures call for no comment, except perhaps to point out that the officers who held War Emergency Commissions and accounted for 36·42 per cent of the candidates, were war-time recruits, civilians who had gained their commissions by normal army procedures before applying for employment with civil affairs, and therefore a complete cross-section of the whole community.

The handling of this large number of applications naturally produced a crop of bizarre cases. It is recorded for example, that applications were at one time or another received, but not, it is scarcely necessary to add, accepted, from the following:

- (a) A leg-less candidate.
- (b) A (female) cook-general wanting a change of situation.
- (c) A candidate whom the psychiatrist at a War Office Selection Board reported on as being 'a potential murderer'.
- (d) A retired officer who declared 'I am 68, have retired from the Indian Army, but am still a good polo player'.
- (e) A 78-year old retired General.
- (f) A doctor who had lost his memory.
- (g) A solicitor who had been 'struck off the rolls'.
- (h) An elderly candidate who had twice managed to be recruited into the army and had served for long periods without ever being commissioned. (The signature of Lord Roberts was noticed on a minute in this case).
- (i) A candidate who only wanted to visit Paris for 14 days.

- (j) An officer who before submitting an application for civil affairs had applied to revert to his war substantive rank of corporal.
- (k) An officer who was certified as insane.

But, in all the circumstances, a remarkable number of normal, intelligent, and conscientious persons were recruited by the machinery that has been described.

* * *

Once candidates for civil affairs had been selected by C.A.8, responsibility for their training passed to C.A.10. In the majority of cases basic training in civil affairs was given at the Civil Affairs Staff Centre. But there was a precursor to this which should receive brief mention before we embark upon an account of the Staff Centre and its work.

As early as December, 1939, discussions within the War Office had resulted in a series of 'politico-military' courses being held in Cambridge to train officers for liaison duties, presumably as members of military missions, in what was then visualized as the post-war reconstruction period. The courses were held under the auspices of the Director of Military Training at the War Office, but were organized in detail by the Cambridge University authorities, particularly Dr., later Sir Ernest, Barker. The first began in January, 1940. Major Viscount Gerald Wellesley (later Duke of Wellington) was the senior officer attending and was appointed Officer in Charge. In January, 1941, a wing of the Army Intelligence Training Centre was moved to Cambridge, and for administrative and other military purposes it proved convenient to place the later courses under the command of the Assistant Commandant in charge of this Wing. So, fortuitously,¹ began the close and fruitful association of Colonel T. Robbins with civil affairs in all its aspects, planning, preparation, training, and execution. Four such courses, lasting eight weeks each, were held through 1940 and 1941. The main subjects studied, at university level, were the recent political and economic history of Europe, historical geography, races and racial theories, social psychology, systems of government, the peace settlement of 1919, and the modern problems of European countries. The fourth course, held in the winter of 1941, included officers from Poland, France, Czechoslovakia, Norway, Belgium, and the United States of America. The American officers began their attendance as civilians. On the morning after Pearl Harbour they appeared in military uniform,

¹ But cf. Ch. I, p. 18. As far back as 1920 Colonel, then Captain, Robbins had narrowly missed being associated with the administration of occupied territory.

alongside their Allies. It was of this course that Dr. Barker later wrote:

' Regular officers, continental as well as British, were joined with fellows of colleges, members of parliament, and men of affairs; and the remarkable fact emerged that they soon began to move towards a common stock of ideas and a common conception of policy. To live together was to think together: discussion reconciled differences and produced a genuine community. I suppose that this is a general experience, whenever men pool their thoughts and (as Dr. Johnson said) " put their minds fairly " to one another; but I was none the less impressed as I watched the process at work '.¹

The courses were discontinued after that held in the winter of 1941.

For a year and more there was no further training by the British of officers for civil affairs or ' politico-military ' purposes. But in America within a month of the entry of the United States into the war, the Provost-Marshal-General had been made responsible for setting up a school of military government. A month later, on 9th February, 1942, the establishment of a school was formally authorized. A few days later the University of Virginia offered accommodation for the school at Charlottesville, an offer that was accepted with alacrity. From the outset the Provost-Marshal-General had favoured locating the school in a university because of the library and other academic facilities that this would make available. On 11th May, 1942, the school opened for its first course, nine months before the comparable school received its first students in the United Kingdom.²

About August, 1942, the separate United States Navy School of Military Government and Administration opened at Columbia University, New York.

Meanwhile, however, in September, 1941, at the St. James' Palace Conference, the Inter-Allied Committee and Bureau on Post-War Requirements had been formed³ and set about the preparation of estimates of relief requirements for Europe. In June, 1942, the bureau had proposed to the War Office that the Cambridge courses should be resuscitated, with a somewhat more practical syllabus, in order to train civil affairs and relief officers both for the period of military responsibility and for the subsequent period when the civil authorities would resume control. Prolonged discussions with the War Office followed. In the course of these the view was put forward that the courses should be revived in order to train an ' international civil service.'

It was in June, 1942, also, as we have seen, that the problem of the

¹ Barker, *Age and Youth*, London, 1953, pp. 210-211.

² Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, pp. 10-13.

³ Cf. p. 139.

administration of occupied territories took on a more actual and pressing character, as administrative planning for the invasion of Europe began.¹ In the War Office M.O.11 had been expanded.

The interdepartmental Administration of Territories (Europe) Committee was set up. With understandable reluctance, in view of its other commitments, the War Office was brought up against the fact that civil affairs or military government officers would have to be trained before being put into the field. In considering how this should be done the question arose whether there should be any further 'politico-military' courses either in their original form or suitably adapted to civil affairs needs as suggested by the Allied Post-War Requirements Bureau. When the A.T.(E) Committee decided in September, 1942, to appoint a Deputy Chief Civil Affairs Officer for North-West Europe, it resolved, notwithstanding a certain lack of enthusiasm on the part of the War Office, that a sub-committee under the D.C.C.A.O. should 'consider and make detailed proposals as to the best means for training personnel required for civil administration in European territories that might be occupied by a British expeditionary force'. The sub-committee voted against continuance of the 'politico-military' courses. It felt that future courses should be held in London. This, it was said, would facilitate the attendance of lecturers from the War Office and other Government departments and would also be convenient for visiting lecturers from Oxford, Cambridge, and other universities, and from such organizations as the Foreign Research Press Service at Oxford. Mainly, however, it was felt that the Cambridge courses had been over-academic (indeed they could scarcely have been otherwise) and that there should be more of the flavour of an army school about future arrangements. This could more easily be secured if the courses were to be held in London under closer supervision by the War Office. This decision may be contrasted with that of the American military authorities to establish their school in a university setting.

In November, 1942, Colonel T. Robbins, Assistant Commandant of the Army Intelligence Training Centre, Cambridge Wing, who had been in administrative charge of the 'politico-military' courses, was selected to become commandant of the proposed school, which was to be known as the Civil Affairs Staff Centre. 'Southlands', a large house in its own grounds, near Wimbledon Common was taken over. Originally it had belonged to an Indian Maharajah who had stabled his polo ponies there, but more recently it had been used as a Women's Teachers' Training College. Early in January the staff assembled and on 25th February, the first course started. Besides the Commandant there were two Deputy Commandants (of whom one was also Chief Instructor in Military Studies), an Academic

¹ Cf. p. 142.

Adviser, Lieutenant-Colonel J. R. M. Butler (in charge of non-military studies), and sixteen Directors of Studies. The Directors of Studies had all been General Staff Officers. The Academic Adviser had been a G.S.O.1, with service also in the First World War. In addition there were a Liaison Officer (Colonel Stephen Park of the United States Army, who had attended the first course at the School of Military Government at Charlottesville, Virginia), an Administrative Officer, a G.S.O.3, three A.T.S. officers, and 143 other Ranks of whom forty were men and the rest women. Students numbered 150. The course was a pioneering venture, for the staff as much as for the students; both were learning together. Nothing was yet known as to the probable organization, policy or plans for civil affairs. Work on these continued in the War Office in M.O.11, often in consultation with the Civil Affairs Staff Centre. Everything was tentative and all instructions were provisional and under frequent revision.

The atmosphere of 1943 is expressed in the following lines written at the Wimbledon School at the end of that year and sung to the tune of the Vicar of Bray.

ORG AND ADMIN

1.

When first I went to Wimbledon
 And clothed me as a fighter,
 I thought as I put my battledress on
 That I was a Gauleiter;
 But soon I found that I was meant
 To be polite to the Maire, Sir,
 Since Military Government
 Had changed to *Civil Affairs*, Sir.
 But this is truth, I will maintain
 Until my dying day, Sir;
 Though plans may change again and again
 The Army must have C.A., Sir.

2.

When first I sat for an hour and a half
 To learn what the D.S. knew, Sir,
 I thought that I was a branch of the Staff
 Like G. or A. or Q., Sir;
 But Senior Officers came down here
 And suddenly – such their nerve is –
 They likened me to an Engineer,
 So I became a Service.¹
 But this is truth . . .

¹ The writer got into trouble with the Royal Engineers for believing that the Royal Engineers were a Service.

3.

When Brass Hats take a team from the Pool
 And in some town maroon it,
 It's known, I learnt at Southlands school,
 As a Civil Affairs Field Unit;
 But hardly had I got this plain
 In a way I shouldn't forget, Sir,
 When somebody changed his mind again
 And I was a Basic Det., Sir.
 But this is truth . . .

4.

When Wellington ruled Sicily
 (He was only Wellesley then, Sir)
 A stooge for the Mess they'd have him be¹
 And gave his car to ENSA;
 For whatsoever of goods or gear
 John Bull or Uncle Sam got,
 One point at once became very clear;
 It would not go to AMGOT.
 But this is truth . . .

5.

So when you land on D + X
 In Greece or Spain or Flanders
 You mustn't expect to receive blank cheques
 From Staffs or from Commanders;
 They may not know what the deuce you are,
 They may not clothe or feed you;
 But of this you may be perfectly sure,
 Before very long they'll need you.
 For this is truth . . .

6.

But now as '44 draws near
 And all is expectation
 And hearts are warmed by Christmas cheer,
 The word is INTEGRATION;
 So when I go as a C.A.O.
 With précis all arranged, Sir,²
 I'll integrate for all I know -
 Until the order's changed, Sir.
 But this is truth, I will maintain
 Until my dying day, Sir;
 Though plans may change again and again
 The Army must have C.A., Sir.

¹ Cf. Harris, *Allied Military Administration of Italy, 1943-45*, H.M.S.O., 1957, p. 20, footnote.

² Every C.A.O. was supposed to be provided with a précis of the lectures to which he had been treated at Wimbledon.

It was, accordingly, against a background of almost complete uncertainty, that a curriculum was drawn up for the first course. Instruction was to be given in four main divisions. The first of these would consist of military subjects. It would be compulsory for all students to take this part of the course. The second division would consist of instruction in the general European background, historical, legal, economic. This division also would be compulsory for all students. In the third division instruction would be concerned with regional detail; students would be allowed to select and specialize in one particular group. The fourth and last division would cover functional or technical aspects of the work of a civil affairs officer. This division was itself sub-divided into four functional groups. The first of these was a military group covering such matters as military organization and administration, Movements, Supply, Liaison, Communications, Security and Public Safety. The second group covered Public Health, Welfare, and Education. The third covered Public Works Services and Utilities, and Economics; the last, Fiscal and Legal functions. Students would be assigned to study one of these groups, in accordance with their qualifications and the priorities of current needs. The curriculum was based upon the need to aid the attainment of the objective of the military operations. The ultimate objective of these was the restoration of civil government in Germany after the defeat of the German military forces in the field and of Nazism in Germany. Therefore all students, regardless of first assignments to study regions of which they had special knowledge such as France, Belgium, Holland, Denmark or Norway, were required also to make intensive studies of Germany and the Germans. The first course was planned to last thirteen weeks, instruction to be completed in nine weeks, the remaining four weeks to be used for an exercise – a practical and realistic test on the instruction imparted during the course.

It will be remembered that the Civil Affairs Staff Centre was formed to meet the charge that the ' politico-military ' courses had been over-academic. From time to time, throughout the life of the centre, similar complaints were inevitably heard of the training given at Wimbledon, and demands were put forward for instruction that should be more practical and more directly related to the circumstances that students were likely to encounter. If this meant the making of detailed administrative plans, then at the time of the first and only long course, very little was yet known of what would be needed, and when later courses were held these, as will be seen, were so shortened that it would have been almost impossible to fit anything more into the curriculum. In any case, detailed administrative planning would appear to have been the function not so much of the

Civil Affairs Staff Centre as of the War Office or the Commanders-in-Chief concerned. But the commandant and his staff were at all times clear in their own minds that, while practical instruction must of course be given, the function of the centre should not be merely to pump information into its students, but rather to widen and deepen understanding, to foster a sense of proportion and perspective. In this it is clear that the centre was not without success. A distinguished police officer has testified to the sense of privilege he experienced when attending the courses. For a while he felt he had been allowed to breathe the air of a university. To him, and to others, the courses opened windows, widened horizons, and stimulated interest in the tasks they were to be called upon to undertake. For this success the school was very greatly indebted to its Academic Adviser.

* * *

As this first highly experimental course drew to a close it became known that the day for civil affairs officers to take the field was approaching, and that if the requisite numbers were to be provided in time, future courses must be drastically shortened to five weeks. It became necessary to digest the lessons of the first course and to consider how to apply them to the altered circumstances of a much shortened term. (The eighth and ninth courses were extended to six weeks again but thereafter five weeks became the rule for the remainder of the twenty-four courses held for the needs of North-West Europe.)

The main lesson was felt to be that the first course had attempted too much specialization, and that in future courses there should be a non-specialist group among the functional groups of the fourth division. This was dictated by both supply and demand. Many officers selected to attend the course did not have technical qualifications, and these obviously could not be acquired in a few weeks' course. More important still, it was becoming clear, at the demand end, that the need, particularly in the early days, would be for general administrative officers able to take an overall view and to put their hands to any task that offered, rather than for highly qualified specialist officers.

Other lessons learnt, as to method, were that there had been too many lectures, that more Directors of Studies were needed (there had not been enough to take charge of all the regional and functional groups and some of these had had to be taken by students), and that there had been too many typed hand-outs, précis, etc., and that in future it would be better to hand out less, and to give more direction as to what should be read. The merits of the syndicate system came

to be appreciated as a result of its use by the instructors in military subjects. It was felt that the curriculum was emphatically on the right lines in seeking to give to students a wider and deeper understanding of the European background than would have been gained from a crammer's guide-book. Accordingly in the next course, inevitably cut down from thirteen to five weeks of which one was to be spent on an exercise, a number of changes were introduced. More attention was paid to general administration which became one of the functional subjects. Background lectures were drastically reduced. Every officer was required to receive abridged instruction in every subject in turn, as one of a syndicate of fifteen, from the Director of Studies qualified in the particular subject. The principle of specialist instruction was (very slightly) preserved by the assignment of each student to one regional and one functional group, each of which met for one period weekly. Intensive study of Germany and the Germans was continued by all students.

* * *

Through 1943 the number of students attending courses increased until the original number was doubled. To meet this increase the Wimbledon establishment was expanded and divided into 'A Wing' and 'B Wing', so making it possible to run parallel and similar courses of 150 students each. The Commandant was promoted to Brigadier, a Supervisor of Studies, of the rank of G.S.O.1, was appointed for each Wing, and additional Directors of Studies were provided. Concurrently with this expansion, the civil affairs needs of the invasions of Sicily and Italy led to the transfer overseas of many of the Directing Staff. Their loss seriously strained the resources of Wimbledon. An Assistant Commandant was added, and there were increases in the numbers of Other Ranks. By the end of the year the Directors of Studies numbered over thirty. In the course of the year the Directorate of Civil Affairs was constituted, and C.A.10 took over from the D.C.C.A.O., North-West Europe and his staff responsibility for general control of the C.A.S.C. and the framing of policy for the instruction to be given. After the far-reaching re-arrangement of the syllabus on the conclusion of the first course, only minor changes of curriculum took place through the rest of 1943 and 1944.

In December, 1943, Brigadier Robbins was appointed Deputy Chief Civil Affairs Officer at 21 Army Group Headquarters and was succeeded in January, 1944, as Commandant by Brigadier S. C. Dumbreck, who had until then been in charge of the Middle East Civil Affairs School. The new commandant arrived, very military,

and resolved to give a more practical flavour to the courses. There were changes, but on the whole it was clear that the curriculum was well conceived for its purpose. The gale blew itself out, and there were no revolutionary alterations.

So far all instruction had been directed to training candidates for employment in Europe, particularly North-West Europe. Indeed the C.A.S.C. had been brought into existence by the D.C.C.A.O. North-West Europe. Towards the end of 1944 arrangements had to be made for the training of officers for the Far East. The C.A.S.C. was expanded once again, from 300 to 400. 'A Wing' became the North-West Europe Wing, 'B Wing' the Far East Wing. Each took 200 students. Far East training began in October with a preliminary course of military training at Kettering.¹ In November the first Far East course at Wimbledon started. The first four of these were short, three-weeks', refresher courses designed mainly for pre-war Malayan Civil Servants. Subsequent courses were of a different nature, being designed for the much younger candidates who had been attracted to civil affairs largely by the prospect of post-war employment in the Burma Civil Service or the Colonial Service. In the preparation of the curriculum for these courses, close consultation was necessary with the Burma Office and the Colonial Office. It was intended to make these eight-weeks' courses, but only the first ran so long. The pressure of events made it necessary to shorten the next to seven weeks, and subsequent courses to six weeks. At Wimbledon, after the first three or four courses, and as at Cambridge, a number of Allied officers were given training alongside British candidates, both for Europe and for the Far East. The presence of these foreign students added greatly to the character and value of the courses. But in the minds of General de Gaulle and his advisers the existence of the Civil Affairs Staff Centre raised deep suspicions. General Legentilhomme and others periodically visited the courses to satisfy themselves that the British were not preparing to establish another A.M.G.O.T. in France.

* * *

Attention has so far been confined to the Civil Affairs Staff Centre at Wimbledon. Here basic training in civil affairs was given to all candidates selected, with one exception only. This was that for junior police officers, inspectors and sergeants, destined for employment in military ranks below that of major, a separate course was provided. While it was clearly desirable that senior police officers should undergo the general courses at Wimbledon since they would

¹ Cf. p. 305.

become staff officers much concerned with general administration and the integration of the police with other functions, it was felt that for junior police officers, who would, so far as could be foreseen, be required in the civil affairs organization to carry out executive police functions in the field – their normal task, albeit in most abnormal circumstances – a less comprehensive and academic course would be sufficient. Such a course would also have the advantage that it could be packed into a shorter time. Since the task in their case would be to apply their police experience to the problems encountered overseas rather than to discharge quasi-military functions, the Home Office agreed, at the request of the War Office, that they would accept responsibility for organizing the courses for junior officers, financial responsibility, however, remaining on the War Office.

For these courses the Metropolitan Police were able to make available Peel House, normally the home of the Metropolitan Police Training School, which, however, had been temporarily closed down as a result of the war. At Peel House living accommodation could be provided for the instructing staff and about eighty-five students, together with the necessary class-rooms, lecture-rooms, common-rooms and canteen. Peel House became 'C Wing' of the Civil Affairs Staff Centre, under the general control and administration of the Commandant at Wimbledon, but with its own Commandant, and under the technical control of the Home Office. As Commandant for the opening course at Peel House there was appointed Mr. A. E. Young, Assistant Chief Constable of Birmingham, who was commissioned for the purpose as lieutenant-colonel, and who had attended the first Wimbledon course with outstanding success. Another police officer who had been a student at the first Wimbledon course was appointed instructor in police matters. The remaining instructors were obtained by the War Office and Commandant of the C.A.S.C. from military sources, particularly officers with Provost-Marshal or an Intelligence Branch background. Further to assist the students in obtaining an understanding of the military outlook and requirements, it was arranged that there should be included in each course two or three Provost or Intelligence Branch officers as students. On completion of courses students returned to duty with their own police forces until required for military duty. After the first Peel House course Colonel Young was posted to Italy and Commander W. J. A. Willis took over as Commandant.

Courses at Peel House lasted three weeks. The first began on 6th July, 1943. The seventh and last ended in February, 1944. Thereafter the War Office retained the use of Peel House for some months for other courses, but released it for return to the Metropolitan Police on 24th July, 1944.

But it was not only at the C.A.S.C. that civil affairs instruction was given. Refresher courses, in some of the many languages with which civil affairs officers ought at least to have an acquaintance, were given, not at the Civil Affairs Staff Centre itself, but under arrangements made by the D.C.C.A.O. North-West Europe and later by the War Office and the Centre itself, at the L.C.C. School of Languages, at the School of Oriental and African Studies, and elsewhere. The main languages taught were French and German, but courses were also provided in more out-of-the-way languages e.g. Malay, Burmese, and Chinese. Officers studying French were made honorary members of a French club where they could meet and converse with French people in that language.

A proportion of the officers passing through the C.A.S.C. were newly commissioned civilians. For these some basic military training was also necessary. Arrangements were made to use the Royal Electrical and Mechanical Engineer officers training school at Kettering, and here courses of a fortnight, three weeks in the case of candidates for the Far East, were given during which candidates were instructed in the organization of the army and in such military accomplishments as map-reading and riding motor cycles.

To give trained civil affairs officers a better understanding of the principles of military staff work and organization, it proved possible to arrange for a number of these to attend Staff Duties courses at the Sandhurst Wing of the Staff College. On at least one of these courses all vacancies were allocated to civil affairs officers.

In addition, many more specialized courses were held, not always exclusively for civil affairs officers, including an advanced legal course at the C.A.S.C. itself, a course in prison administration at Wakefield Prison, and a course on the administration of food control, rationing, and distribution organized by the Ministry of Food. Technical refresher courses were arranged individually as the need arose.

* * *

So far we have been considering the training of civil affairs officers who would themselves be directly engaged in the administration of occupied territories. The need was early recognized for giving some minimum instruction in this unfamiliar subject to other branches of the army that might find themselves brought in touch with civil affairs work, so that these might understand better what was being done, and might better discharge their own share of responsibilities in the matter.

First and foremost, all officers and N.C.O's of the Corps of Military Police in 21 Army Group were put through three-day courses at

Peel House. Beginning in the autumn of 1943 occasional three-day courses for senior commanders and staff officers were held at Wimbledon. These were attended by commanders of divisions and brigades, and by heads of services. On one course two lieutenant-generals attended. Similar courses were held for officers of the staffs and services, and also for regimental officers, within 21 Army Group. A longer, three-weeks' course was held at Peel House for staff officers, to provide civil affairs training for officers who had qualified at the Staff College and had been selected for civil affairs staff appointments. A short course was held at Peel House for American Public Safety officers.

It should be added that the education of other branches of the army was not confined to the giving of courses at Wimbledon and Peel House. Lecture tours were arranged in the course of which Directors of Studies at the Civil Affairs Staff Centre visited units, formations, and establishments of all kinds throughout the United Kingdom, from First Canadian Army and Tactical Air Force Headquarters to the Foreign Office Relief Department and the A.T.S. Provost Wing, and, geographically, from the Orkneys in Scottish Command to Devonshire in Southern Command. The lectures did much to inculcate knowledge of the work and working of civil affairs; they were also a useful recruiting measure for the civil affairs service.

An S.O.2 from the C.A.S.C. was loaned to the Staff College, Camberley, to incorporate civil affairs problems in the tuition and exercises for students taking normal military courses there.

* * *

Of the Directors of Studies for the courses at the Civil Affairs Staff Centre, rather more than a quarter were drawn from the field of trade and industry, a source of recruitment that was closely followed by education (school and university), the law, and the regular army. Government service, rather surprisingly, accounted for only two. The rest included a banker, a chartered accountant, and other technical experts. Between them the staff could claim acquaintance with sixteen languages (though the claimant to Efik rated his qualifications no higher than 'Reading - nil, writing - nil, speaking - bad'), and some experience of close upon three times as many countries. In some cases this experience was slight, but in others it amounted to many years of residence. Whenever they could be spared, Directors of Studies were sent overseas for short periods of attachment to civil affairs staffs in the field to enable them to study the working of military administration in practice. It would be

unreasonable to expect a uniformly high standard in a staff assembled in war time after many other organizations which enjoyed higher priorities had taken first pick. But many of the staff were of high distinction and wide learning, and the instruction given was excellent in itself and of great value to prospective administrators. Noteworthy members of the staff were: Lieutenant-Colonel J. R. M. Butler, Fellow, later Vice-Master, of Trinity College, Cambridge, and University Lecturer, later Regius Professor, of History; Lieutenant-Colonel A. E. Hodgkin, Chairman of one of the principal manufacturing groups of Imperial Chemical Industries and in the Regular Army Reserve of Officers; Lieutenant-Colonel H. A. Smith, Professor of International Law, University of London.

A notable contribution to the work of the C.A.S.C. was that of the visiting lecturers, many of them experts of the greatest eminence in their subjects. The following names catch the eye: E. L. Woodward, A. J. P. Taylor, R. C. K. Ensor, Professor A. L. Goodhart, Professor C. K. Webster, Professor J. L. Brierley, Professor R. H. Tawney, Professor D. W. Brogan, the Rt. Hon. Vincent Massey, Lord Hankey, Sir G. N. Clark, Sir R. Vansittart, Professor M. Postan, Miss Dilys Powell, Mme. Françoise Rosay, Sir David Waley of the Treasury, Sir Eric Speed, Permanent Under-Secretary (Finance) of the War Office. The subjects dealt with ranged from Contemporary Germany, The German Mentality, The Administration of Justice on the Continent, The Value of the Laws of War, to The American Political System, The American Way of Life, Does Money Matter?, and Safeguards against Inflation.

In all, at the Civil Affairs Staff Centre itself, and in a variety of other establishments a total of over 130 courses, of some twenty-five different types, were held during the period of just over two and a half years during which civil affairs instruction was provided by the War Office. It is abundantly clear that any student with the will to learn and with the right qualities could pass out from the Civil Affairs Staff Centre as a first-class civil affairs or military government officer. It is within the writer's own knowledge that many did. It was not the fault of Wimbledon that many of the students were not of a calibre or disposition to profit from the excellent instruction given. For students tended to fall into two well-marked categories. They might be of excellent quality, brought to the Civil Affairs Staff Centre by their first-class special qualifications, technical or other, or by something very like a vocation for civil affairs or military government. Or, and this, perhaps inevitably, was the larger category, they were of grievously inferior quality, the rejects from elsewhere. The very fact of their appointment to civil affairs proclaimed their rejection, so that many such were hostile and resentful towards the instruction offered to them. The writer, in an earlier volume, has

told how a General Officer, delivering an inaugural address at the Civil Affairs Staff Centre, seemed to see seated before him all those officers whom he had, over the past months, been at pains to weed out from units under his command.¹ He declared roundly to the Commandant that he hoped never to see any of them again!

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One of the great difficulties encountered by the staff of instructors at the Civil Affairs Staff Centre, was the complete absence of any manual or other authoritative statement regarding the principles and practice of civil affairs or military government. It has been shown earlier² that when the Commander-in-Chief Middle East in December, 1940, asked the War Office for instructions regarding the administration of territories about to be occupied by his forces in North Africa, there was little or nothing on record to which the War Office could turn, when framing its reply. There was an excellent chapter in the Manual of Military Law on the Laws and Usages of War on Land which included an exposition of the provisions of Articles 42 to 56 of the Hague Rules governing the occupation of enemy territory. There was passing reference to the subject of military government in Field Service Regulations. But there was no War Office Manual of Civil Affairs, or any other British publication, to which the instructors at the Civil Affairs Staff Centre could refer for guidance on policy and principles (though a first Manual of Civil Affairs had been brought out by the United States Army as far back as 30th July, 1940).

Work on a manual to meet this need was begun early by the D.C.C.A.O. North-West Europe and was pushed forward in consultation with the staff at the Civil Affairs Staff Centre. Successive draft versions appeared and were used in turn to give provisional guidance at Wimbledon. Meanwhile, towards the end of 1942 there appeared in Cairo 'Notes on the Military Government of Occupied Enemy Territory', prepared under the authority of the Commander-in-Chief, Middle East Forces, 'in the absence of an authoritative manual on the subject of the military government of occupied enemy territory'. The notes were described as being 'based on practical experience gained in the administration of conquered Italian colonies in Africa during the present war.' In London, work continued on the draft War Office manual and in 1943 the current version was laid before the A.T.(E) Committee, and was approved in October. On 5th February, 1944, the manual was formally notified

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 28.

² Cf. Ch. I., pp. 1-2.

in Army Council Instructions. Six weeks earlier the United States Army and Navy had produced a second edition of the Army Manual of Military Government and Civil Affairs.¹ Work was also in progress at S.H.A.E.F. on a manual for combined, as opposed to British or American, operations. A printed version of this appeared on 1st May, 1944, less than six weeks before the invasion of Normandy, entitled 'Standard Policy and Procedure for Combined Civil Affairs Operations in North-West Europe.' It provided that 'In case of conflict between the policies and procedures here established and those contained in the Military Manual of Civil Affairs issued by the British War Office or in Field Manual 27-5 issued by the United States War Department the provisions here set forth will apply for combined Civil Affairs operations in North-West Europe.' Except in one respect, however, the three manuals were broadly consistent with each other. The one difference, and certain other aspects of the War Office manual will be discussed in a later chapter.²

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As a postscript it may be added that a library was built up at Wimbledon and another by C.A.10 in the War Office. The latter included hand-books and studies dealing with general and particular aspects of conditions in a great number of countries. Some were prepared by the Research Department and the Political Intelligence Department of the Foreign Office, others were a part of the Inter-Services Information Series, or were produced by other organizations. Sets of précis of lectures delivered at the Civil Affairs Staff Centre, copies of reports of many kinds from the field and elsewhere, press cuttings and periodicals, and copies of proclamations and relevant treaties and laws were also available.

¹ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, p. 7.

² Cf. Ch. XIV.

PART III

Conclusion

CHAPTER XIV

PROBLEMS OF ORGANIZATION

MUCH has been written in this volume concerning the distribution of responsibilities and the central organization for the conduct and control of civil affairs and military government functions at government level – for that indeed is the purpose of this volume as distinct from that of the volumes concerned with the exercise of these functions in the particular theatres of war. But the fruit and only justification of these arrangements at the centre was the emergence of an organization in the field – although sometimes the fruit, mysteriously, was there before the tree, as in the case of the British Military Administration in Africa.

The organizations put into the field have been described in full detail in the theatre volumes. They differed in certain respects from theatre to theatre, for they were required to function in at least three different sets of circumstances and these naturally modified the form and characteristics of the organizations to be established. They might be required to operate in enemy territory. They might be required to operate in friendly territory liberated from enemy occupation. They might be required to operate in British territory recovered from enemy occupation – which, except for the case of the Channel Islands, meant, in practice, recovered colonial territories. They might, finally, be required to operate in conditions partaking to some extent of the character of all these sets of circumstances. But if the organizations differed in detail from theatre to theatre this was less true of the various headquarters than of the staffs working in the field. The differences of organization and method in regard to the latter have been fully described in the theatre volumes concerned and will not be repeated here. Nevertheless in all theatres, particularly at headquarters, and in London, certain underlying problems and principles of organization tended to emerge. It is with these that the present chapter is concerned.

In the broadest of terms the object was to create and put into the field a temporary administrative pyramid, military in person, outlook, and loyalties, but predominantly civil in function, generally, but not always, paralleling any existing or previously existing civil administration. The base of the pyramid would consist of civil affairs officers working in the field, whether with military formations or in civil territorial administrative areas. At a later stage, in friendly

territories where an indigenous government was recognized as fit to resume responsibility, most such officers would be dispensed with, a few becoming part of the military mission accredited to such a government. The apex of the pyramid would require to be keyed into a military headquarters at the appropriate level. Intermediate regional or formation headquarters, and specialist officers, would be incorporated into the pyramid at various levels as necessary.

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This summary begs one major question – whether the administration of liberated and occupied territories should be military at all, or whether it should not rather be a civil responsibility. The civil affairs organization set up by the army authorities in the United Kingdom encountered many difficulties – it had its critics and opponents in plenty, particularly perhaps within the army itself – but it was spared one of the greatest obstacles facing the comparable organization in the United States. This was the determined opposition, not to say hostility, of many civilian departments and agencies, to whose views the White House was largely sympathetic, and the absence of any clear cut decision whether the administration of liberated and occupied territories should be civil or military, whether indeed there should be military government at all.

As early as 1939 the U.S. War Department assumed that the planning and preparation of measures for the government of occupied territories fell within military responsibility. In making this assumption it had regard to the obligations laid upon military commanders by the laws of war, to the self-evident interest of the military authorities in the satisfactory government of territories in which their forces were operating, and to the precedents of all earlier wars in which the United States had been engaged. In September, 1941, the need to train military government officers came under consideration, and in February, 1942, it was decided to establish a school of military government.

Meanwhile, however, the entry of America into the war had led to the burgeoning of plans by all sorts of civilian agencies for various aspects and stages of the administration of liberated and occupied territories. Strong rivalry developed. In June, 1942, the Provost-Marshal-General, upon whom, within the army, had been laid the responsibility for military government, wrote: 'In my opinion unless the Army acts immediately and decisively it will find any plan which it subsequently develops will become lost in the maze of plans which are now being formulated by civilian agencies' . . .¹ In January, 1943,

¹ Coles and Weinberg, *Civil Affairs: Soldiers become Governors*, Washington, 1964, p. 15.

the Secretary of Interior wrote: 'The civilians are in danger of losing the post-war world by default. They are in danger of losing out because they seem to lack a comprehensive plan and a unified purpose. The Army, on the other hand, has a plan and a purpose.'¹ The only person who could adjudicate between the warring departments was the President and he would not. Indeed his own inclination was to support the civilians. When the establishment of the army's School for Military Government was brought to his notice he wrote: 'This whole matter is something which should have been taken up with me in the first instance. The governing of occupied territory may be of many kinds but in most instances it is a civilian task and requires absolutely first-class men and not second-string men.'² The story of this long-drawn out debate has been told in a volume of the U.S. War Histories.³ Gradually, however, the War Department established the predominance of the military interests, and steadily the army consolidated its preparations for the administration of occupied territories. Finally, on 10th November, 1943, the President was forced, by the absence of any comparable preparation on the part of the civilian agencies, to place upon the military authorities responsibility even for those aspects of the administration of liberated territories in which the civilian agencies were most anxious to have a part. He wrote to the Secretary of War: 'Although other agencies of the Government are preparing themselves for the work that must be done in connection with relief and rehabilitation of liberated areas, it is quite apparent if prompt results are to be obtained the Army will have to assume the initial burden of shipping and distributing relief supplies . . . Therefore I direct that you have the Army undertake the planning necessary to enable it to carry out this task . . .' But for some two years after the entry of America into the war, the army's preparations for civil affairs and military government had been hampered by opposition and uncertainty.

That the British organization was spared these difficulties seems to have flowed in part from the absence of any spoils system which, while it did not operate within the American civil affairs service or elsewhere in the U.S. armed forces, did encourage the assumption by civilian agencies in that country that there might be personal or party political capital to be made out of the organization to be set

¹ *Ibid*, p. 26.

² *Ibid*, p. 22.

³ *Ibid*. Cf. the following selection of Chapter and Section headings: Should Soldiers be Governors? Civilian - Military Jockeying for Control. The President says Occupation is in Most Cases a Civilian Task. A Debate Continues which will Never End. The War Department wants Initial Control in Future Operations. In Enemy Areas the Army to have the Initial Burden. President still seeks a Way for Civilian Agencies to Control. The Plan for Civilian Agency Operations is Stalled. Difficulties of Civilian Agency Procurement lead to Extension of Period of Military Responsibility. The Army gets a Presidential Assignment by Default.

up for the administration of liberated and occupied territories. Mainly, however, it flowed from the existence in the United Kingdom of established machinery in the form of the War Cabinet and its wide-spreading committees, for the co-ordination and the central control of the activities of ministries, which consequently never enjoyed the semi-independent status of the great American departments. There was no comparable machinery in the U.S. for settling clashes of jurisdiction. In the United Kingdom little time was wasted in deciding where responsibility should lie for the administration of territories liberated or occupied by British forces, and at no time, except in regard to Burma, where somewhat special conditions applied, was there any serious opposition to the placing of responsibility upon the military authorities.

And indeed the arguments for military rather than civil responsibility are fundamentally incontrovertible. There is first the necessity to the success of his operations that a military commander should have complete control of the inhabitants of areas in which his operations are being conducted. No division of responsibility is initially acceptable at this stage. This is recognized under the laws of war, under the English common law, and in one way or another, by most other countries. Secondly, there is the responsibility which a commander incurs, if his operations displace the existing government, to maintain or restore 'public order and safety'. In respect of enemy territories occupied this is explicitly laid upon him by the Hague Rules. In liberated friendly territories he can scarcely do less. Thirdly, there is really no other practicable way, for the necessities of war confer such an imperious priority upon the needs of commanders for men and materials, and such a near-monopoly of transport in areas of operations, that no organization for the administration of occupied territories can hope for an adequate share of these unless the responsibility for the administration and its success rests firmly upon the military commanders themselves. In no other way is it possible to hope for the optimum division of resources and the flexibility necessary in ever-changing circumstances.

* * *

As to the general nature of the pyramid referred to in the first section of this chapter, there were two strongly opposed schools of thought which for convenience will be referred to as the Italian School and the North-West Europe School, since it was in these theatres that the contradictory views were most strongly advocated.

The Italian School held that the civil affairs organizational pyramid, with the C.C.A.O. as its apex, should be keyed into the

military organization at its apex only, where the C.C.A.O. would be placed under the command of the appropriate military commander. Civil affairs officers at lower levels of the pyramid would be responsible, directly or through other civil affairs officers, only to the C.C.A.O., and through him to the force commanders; they would not be under the command of any subordinate local military commanders. As a temporary arrangement, by way of concession to military requirements in areas of active operations, certain civil affairs officers would be attached to military formations and placed under their command, to give the fighting troops such assistance as they could. As soon as operations moved on, such civil affairs officers would be 'shaken out' of the military formations and resume their place in the static civil affairs pyramid in order to begin administration of the occupied territory under the orders of the C.C.A.O. and not of any military commander. The writer has described this organization more fully in an earlier volume since it was at first intended to employ it in North-West Europe:

' The organization for North-West Europe was initially to take the form of a planning unit for each country to be invaded. These units would be required to make preparations for the establishment of a formal military administration in the countries for which they were responsible. The attention of the planners would be directed towards the administrative requirements of their territories rather than to the detailed needs of the military operations. In fact their planning could proceed very largely without reference to operational planning. When military administration was established, each unit, under its own Chief Civil Affairs Officer, would become the military government of the country concerned. It would indeed be required to hand over responsibility to an indigenous government as soon as such a government could safely be trusted with authority, but until that time it would itself be the government of the country. The several C.C.A.O.'s would be placed under the command of the highest accessible military formation. Each C.C.A.O. would arrange for the introduction of advanced parties of his field organization with, or on the heels of the forces invading his territory. These advanced parties would, if possible be attached to the lower formations or units undertaking the invasion, but it was not intended that they should form a part of the staff of these formations or units. It was realized that it might become necessary to attach temporarily to some of the highest formations, advanced elements of the C.C.A.O.'s headquarters to exercise command of parties in the field . . . As operations advanced it was planned that the C.C.A.O. would arrange for the introduction of further field parties and in due course for the introduction of the main body of his own headquarters. Gradually the field parties would pass from the control of the forward

formations and units to that of the C.C.A.O., and at the same time the advanced elements of the C.C.A.O.'s own staff would return from the formations to which they had been temporarily attached and be reincorporated in the C.C.A.O.'s headquarters. After the early operational period, during which Civil Affairs officers of the advanced parties must obviously come under the control of the local military commanders, it was contemplated that there should be established a completely separate Civil Affairs channel of communication and chain of command, depending from the Supreme Commander or perhaps, if the Supreme headquarters had not yet moved from the U.K. to the Continent, from the appropriate Army Group Commander. The emphasis under this conception of Civil Affairs was placed decisively on the territorial organization rather than upon the military formations. A small Civil Affairs staff would be required at Supreme Headquarters for co-ordination and to act as the mouthpiece of the Supreme Commander in Civil Affairs matters. Little or no permanent Civil Affairs staff would be required at the headquarters of subordinate formations, for the territorial administrations would carry the weight of responsibility. This conception of military administration as an organism standing on its own feet and divorced from military command except at the highest level was often referred to as the AMGOT theory of Civil Affairs – which indeed it was.¹

The view ultimately adopted in North-West Europe was quite different. It did not allow a separate civil affairs pyramid at all. This pyramid was to be fully integrated with the military organization at all levels. Appropriate sized groups of civil affairs staff officers would be included in all formation headquarters (down to corps inclusive with British forces and down to divisions inclusive with American forces) and to all L of C command headquarters. Civil affairs officers in the field would be under the command of the appropriate formation or L of C commander, acting through his civil affairs staff. The writer's earlier description of this organization which ultimately was adopted for North-West Europe in preference to the Italian or A.M.G.O.T. conception ran:

‘ There were to be no private armies for the government of each of the territories entered. Instead Civil Affairs was to become a function of military command at all levels and the Civil Affairs service was to become an integral part of the organization at the disposal of the military commanders. In Allied or friendly countries the prime objective was to be to help the indigenous administration to revive and function instead of to set up a military administration. In operational areas it would, of course,

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, pp. 18-19.

be necessary for the Civil Affairs staff to assume temporary responsibility and to undertake first-aid measures. From the earliest days, however, the local administration was to be encouraged and aided to assume responsibility in order to avoid the disadvantages inseparable from the imposition of formal military government. Under this conception the emphasis shifted decisively from the "country houses" to the Civil Affairs staffs attached to or at the disposal of, formations . . . these staffs were to control and direct numerous mobile teams of Civil Affairs officers whose size, composition and numbers would vary according to the needs of the formations at any given time. The "country houses" which had previously been intended for expansion into military administrations for their respective territories, were now instead to become, or to provide from within their ranks, the Civil Affairs element in Military Missions that would be attached to the revived indigenous governments in order to act as the mouthpiece of the Supreme Commander in his relations with these. On technical matters a separate Civil Affairs channel of communication was to be permitted. On all other matters, particularly matters which might affect military operations, the chain of command from the Supreme Commander to the Civil Affairs teams in the field would run through normal military channels, that is, through the military commanders down to the level of the formation under whose immediate command a particular team was working.¹

To summarize, the Italian conception was that the civil affairs organization must enjoy the maximum freedom from control by military commanders that was compatible with the paramountcy of military needs, while the North-West Europe conception was that there must be the maximum integration of civil affairs with the military organization that was compatible with administration of the territory occupied, since without this integration there could in their view be no satisfactory military administration at all.

In the Italian view no consistent policy or practice could be developed for the administration of occupied territories unless the civil affairs officers conducting the administration were at the earliest possible moment freed from the control of subordinate local and military commanders and placed under the central control of the C.C.A.O. If local military commanders were to remain military governors after the operational period, each in their own area, policy would vary according to local conditions and the whim of the local commander. No planned and co-ordinated central administration could be developed in such circumstances. So long as the forces continued to advance this difficulty would be still further worsened by the fact that military units and formations would be moving

¹ *Ibid*, p. 21.

forward and being replaced by other formations. When commanders moved forward they would take their civil affairs staff officers with them, who would be replaced by others with the incoming formation. Policy might change not only from area to area but from time to time within the same area. All continuity would be lost. Finally, it could not be expected that commanders would have been trained in civil affairs, or have had any earlier experience of civil administration. It was desired to avoid precisely that kind of situation which had arisen in Mesopotamia during the First World War¹ and the fear of which in the Second World War led the Burma Government to press for civil rather than military administration.

In North-West Europe S.H.A.E.F. and 21 Army Group approached the matter from a totally different standpoint. The normal military staffs were concerned to preserve unity of command. They saw that under the Italian or A.M.G.O.T. system a local commander could not control civil affairs officers within his own area, except by going right back to the Supreme Commander, or force commander under whom the C.C.A.O. was placed. The civil affairs component supported these views for their own, quite different, reasons which were:

‘ . . . that the exclusion of the Civil Affairs organization from the normal chain of command must inevitably operate to starve that organization of a fair share in military resources, for example, in the allocation of relief supplies, of engineering material, or of the support of the engineering services. Military resources were in practice largely controlled at the headquarters of formations and of the line of communication organization, below the level of the Supreme Commander, or even of the Army Group Commander. If as in Sicily and Italy, formation and other subordinate commanders bore no responsibility for military government it was idle to expect them to be ready to part with badly needed resources to meet the requirements of a plan in the forming of which, and in the correlation of which to military plans, they had no share – a plan, moreover, for the failure of which they would bear no direct responsibility. The only way to ensure a fair share in military resources for the Civil Affairs organization was to place responsibility for Civil Affairs upon formation commanders right down the line. Responsibility would then also lie upon them for any failure to apply a fair share of available resources to the needs of military government. The Civil Affairs organization would become a part of the military commander’s staffs and in this capacity could bid for its share of resources as a right instead of begging for them as a stranger outside the military organization. Supply in particular, is a

¹ Cf. Ch. I, pp. 12–15.

matter of sharing facilities and bidding for them with other military users. It is largely a matter of close day-to-day contact. An isolationist organization such as that for military government in Sicily and Italy, would be at a disadvantage in such competition. If Civil Affairs wanted to get the best out of the military machine it must be prepared to "muck in" and take the rough with the smooth.¹

In addition it was felt, with justification, that the greatest obstacle to the successful discharge of civil affairs functions, encountered in all theatres of operations, was the reluctance of the military authorities fully to accept the civil affairs organization as a part of the military machine. To set up an isolationist organization such as that in Sicily and Italy was the surest way to perpetuate this reluctance. Only by the fullest possible integration of civil affairs with the rest of the military machine could there be any hope of overcoming this. (Paradoxically, despite the S.H.A.E.F. and 21 Army Group insistence on integration, there seems to have been no theatre, or at least no British zone in which civil affairs officers felt more cold-shouldered. This, however, was largely a matter of personalities; it was not so much integration, as the arrival as Director of Civil Affairs of General Templer, a soldier, who spoke the language of soldiers, who had fought in the Second World War, and who was trusted by soldiers, together with the approach of the static phase of occupation in Germany when the importance of military government became increasingly evident, that eventually improved the status of civil affairs in the British zone of this theatre.)

In retrospect it seems that both schools of thought were right and both wrong. The North-West Europe school could point to the difficulties, not to say humiliations, encountered by civil affairs officers in connection with the landings in Sicily. Many of these officers had to be smuggled on board because no provision had been made for them in loading schedules. The transport allotted to them was quite inadequate and was accorded very low priority in loading. There was difficulty in obtaining rations and petrol. Reports reaching England at the time were so disquieting as to cause a serious slump in morale at the Civil Affairs Staff Centre. All this, said S.H.A.E.F. and 21 Army Group, with justice, was because the civil affairs organization had not been properly integrated with the military. There is no doubt that the corresponding phase in Normandy was far better managed. The Italian School, on the other hand, could point to the troubles experienced by military government officers in Germany after the surrender. It was the continually repeated complaint of these officers, at least in the 21 Army Group area,

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, p. 22.

that their task was being rendered impossible because of interference in technical matters by corps or other local military commanders who were unacquainted with the broader aspects of military government. The supporters of A.M.G.O.T. in Italy could, with some justice, say that this was because the separate civil affairs or military government chain of command had never been set up. In this respect things went better in Italy. But interference by local military commanders in technical military government matters was not, or should not have been, any part of the North-West Europe system. An essential of this was, or was intended to have been, the recognition and full use of technical channels of communication for military government matters, separate from but parallel to the normal military channels. Under such an arrangement military government officers communicate directly with each other through technical channels, upwards or downwards, not through normal military channels, so long as they are dealing with technical military government matters that do not affect military operations or military resources. In such matters it is essential that there should be no interference by local military commanders. But the moment that any matter may affect military operations or resources, it must be handled by military government officers through their military commanders and then upwards or downwards through the normal military channels. It is, of course, essential under such an arrangement, that technical channels should never be used in such a way as to let the military commanders feel that the military government organization has gone behind their backs in matters that might affect military operations or resources.

In fact, it seems that it is not a question of choosing between these two theories, but of deciding when to change over from the one to the other. During the phase of active operations it seems clear that the North-West Europe conception of civil affairs is well-founded and workable. Indeed, the strongest supporters of the A.M.G.O.T. view concede that, in the early stages civil affairs, officers in the field must be placed completely under the orders of the local commander. But when the phase of static occupation supervenes the Italian or A.M.G.O.T. conception seems equally clearly to be preferable. Even in the North-West Europe theatre a separate chain of command for civil affairs was intended to be established below the level of the corps commanders in the British zone (though in practice this was not always achieved), and below divisional commanders in the American zone. And the advocates of full integration were generally ready enough to pass on their responsibilities when the period of active operations had ceased. Other factors have their influence, the sort of campaign expected, whether the territory to be occupied is allied or enemy, but essentially it is a matter of the gradual swing of

emphasis from integration and work with the formations in the early stages, to the establishment of a centrally controlled administration standing on its own feet when the campaign is further advanced. It may be difficult to plan for this swing but it should not be impossible. Indeed it is perfectly clear that this was what both the War Department in Washington and the War Office in London intended. The U.S. Manual of Military Government and Civil Affairs stated the position thus:

‘ Generally speaking, there are two types of civil affairs organization – operational and territorial.

(a) In the operational type, commanders of combat units or of military administrative areas are responsible for civil affairs within their respective zones of operation or areas; and the relationship of civil affairs officers of one echelon to civil affairs officers of a higher or lower echelon are those prescribed for staff officers in the appropriate manuals. The chain of civil affairs control conforms to the operational or administrative chain of command.

(b) In the territorial form, a separate civil affairs organization is created under the direct command of the theatre commander, or under a subordinate commander. Under this form, the chief civil affairs officer of a territory is responsible to the military governor for the military government throughout the area, and has command of subordinate civil affairs officers assigned to political subdivisions within the territory. The line of communication within the organization is direct from higher to lower civil affairs officers. Local civil affairs officers are not responsible to operational unit commanders stationed in the area with regard to the administration of civil affairs, but report directly to higher civil affairs officers.’

Nothing could be clearer. The War Office Manual of Civil Affairs in the Field made the same point more briefly, if less explicitly:

‘ As soon as operational considerations permit responsibility for military government should be withdrawn from military commanders and invested in Senior Civil Affairs Officers of regions under the Chief Civil Affairs Officer. This will normally be when the leading formations in contact with the enemy have passed on, . . . ’

The U.S. Manual added:

‘ It is a function of command to determine the type of organization to be utilized at any particular time and place. The system adopted may often involve features of each type. In many cases the occupation will be progressive, and one type of organization

will predominate in one portion of a theater, while the other type predominates in another portion. Under settled conditions in continental areas the territorial form will usually prevail.'

It was 21 Army Group theory and practice alone that completely rejected any territorial form of civil affairs organization, freed from local military control by operational or line-of-communication commanders.

It should at the same time be remembered that 21 Army Group preparations for civil affairs and military government assumed broadly that responsibility would in due course pass, either to S.H.A.E.F., as the Allied advance continued, or to a control commission, as conditions in Germany became static. The absence of provision for any territorial form of administration should not perhaps be taken to mean more than that 21 Army Group felt themselves unlikely to be concerned with any time after the operational period and therefore did not need to prepare for the later territorial stage. Indeed the conflict between the Italian and the North-West Europe schools may not have been so clear-cut and extreme as the present account may suggest – it has probably been simplified and over-emphasized for the sake of clarity. To a very great extent it was a matter of conflicting personalities. But that there was a fundamental difference of approach is not in doubt.

If there is to be a change-over, the question of timing naturally arises. This may, of course, be influenced by local or other special considerations. But the broad principle would appear to be that integration on the North-West Europe pattern must continue until such time as the civil affairs or military government organization is no longer dependent upon the soldiers for everything – for transport, for food, for engineering materials, even, in the last resort, for bayonets, if needed in order to compel civilians to comply with orders. Only when a civil administration has been re-established and the economy has revived sufficiently to enable the civil affairs or military government organization to obtain these and to get other things done without having to call upon military resources, is the time ripe for this organization to shake itself out from the military framework. The devastation of modern war may greatly delay the arrival of this time.

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From the chain of command running downwards from the Chief Civil Affairs Officer we turn to the channel of communications running upwards. There has been reference earlier in this book¹ to

¹ Cf. Ch. I, p. 12-15.

the Mesopotamian difficulties of 1917. The question posed by these was whether, or not, having regard to the largely political character of his functions, a Chief Civil Affairs Officer should, with proper safeguards and while remaining primarily under the control of his military commanders, be allowed direct access to any civil political authority.

The answers given to this question in the various theatres during the Second World War varied greatly. In the Middle East there was at first no recognized channel of communication between the head of the civil affairs organization and any political authority. In fact, however, the right of direct access by the Controller of Finance and Accounts to the Permanent Under-Secretary of State (Finance) in the War Office offered a channel for the unofficial exchange of views on political matters also between the civil affairs organization and the Secretary of State for War. Then, from March, 1942, onwards, it was provided that the Chief Political Officers (who were equivalent to, and later became known as Chief Civil Affairs Officers) to the C-in-C Middle East and the C-in-C East Africa, should have direct access to the Minister of State in Cairo. 'These two officers will keep the Minister of State generally informed. With the concurrence of their respective Commanders-in-Chief they have discretion to refer matters to him and take his instructions when reference to London is unnecessary or would entail unacceptable delay. The Minister of State for his part will be entitled to give directions to the Chief Political Officers, with the agreement of the Commanders-in-Chief, on matters which seem to him to require such direction.'¹

When military administration was first improvised in the Arakan Division of Burma the Military Administrator '. . . was instructed that he was to have no communication with the Burma Government — even demi-official correspondence was forbidden to him. There was to be no possibility of divided authority and no doubt that he was the army's man.'² When more considered arrangements were reached for the military administration of Burma the ban on communication was so far lifted that the C.C.A.O. was permitted to communicate with the Governor of Burma directly on questions of civilian reconstruction or finance affecting the Government of Burma, and not affecting the military responsibilities of the force commander, provided that he kept the latter informed.

For Malaya this conception was expanded to a point at which there was laid upon the C.C.A.O. an explicit dual responsibility, i.e. a responsibility to his military commander and a responsibility to

¹ Quoted, Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, p. 305.

² Donnison, *British Military Administration in the Far East, 1943-46*, H.M.S.O., 1956, p. 28.

the Colonial Office in London for rehabilitation, where this was desirable, above the level to which he was held down in his strictly military capacity.¹

In the case of these two British territories, Burma and Malaya, it was a feeling of responsibility for the welfare of the inhabitants, at least as much as the need to deal with political problems, that led to the recognition of a non-military channel of communication to and from the Chief Civil Affairs Officer.

For the invasion of Sicily and Italy the C.C.A.O. was, officially, allowed no access to any authority outside the strictly military channels of command. Demi-officially – perhaps it would be more correct to say unofficially, or even privately – he did in fact correspond with the Secretary of State for War.

In North-West Europe, at S.H.A.E.F. and 21 Army Group, a different atmosphere prevailed. Whereas in all other theatres the C.C.A.O.'s all, at one time or another appear to have been troubled with the need for exchange of political ideas with a civil or political authority, outside the military hierarchy, in North-West Europe this need does not appear to have been felt, or, if it was felt, it was not voiced. This may have been a result of the far more determined militarization of the civil affairs organization, and its more complete subordination to the military authorities, in North-West Europe than elsewhere, leaving the head of the civil affairs organization with little will or opportunity for communication with any civil authority. But also, or alternatively, it may have resulted from the fact that planning and preparation for this theatre of operations were undertaken in London, and that when the invasion took place and the civil affairs organization moved overseas, communication with London was still easy. In London were the Allied governments and the representatives of the French Committee of National Liberation. Whatever else these did, they were not going to allow the political implications of the campaign of liberation to be overlooked. The resultant problems were handled primarily in the Foreign Office, for this was where the British specialists were to be found, and this was the normal point of contact between British and Allies. But since the Foreign Office, the military planners, and indeed the Allied representatives, were all located close together, and could meet in conference, there was perhaps a greater awareness of political considerations among military commanders, than in other theatres. And, with easy opportunities for personal contact, the need for recognition of a formal, or even an informal, channel of communication with civil or political authorities was not felt by the head of the civil affairs organization. Nor should it be forgotten that the

¹ *Ibid*, p. 144.

technical channels of communication referred to earlier¹ do not run only downwards from the Commander-in-Chief's Director of Military Government or Chief Civil Affairs Officer. They run upwards to the War Office also, subject always to the *caveat* recorded earlier that they must never be used to go, or to give the appearance of going, behind the backs of the military commanders. And the War Office was more accessible to North-West Europe than to the other theatres.

The orthodox military view in this conflict of opinion was that no man can serve two masters and that unity of command must be preserved. Otherwise, it was contended, there was a danger that military demands would not be met with due promptness and discipline, and that essential resources of men and material would be diverted from the main task of defeating the enemy. The civil view arose out of the fears which had oppressed the India Office over Mesopotamia in the First World War and the Government of Burma in the Second World War, and was, in essence, that to place upon a military commander exclusive responsibility, and to endow him with full powers, in respect of political and administrative matters in which he had had no training or experience, was unfair to the commander, and dangerous for the country under his control. The conflict between these views had arisen in an extreme form in Mesopotamia, and the dispute in the words of Lord Rennell, C.C.A.O. in Sicily and Italy and later historian of British Military Administration in Africa, ' . . . had ended as all such disputes must, in the civil or political authority depending directly on London and in the military authority conforming, save where urgent local military necessity, of a nature of which departments in London could not at the moment be aware, required otherwise.'²

This is in many ways a hard saying since in the 21 Army Group area the C.C.A.O., later Director of Military Government, did not depend directly from, or indeed have any direct contact with, 'London', by which must be understood the civil departments in Whitehall, and yet in this theatre of operations civil affairs and military government achieved notable successes. On the other hand, in all other theatres, some kind of a political safety valve existed, official or unofficial, and was in every case felt by the C.C.A.O. concerned to be vitally necessary. But, reasons have been given above for believing that, in the 21 Army Group area also, the opportunity was not altogether absent for that interchange of political thinking, which experience seems to show to be necessary.

Is it a mistake to suppose that the danger of difficulty and dispute in this connection has grown less since the First World War? The

¹ Cf. p. 322.

² Rennell, *British Military Administration in Africa, 1941-47*, H.M.S.O., 1948, p. 19.

need for a civil affairs organization had gradually become more widely accepted. Commanders in the Second World War had a more flexible, a broader and less narrowly military outlook than the commanders of the First World War. Indeed 'total' war had compelled them to this. And on the other side a high proportion of the senior civil affairs officers in the Second World War had had military experience in the First World War and were for that reason more understanding of military needs and more acceptable to the military officers with whom they were called upon to work. In the last resort, perhaps, the easier situation reaches back to the vastly improved relations in Whitehall between soldiers and civilians, the 'brass hats' and the 'frocks', which were established by the nation's leaders through the Second World War – particularly, though sometimes not without friction and cost, by Mr. Churchill.

* * *

The assumption of responsibility by the military authorities for the administration of occupied territories and the creation of military organizations, unprecedented and variously known as civil affairs or military government services, staffs, or branches for the discharge of this responsibility in all theatres of war, raised the problem of how and where to fit these organizations into the normal British system of command and staff machinery.

The commander of a British force exercises his functions with the aid of, and through, a group of officers who, together with other ranks, constitute a headquarters. The whole of this group of officers is sometimes loosely spoken of as the commander's staff, but, strictly speaking, only a part of it is the staff, the rest consisting of advisers representing the technical arms of the force under his command, the heads of services, and a few miscellaneous appointments. The staff, in the technical sense, is concerned with the formulation of policy, the conduct and co-ordination of operations, the balancing of conflicting requirements in the light of the broadest considerations, rather than with the technicalities of execution. It is an extension of the commander's mind and his mouthpiece for the issue of orders. It is divided into three branches, that of the General Staff (G), that of the Adjutant-General (A), and that of the Quarter-Master-General (Q). At the highest levels there is a fourth branch, that of the Master-General of the Ordnance (M.G.O.), but at lower headquarters the duties of this branch are undertaken by officers of the Q Branch. The G Branch is primarily concerned with the planning and conduct of operations and with the gaining of information

concerning the enemy, and for this reason enjoys a specially close relationship with the commander. The responsibility of A Branch is, in broad terms, to ensure that the forces required for the operations planned, are available, and reinforced as necessary, and that proper arrangements are made for the care of the sick and wounded, and for the enforcement of discipline. The task of Q Branch (again very broadly) is to clothe, equip, feed, house, and move these forces. The close interdependence of the work of these three branches needs no emphasis. The principal staff officer of any branch of this staff enjoys direct access to the commander and is authorized to speak on his behalf, particularly in the issue of orders to the services or subordinate formations. The technical advisers and the heads of services, on the other hand, are specialists, experts in engineering, signals, medicine, and other technical subjects. They are concerned with advice and execution within their own fields rather than with the formulation of policy, although, clearly, their technical advice must often be a dominant factor in respect of the latter also. They receive their orders through the appropriate branch of the staff. The distinction involved is definite and important. Americans recognize it by the use of the more self-explanatory terms 'General Staff' (British 'staff') and 'Special Staff' (British 'technical advisers' and 'services'). The specialists are grouped under the control of that branch of the staff with which they are normally most closely concerned. The staff, it is clear, is required to take a wider view and enjoys greater authority and power than the specialists. And of the staff it is the G Branch that has become in some sense an *élite*, owing to its concern with policy and the battle, its close relation with the commander, and, perhaps, a hang-over of soldierly contempt for administrative detail.

In all theatres the civil affairs organization became a service (whatever its actual designation) and the Chief Civil Affairs Officer or Director of Civil Affairs was formally classified as the Head of a Service under Field Service Regulations. This, it should be pointed out, was no bar to his becoming at the same time a staff officer, in the strict sense of the word. But when it came to fitting the new service into the existing family tree, there were differences of theory, and even more of practice. In the Middle East the C.C.A.O. was a part of the headquarters of the Commander-in-Chief. He did not become a staff officer, his position in the hierarchy being that of the Head of a Service under the G Branch. In Italy the C.C.A.O. was established, not at Supreme Headquarters, but at the headquarters of the force undertaking the invasion of Sicily and Italy. Here he became, not only Head of the Civil Affairs Service, but the force commander's principal staff officer for civil affairs, so enjoying direct access to the force commander, on a level with the other principal

staff officers, the heads of the G, A and Q staffs. This at least was the theory, if practice did not always accord. In the Far East there were several C.C.A.O.'s, one for each of the territories to be invaded in which formal military administration was to be established. Each of these became a part of the headquarters of the force commander concerned (except that somewhat different arrangements had to be made in Burma to accord with the peculiar command structure necessitated by the personality and anomalous position of Lieutenant-General Stilwell of the U.S. Army). In theory each was both Head of the Civil Affairs Service and Principal Staff Officer for Civil Affairs, as in Italy. In practice, matters turned out somewhat differently; but we will return to this point later.

Meanwhile, in London, a military Manual of Civil Affairs in the Field was under preparation, at first by the D.C.C.A.O. for North-West Europe, later by the Directorate of Civil Affairs. An early draft of this manual provided that the C.C.A.O. should be the commander's principal staff officer for civil affairs, but then went on to say that whether the C.C.A.O. should be responsible to the commander direct, or through the Chief of Staff or through the Principal Administrative Officer (under whom in certain cases the A and Q Branches were grouped) would depend upon circumstances. The draft continued 'Generally speaking, it will usually be appropriate for the Chief Civil Affairs Officer to work under the direction of the Principal Administrative Officer when problems of Movement and Supply are predominant and under the direction of the Chief of Staff when a period of stability has been reached and when political factors or questions of major policy have assumed greater importance. On the other hand, it may on occasion be appropriate (especially in the post-operational period when stability has been reached or in a primitive territory with few local resources and where the requirements of the local population are relatively insignificant) for the military commander to delegate the whole of his responsibilities direct to his C.C.A.O.' The draft also provided that 'whatever procedure may be decided upon, however, the C.C.A.O. will always have the right of direct access to the commander whenever any question of major policy is involved.'

In September, 1943, an extensively revised version of this draft was placed by the D.C.A. before the A.T.(E) Committee. This provided that the C.C.A.O. would be the Commander's principal staff officer for civil affairs, but carried this principle to its logical conclusion by adding 'The Civil Affairs Branch is the fourth branch of the Staff'. The draft was approved by the A.T.(E) Committee with only minor modifications, none of which affected the passage just quoted. This passage was subsequently struck out, however, presumably in the War Office, and does not appear in the manual

as it finally issued in February, 1944, although the C.C.A.O. was still described as the principal staff officer for civil affairs.

If the War Office boggled at the thought of civil affairs as the fourth branch of the staff, 21 Army Group headquarters, preparing for the invasion of North-West Europe, were quite clear that this would not do. 'Standard Policy and Procedure for Combined Civil Affairs Operations in North-West Europe' was a manual of Civil Affairs compiled at S.H.A.E.F., the combined Anglo-American headquarters, at the same time as the War Office manual of civil affairs. After describing American practice, which did accord to the civil affairs organization the position and standing of a branch of the staff, the manual went on to describe the position intended to be accorded to the head of the civil affairs service at the headquarters of British formations within S.H.A.E.F. The C.C.A.O. was to be treated as holding ' . . . a position analogous to that of Chief Engineer . . . He will not issue orders to the commanders of subordinate formations or Heads of Services: such orders will be issued through the appropriate Branch of the Staff, i.e. "G", "A" or "Q".' As to the functions of the Chief Engineer at an army headquarters, Field Service Regulations provided that 'his duties will be mainly advisory; he will not exercise any functions of command. Orders to subordinate formations will be issued by the army staff.' It was clearly intended that the civil affairs organization should not be accorded the position of a 'Staff'.

In both Italy and North-West Europe, the British C.C.A.O. was established at the force commander's, or Army Group level. In both cases there was a Supreme Commander above, with a combined Anglo-American headquarters. And since the Supreme Commander, General Eisenhower in both cases, was American, it was natural that his headquarters should be organized on American rather than British lines. For the invasion of North Africa the Americans had preferred to keep responsibility for civil administration in their own hands believing that this would be more likely to enlist the co-operation of the French administration. And banking on this co-operation they had made little or no preparation for civil affairs. At this stage it is probable that much less attention had been given to the problems of the re-establishment of civil administration in occupied territory by the Americans than by the British. And this notwithstanding the fact that a first Army Manual of Civil Affairs had in fact appeared in the United States more than three years before the War Office manual. For the British had been brought up against the problems in the field, in Cyrenaica, Eritrea, Ethiopia, and elsewhere in Africa. But when events in North-West Africa belied expectations and the inadequacy of the preparations became clear, the Americans were quick to learn their lesson and

far quicker than the British to accept the need both for the creation of a civil affairs organization and for its full integration with the existing military organization, and to grasp the implications of this. American thinking led to this integration being effected by treating the civil affairs organization not as a 'Special Staff' (British 'Service'), but as the fifth branch of the 'General Staff' (British 'Staff'). Each of these branches was headed by an Assistant Chief of Staff - assistant, that is, to a Chief of Staff who under American military practice was responsible for co-ordinating the views of the several branches and presenting to the Commander the combined views of the staff as a whole. Accordingly, both at A.F.H.Q., and at S.H.A.E.F. the head of the civil affairs organization was appointed Assistant Chief of Staff, G-5 (the existing branches of the staff being G-1, G-2, G-3, and G-4). Although the Assistant Chiefs of Staff, G-5, at A.F.H.Q. and S.H.A.E.F. occupied the same niche in the organizational structure of the two headquarters, there was a difference in the weight of their responsibilities. At A.F.H.Q., where the task was to administer one country only, and A.M.G.O.T., the organization for that purpose, was attached to a subordinate formation, it was contemplated that the weight of responsibility should lie at the lower level. Accordingly, the G-5 Branch, whose function was largely confined to acting as the channel of communication between the Supreme Commander and the C.C.A.O. on the force commander's staff, was comparatively small and its Assistant Chief of Staff junior in rank to the C.C.A.O. At S.H.A.E.F., where the task would be to revive administration in more countries than one in many of which, since they were Allied countries, no formal Allied military government was to be established, it was contemplated that the weight of responsibility should lie at Supreme Headquarters and be discharged not through a semi-independent military government organization but through the civil affairs or military government staffs of the appropriate subordinate formations, and through the military missions attached by S.H.A.E.F. to the governments of the liberated countries. Accordingly, the G-5 Branch at S.H.A.E.F. was much larger than that at A.F.H.Q., and its head of more exalted rank.

If theory varied, British practice did not. Except perhaps in Italy, the civil affairs organization came to be treated as a service. In the Middle East it was intended to be so. In the Far East it was laid down that the C.C.A.O. would be the principal staff officer for civil affairs. Yet of the early days of the Civil Affairs Service (Burma), when it was under G.H.Q. (India), it is recorded that '. . . the C.C.A.O. was never asked to attend the daily conferences on operations at G.H.Q., and he could only obtain a knowledge of what was happening in the field by inquiries which at times appeared to

be unwelcome.' In Italy the C.C.A.O. was, and was treated as, the commander's principal staff officer for civil affairs. In North-West Europe, by the time 21 Army Group took the field, the War Office Military Manual of Civil Affairs in the Field had appeared. The provision that the C.C.A.O. should be the principal staff officer for civil affairs was totally disregarded, and the civil affairs organization was treated, as elsewhere, as a service – and a rather inferior service at that. As in the case of Burma, the C.C.A.O. did not attend the daily conferences on operations. Not until after the arrival of General Templer was this state of affairs changed. Then, after the surrender of Germany, on 22nd May, 1945, Field Marshal Montgomery was appointed both Commander-in-Chief of the British Forces of Occupation in Germany and the British Member of the Allied Control Council for Germany. A second Chief of Staff, Lieutenant-General Sir Ronald Weeks, was appointed in respect of Field Marshal Montgomery's functions as British Member of the Control Council. The Commander-in-Chief's existing Chief of Staff remained responsible for all purely military matters (the American practice had been adopted at 21 Army Group, of appointing a Chief of Staff to present to the Commander the co-ordinated views of all branches of the staff). General Templer at first remained responsible to the existing Chief of Staff, though in practice he enjoyed direct access to the Commander-in-Chief if necessary. Later, as the Control Commission increasingly assumed responsibility, he became responsible, as Deputy Chief of Staff (Execution), to General Weeks's successor, for all matters of military government within the British zone.

It is tempting to suggest that this, the appointment of a second Chief of Staff for military government matters, is the proper solution, on the ground that the administration of a whole country can scarcely be made the responsibility of a service, subordinated, together with other services, to one branch of the staff; or even the responsibility of one branch of the staff. For the civil affairs and military government organization includes within itself G, A and Q elements, and has dealings with all three branches of the staff. It is really a duplicate of the staff as a whole, on the other side, the civil side, of the house. What is needed, on this view, is that it should become, not a *part* of the commander's military staff, but his *second* staff responsible for civil administration, leaving his military staff free to concentrate on defeating the enemy. But it may be that this dichotomy is appropriate only when active operations have ceased. Before that it might insufficiently integrate the civil affairs staff with the rest of the military organization, and by so doing would both, in theory, insufficiently emphasize the paramountcy of military requirements and, in practice, exclude the civil affairs organization from its share of resources. If the appointment of a second Chief of

Staff has to be ruled out, the best alternative, balancing civil and military considerations, is probably for the head of the civil affairs organization to be, and really to be treated as, a principal staff officer and head of the fourth branch of the staff. This, indeed, was the recommendation of the Administration of Territories (Europe) Committee in connection with the War Office manual of civil affairs. It is the organization adopted in the U.S. Army (though in this case the civil affairs organization becomes the fifth branch of the General Staff). And this fact constitutes a powerful practical argument in support of theoretical considerations. For in any foreseeable major war the British will be fighting alongside their American Allies. There are obvious advantages in the staffs of the two armies being organized on similar lines.

* * *

Almost as important as the question discussed in the preceding section, of where to fit the civil affairs organization into the military hierarchy, is the question of the kind of person that should be selected to head this organization. Indeed, many may think this second question even more important, on the grounds that the right man will make any organization work but that not even the right organization will enable the wrong men to succeed. Apart from problems of personalities this tends to resolve itself into the question of whether the heads of civil affairs should be soldiers or civilians, albeit specially commissioned into the army for the task.

Experience in the several theatres of war was very varied. In Africa and the Middle East virtually all the Chief Political Officers and Deputy Chief Political Officers were civilians commissioned into the army for the purpose of civil affairs. Of the two exceptions to this rule, one, although originally a regular officer, had for many years served in the Political Department in Iraq, and the other, an officer of Marines, was not without experience of Africa, having commanded the Somaliland Camel Corps. There was no tendency in this theatre to displace civilians in favour of soldiers. Indeed the two soldiers referred to above were in due course replaced by civilians from the Sudan and the Indian Political Service.

In the Italian theatre there was not a clear-cut supersession of a civilian by a soldier, as head of A.M.G.O.T. But Lord Rennell resigned from the appointment of Chief Civil Affairs Officer when the establishment of the Allied Control Commission resulted in the subordination of A.M.G.O.T. to an over-elaborate superstructure the head of which was, as it happened, a soldier.

In the Far East all four Chief Civil Affairs Officers were initially members of the Indian or the Colonial Civil Services, commissioned into the army for civil affairs. In Burma, in the present context the most significant of the territories to be re-occupied, if only because it was the one case in which military administration was established while hostilities were still in progress, the civilian was replaced by a regular officer. In the other three territories the civilians were not displaced, though in Borneo the Chief Civil Affairs Officer suffered many difficulties of the kind that are curable by the appointment of a soldier.

In North-West Europe, the first head of the civil affairs organization at the Supreme Commander's headquarters was a civilian, at one time Governor of an Indian Province. He was relieved, before the invasion of Europe took place, by a regular officer, a Canadian in the British Army. The Chief Civil Affairs Officer at 21 Army Group Headquarters was initially a civilian. He was displaced by a regular officer just before the invasion of Germany began in earnest.

It is not easy to discern any uniform tendency or principle. It seems that the only theatre in which the civilians at the head of the civil affairs organizations unreservedly retained the confidence of the military commanders was Africa and the Middle East. This was probably made possible by the outstanding personal qualifications of Sir Philip Mitchell, a distinguished colonial administrator, who became the first Chief Political Officer in the theatre. Partly also, it may have been because in Africa, where the civil population was scanty and its material needs few, there was little occasion for civil affairs to enter into competition for military resources. Above all, probably, it was due to the breadth of understanding of the Commander-in-Chief, General Wavell, and to the fact that he, perhaps alone of the various theatre commanders concerned, had had previous personal experience of the conduct of military administration, in Palestine during the First World War. Experience in the Italian theatre was indecisive. In the other theatres it seems to have become the rule, if military operations were still in progress, that the first heads of the civil affairs organizations, who had borne the burden of bringing into existence a new and far from popular organization, and who in all cases had been civilians and in most cases had been specially commissioned for civil affairs, were replaced by regular officers as the time approached for civil affairs to take a more active part.

These changes became necessary because military commanders (with the exceptions of General Wavell and, possibly, of General Alexander) felt the need to deal with a soldier rather than a civilian as the head of the civil affairs organization. Why was this so?

It was not primarily because of any hesitancy on the part of these

civilians in identifying themselves with their commanders' policies, though this may on occasion have been a contributory factor. It was rather to add weight and give an edge to the civil affairs organizations. Nor was it because the civilians did not know or understand the nature of the civil affairs task. They had studied the problems of reviving civil administration, and knew far more about these than the soldiers who later took their places. Nor was it because the civilians had failed in creating an appropriate and workable organization. The subsequent successes of the soldiers were only made possible because the civilians had built well. Indeed, for the early stages of civil affairs, a civilian head was almost certainly preferable. In any case it is improbable that soldiers of the requisite calibre could at this stage have been released from their fighting roles.

But the balance of advantage alters as the civil affairs or military government organization progressively goes into action, particularly if it is forced to make demands upon military resources that may result in their diversion from operational needs.

Two sets of circumstances may be distinguished. There are, in the first place, the day-to-day dealings with the rest of the military machine, often conducted under the strain of battle, upon which the effective functioning of the civil affairs organization will so largely depend. Here there is no question but that a soldier will find the task easier than a civilian. He has long and intimate knowledge of the military machine, of the finer shades of its working, and of the short cuts that are practicable, knowledge such as it is scarcely possible for the civilian to acquire. Above all he is probably on Christian-name terms with his military colleagues in other parts of the machine and enjoys their confidence in a way that the civilians cannot hope to do. Particularly is this so if he has already fought and commanded alongside them in battle. There are, in the second place, the occasions when it becomes necessary for the head of the civil affairs organization to take a stand with the commander under whom he is serving, on a question of importance, very probably involving the diversion of military resources. A commander's decisions must largely be based on advice. Particularly is this true of an extensive, unfamiliar, and in many respects technical subject such as civil affairs. In regard to advice from most branches of his staff he will have personal knowledge and experience such as will help him to judge swiftly and with certainty what weight and priority he should attach to conflicting demands. Lacking these in the unfamiliar field of civil affairs, he will depend particularly upon, and require to have particular confidence in, the judgment of the head of his civil affairs staff. And in this context judgment really means seeing a problem as if through the eyes of the commander, through the eyes, that is, of a soldier. If it is a civilian who urges the

case the commander will find it difficult to judge the weight that it should carry, to escape lingering suspicions that full justice has not been done to the more strictly military considerations at issue. He will tend, in compensation, to allow undue weight to the arguments of those who urge these considerations. It will be much easier for a soldier to make out his case and for the commander to accept it from a soldier.

Yet when all this has been said, it probably remains true that the success of the head of a civil affairs organization, as indeed of any other military organization, is above all things a question of personalities. But that the task is easier for a soldier than for a civilian is beyond doubt.

A final point may be made. If it is true that there must generally be a change in the officers holding the top appointment or appointments in the civil affairs or military government organization as this increasingly comes into action, then there is a corollary to be added. This is that in order to safeguard technical continuity at these levels, it is vitally important that the deputies to the officers who are to be relieved must be first class men – whether soldiers or civilians by origin – and must be continued in their appointments long enough to achieve this object.

* * *

It has been said earlier in this chapter that the greatest obstacle to the successful discharge of civil affairs functions, encountered in all theatres of operations, was the reluctance of the military authorities fully to accept the civil affairs organization as a part of the military machine. If we are to attempt an answer to the question that naturally arises – what steps can and should be taken to secure the full acceptance of the civil affairs organization as an integral part of the rest of the military machine – we need first to consider why it was that such integration did not normally, or easily, take place, and why civil affairs was so often treated as a poor relation of the rest of the military organization.

First and foremost, the need for civil affairs was not generally accepted or understood by the army. It was accepted at the higher levels, theoretically at least, or the civil affairs organization would never have been called into being. In practice however, there was a tendency, which died hard, to feel that the problems of civil administration in occupied territory were not the proper responsibility of a soldier. Indeed, the subject of civil affairs had never formed part of the curriculum at any British staff college; why should the soldier concern himself with its problems? At lower levels, feeling was

much blunter. The soldier had his work to do, and difficult and dangerous it was; why couldn't the — civilians get on with their business and look after themselves? If the soldier came into contact with civilians at all, it was only too frequently with pilferers who deserved what was coming to them anyway. Why need anyone look after them at all? What more was needed to preserve order than a few shots over, or into, a village?

However, it had been decreed that there should be civil affairs and civil affairs there must be. But the result was a new-fangled organization with no roots in tradition or the past. Its objectives were civil not military, its members were recruited on civil, not on military, qualifications, indeed they were all of age groups or medical categories that debarred them from more active soldiering; they were woefully ignorant of the ways of the army (the converse was, of course, true of their more military colleagues); no 'real' soldier had ever been known to have served in the civil affairs service.

Then, whatever the technical qualifications of the civil affairs officers, their quality was frequently not such as to inspire confidence and respect. Many were high experts in their particular subject, but this did not necessarily ensure success in the knock-about life of the army. Many were officers who had failed in their units and were being unloaded on to civil affairs. A few were persons with real qualifications and real desire to work in the new organization. Many were woefully unsoldierly in appearance and of all it was probably quickly felt that they were not in the ordinary sense soldiers at all — their age and physical condition made this clear.

Another characteristic that did not endear the civil affairs organization to the rest of the army was that in all theatres, except North-West Europe, it claimed some measure of independence from the normal army system of command — in other words, some measure of privilege. There was the A.M.G.O.T. conception of the separate organizational pyramid for civil affairs under which civil affairs officers in the field were withdrawn from the control of local military commanders and subordinated to the C.C.A.O. only. In the Far East there was the dual responsibility of the C.C.A.O. to his military commander and to some civil or political authority. These tendencies could not be expected to work for popularity with the rest of the army.

Another reason why civil affairs was given a less than warm reception has been described by the writer in an earlier volume:

'Notwithstanding the fact that "... the object of military government is to further present and future military operations ..." it is sometimes hard for a commander to see Civil Affairs officers in this light. At a time when he is bending all

energy and resources to the overcoming of his enemy, Civil Affairs staffs easily appear as impediments rather than aids to his operations. On the short view they frequently are, demanding "lift" for relief supplies, protesting against requisitioning (or looting), standing up for the minimum rights and amenities of the civil population. In fact, these activities are intended to facilitate longer term military operations. But for the commander there may be no long term operations if he fails in the immediate battle.¹

Not only was the civil affairs organization competing with the rest of the army for stores and services upon which the success of the battle might depend. Civil affairs officers only came to the notice of most soldiers when they were being called upon to procure labour or local supplies or to discharge some other comparatively menial and domestic duty, or, worse still, when there had been some failure in these respects. The more important functions, involving a high degree of technical skill and judgment, such as the re-establishment of government, the administration of justice, and the conduct of financial and economic business, were performed out of sight of the soldiers. So long as all went well they were taken for granted. If anything went wrong, and it can fairly be said that it seldom did, then it was remembered that there was somebody who could take the blame and was responsible for putting it right.

In Burma, and probably elsewhere also, there were long-standing jealousies between civil and military. In themselves, perhaps, they were not very important. But under the strain of defeat in 1942, of the mutual recriminations that followed, and of the fears that agitated the Government of Burma regarding the competence of the army, they had their effect.

In part, these jealousies were the outcome of the pride and *esprit de corps* that any organization, civil or military, builds up. These in their turn easily give rise to a certain snobbishness and exclusiveness, external and internal. Within the army civilians, commissioned for normal military duties were accepted readily enough. Indeed the great majority of army officers through the Second World War were such and the army depended on them in very great measure. But they began at the bottom and gained their promotion, often very rapidly, by the quality of their service in the army. Civilians commissioned for civil affairs purposes, on the other hand, tended, though not always without difficulty, to be given rank commensurate with the duties which their civil experience qualified them to perform, rank, that is to say, which they had not gained by service within the army, and were perhaps for this reason not so readily

¹ Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, pp. 28-29.

accepted. The civilians themselves, it should in fairness be added, were sometimes extremely reluctant to accept ranks which they had not earned by combatant service. Fortunate were those who gained the rank needed for their tasks in civil affairs by dint of previous fighting.

But if there was a certain reluctance to admit civil affairs officers into a military headquarters at all, there were further barriers to surmount once admission had been gained. Enough has been said earlier in this chapter to explain why the staff felt itself superior to the services. The proposal that the C.C.A.O. should become a principal staff officer and so break into the G, A, and Q preserves, was felt to be shocking, and, although accepted in theory, encountered resistance in practice. But even within the staff there was a further stronghold. There is no doubt that many G staff officers looked down on other branches of the staff and the services. Until the First World War all service on the staff was looked upon as something inferior and to be avoided. Between the two World Wars this outlook began to change, but only partially. Service on the G staff became accepted as a soldierly occupation. The A and Q staffs remained unpopular, but the way to command lay through the G staff which developed into a *corps d'élite*, looking down upon the other branches of the staff, and even more upon the services under the control of the latter. This outlook was not confined to the staff, being shared by many commanders, who indeed had probably risen through the G staff and acquired some of its outlook. When the civil affairs organization was first brought into existence, there was a tendency for it to be made a Q service, subordinate to that branch of the staff – for the reason mentioned above, that in the early stages the more obvious, though less important, functions of civil affairs were concerned with such matters as the procurement of labour and local supplies. As an unimportant Q service, the standing of civil affairs could scarcely have been less in the eyes of the G staff, and of many commanders.

Looking back over these reasons for the unpopularity of the civil affairs organization, it seems that an improvement could be effected if the right of access to some civil or political authority generally conferred upon the C.C.A.O. were withdrawn, and if the separate organizational pyramid for civil affairs were discarded. But these special arrangements, quite alien to normal military practice, were made only for compelling reasons, which have been discussed earlier in this chapter, and to abandon them would not be practicable. The army must be educated to accept them. Then it is clearly a matter of the greatest importance that in recruiting civil affairs officers those should so far as possible be selected, who by their records, personality and character may be expected to prove personally

acceptable to their brother officers. But this need was well appreciated during the Second World War and, within the field of choice available, the quality of the officers recruited was high. Given the priorities that must rate in such circumstances it is most unlikely that the results could be improved upon. Once again the army must be educated.

This, indeed, is the crux of the whole matter, and the only real remedy. The army must be educated to understand the need for civil affairs and the broad nature of the civil affairs task.

This is not an altogether chimerical proposal. Between the First and Second World Wars the importance emerged of research and study in connection with the functions grouped by the army under the heading of 'Movements'. This was then a largely unknown field and its exploration was a new and at first unpopular undertaking. But a small group of outstandingly able officers made it their speciality, to the great advantage of the British army when war came. Their task was easier than would have been the case in regard to civil affairs. The subject was more compact and it was only a small group of researchers and thinkers that needed to be brought into existence, whereas the creation of an organization for civil affairs and military government would have involved preparation for the deployment of considerable numbers on the ground. But there is, perhaps, something to be learned.

For what is the alternative to the establishment of an effective military government? Modern war consumes governments and administrations in its path, leaving anarchy and chaos behind. If authority and the necessary minimum of order and administration are not at once re-established, disorder and subversion can all too quickly erode the victory that has been won in the field. It is said that the British habitually lose all battles except the last. It will profit them nothing to win even the last, if they then throw away the peace.

* * *

But all the foregoing are the lessons of the Second World War. Have they any relevance to wars of the future? This is not a question that the historian can or should answer in any detail. It is, rather, a matter for the planners with the information at their disposal concerning the conditions to be expected in a future war, the resources that are likely to be available, and the priorities that are likely to be imposed by events. But certain very broad assumptions may safely be made regarding the probable nature of future wars. There are presumably two possibilities to be contemplated; conventional war and nuclear war. And in the case of conventional war there are again

two possibilities; a general conflagration and local wars. In either of these conventional war cases, the problems to be encountered will not be altogether dissimilar from those of the Second World War, and the lessons drawn in the earlier parts of this chapter may be not without value. But in one respect it seems certain that conditions will be different. The United Kingdom will not be granted (as, with the exception of Africa, it was in the Second World War) a period of some two or three years in which to plan, assemble, and train the complicated and in many respects highly technical organization that was then put into the field. Military commanders must expect to be faced not only, for example, with refugee problems transcending even those of the last war, and with complicated problems of relations with Allied governments, but with having to tackle these matters themselves, or through their own officers, since there will have been no time to assemble a corps of civilian specialists.

In the case of nuclear war it seems inevitable that this need for self-reliance on the part of the soldiers would be still further emphasized. Disaster would come instantaneously. If a government survived at all in the United Kingdom, its only available instrument for maintaining order and for ensuring fair distribution of any available supplies, might well be the armed forces. Similar conditions would probably be encountered by British forces serving abroad behind the advanced forces. In the battlefield area itself, if such there were, major problems of, for example, refugees, medical care, and feeding, would be bound to arise from the very earliest days. In such circumstances government on the battlefield could only be exercised by military commanders and might easily become their chief pre-occupation. And there would be even less time in which to prepare.

The one lesson that stands out is the need for at least some basic instruction of the army in civil affairs. This has already been mentioned at the close of the preceding section of this chapter. But there it was the need to educate the army to understand what civil affairs officers were seeking to do, in order to facilitate the task of the latter, that emerged; here it is the need to educate the army to conduct civil affairs or military government itself, without recourse to the elaborate quasi-civil organization that was built up in the Second World War that cries for attention. The soldiers must not only appreciate, but be able themselves to tackle, the problems of restoring civil administration.

To the best of the present writer's knowledge there is no instruction in civil affairs and military government at any military establishment. Clearly it is difficult to spare the time in a crowded and technical modern curriculum. And equally clearly the need for peace-time financial economy in defence expenditure places harsh restrictions on what can and cannot be studied. And, of course, every writer on a

specialist subject tends to exaggerate the case for recognition of his particular foible. But if the matter is of sufficient importance the time should be spared. It may be that it has been decided, having regard to all the considerations, that the subject does not qualify for inclusion in the curriculum. It seems more probable that the matter has been allowed to go by default. The lesson of the present volume seems inescapable; that, unless a considered decision has been taken not to do so, the problem ought to be faced, and instruction ought to be provided.

Appendices

APPENDIX I

German Plans for Military Government of England

A short note on German plans for the government of the United Kingdom may be of interest. These were issued on 9th September, 1940, just a week before the turning point in the Battle of Britain.

Government was to be military. Within the *Oberkommando des Heeres*, the German equivalent of the British War Office, responsibility lay upon the Q Branch of the staff. In the War Office it lay initially upon the G Branch, but when the Directorate of Civil Affairs came into existence this was made responsible to the Permanent Under-Secretary of State, the co-ordinating member of the Army Council.¹

Below the *Oberkommando* level there was to be a complete bifurcation of responsibility between the administrative and the economic Staffs. There was no parallel to this under British arrangements.

On the administrative, as opposed to the economic, side the chain of responsibility ran from the *Oberkommando des Heeres* to Army Commanders, to Army L. of C. Area Commanders, to Sub-Area Commanders (*or Feld Kommandants*), and to Town Majors (*or Ortskommandants*). Army Group Commanders stood outside this chain of responsibility but were empowered to issue directions to Army Commanders if necessary in order to secure uniformity of military government measures throughout an Army Group area. British practice in this respect varied in the several theatres of operations. In North-West Europe the main weight of civil affairs responsibility, so far as the British were concerned, lay at 21 Army Group Headquarters.² Under the German plans, L. of C. Area Commanders were given an Administrative Staff for military government matters. Sub-Area Commanders were similarly given an Administrative Section. Town Majors, although exercising military government functions, were given no additional staff for this purpose.

It is noticeable that no provision was made for the exercise of military government functions in areas of active operations, or for the provision of military government staffs for formation or unit commanders. Military government was to be exercised only in static conditions in L. of C. areas, after the battle had passed on.³ It is also clear that no separate military government chain of command was contemplated at any stage.⁴

The economic chain of responsibility ran from the *Oberkommando des Heeres* to the Defence Economic Staff for England (*or Wehrwirtschaftstab*

¹ Cf. Ch. II, p. 26.

² Donnison, *Civil Affairs and Military Government, North-West Europe, 1944-46*, H.M.S.O., 1961, especially Chapters IV and XI.

³ Cf. *ibid.*, pp. 27-32.

⁴ Cf. Ch. XIV, pp. 316-324.

England), to Defence Economic Commands (or *Wehrwirtschafts-Kommandos*), and to Economic Officers (or *Wirtschafts-Offiziere*). The Defence Economic Staff for England was required to maintain constant liaison with the headquarters of Armies and to comply with certain requests if received from these. But it was in no way under the command of the Army Commanders or of an Army Commander's Military Government Administrative Staff, being responsible directly and exclusively to the Q Branch of the *Oberkommando des Heeres*.

As to the objects of this organization, it was laid down in a directive issued from the *Oberkommando des Heeres* that 'the main task of military government is to make full use of the country's resources for the needs of the fighting troops and the requirements of German War economy'. This task was divided between the administrative and economic staffs, the former being required 'to secure the labour resources of the country for the requirements of the troops and German war economy', while the latter were to be employed on 'the economic exploitation of the country'.

What economic exploitation would have involved appears more clearly from the duties of the Defence Economic Commands which were set out as being: 'to seize, secure, and remove raw materials, semi-finished products and machinery of military importance . . .'. It was also publicly notified that: 'the following goods are hereby requisitioned: Agricultural products, food and fodder of all kinds, ores, crude metals, semi-finished metal products of all kinds including precious metals, asbestos and mica, cut or uncut precious or semi-precious stones, mineral oils and fuels of all kinds, industrial oils, and fats, waxes, resins, glues, rubber in any form, all raw materials for textiles, leather, furs and hides, round timber, sawn timber, timber sleepers, and timber masts'. However - 'All goods are excluded from requisitioning which are part of a normal household stock' and 'Farmers and tradesmen, including innkeepers, may retain such stocks of agricultural products, food and fodder as are essential for supplying their clients with absolute necessities. To the same limited extent petty craftsmen and shops may supply goods to consumers'.

Comparison of these objectives with those of the Supreme Commander of the Anglo-American forces that invaded and occupied Germany reveals little difference between the respective policies for the exploitation of the economic resources of countries occupied by them.

'The objectives of the Supreme Commander in respect to agriculture, food processing, fisheries and forestry are to obtain the full use of existing supplies and to ensure the fullest possible exploitation of these industries to provide for the needs of Allied Military forces and United Nations Displaced Persons, for such exportable surpluses as may be required by Allied authorities, and for the minimum requirements of the German population.' In respect of trade and industry it was laid down that

'The objectives are:

(a) to ensure, to the extent that it is feasible, the production and maintenance of goods and services essential:

(i) to meet the needs of the Allied military forces.

- (ii) to prevent or alleviate epidemics of serious disease and serious civil unrest which would endanger the occupying forces and the accomplishment of the objectives of the occupation.
- (b) to prevent the dissipation or sabotage of German resources and equipment.
- (c) to secure such other objectives of the occupation and military government of Germany as may be required by the Supreme Commander.'

In the matter of requisitioning, the Anglo-American forces did not issue comprehensive orders comparable to the German announcement, but they achieved virtually the same result by requiring that all German economic controls should continue but should operate under Allied orders. These controls embraced the whole of the German economy, and gave the Allies absolute power over the economic resources of the country. There was nothing in either of these sets of plans repugnant to the admittedly obscure provisions of international law regarding the utilization of enemy property, public or private.

Under the German plans, while the economic staffs were establishing control of the material resources of the country, the administrative staffs, as we have seen, were to secure its labour resources. What this would have meant becomes clear from the instructions that 'the able-bodied male population between the ages of 17 and 45, will, unless the local situation calls for an exceptional ruling, be interned and despatched to the continent with the minimum of delay'. Not only was it explicitly directed that this was the main task of military government but it was, in addition, provided that the preservation of law and order, mandatory under international law, should be undertaken only because this appeared necessary for the performance of the task of securing the labour resources of the country - 'An essential condition for securing the labour of the country is that law and order should prevail. Law and order will therefore be established.' Furthermore - 'The welfare of the inhabitants of the country and the interests of the country's national economy . . . will be considered in so far as they contribute directly or indirectly towards the maintenance of law and order and the securing of the country's labour . . .'

In regard to this aspect of the exploitation of an occupied country's resources, its human as opposed to its material resources, there was fortunately no parallel in the Anglo-American instructions; fortunately, because on any view of the matter this was a serious breach of international law. According to Lauterpacht:

'In the Second World War the practice, once more resorted to by Germany, of deporting inhabitants of occupied territory for forced labour assumed the complexion of a major war crime of staggering magnitude and brutality. Apart from the systematic extermination of large sections of the population in occupied territory, it constituted the principal war crime of Germany and her leaders in the course of the Second World War. The crime of

deportation was aggravated by the conditions of work and the discipline, amounting to terror, to which the persons thus forcibly separated from their families were subjected in Germany. According to the judgment of the International Military Tribunal at Nuremberg, at least 5,000,000 workers were thus transported to serve German industry and agriculture – many of them under terrible conditions of cruelty and suffering. In the Indictment, deportation for slave labour was included among the war crimes. It was treated as such by the Tribunal which sentenced to death Fritz Sauckel, the Minister in charge of the slave labour programme – this being the only crime of which he was convicted. Other tribunals adjudicating upon war crimes equally condemned that practice as utterly illegal and criminal.¹

It is clear that if the German forces had succeeded in occupying England there would have been yet another item in the Indictment for deportation of slave labour.

There was another respect in which the German plans for the military government of England differed from those of the Allies for the government of Germany: this was in regard to the law that would be administered in the occupied territory. Under German as well as Allied plans there would exist side by side both military government legislation and indigenous laws, to the extent that these were not inconsistent with the purpose of the occupation. But in the German plans for the military Government of England it was intended also to extend and apply the criminal law of Germany. To the extent that this implied the extension of German sovereignty over England, or annexation before the termination of war, this was also a breach of international law.

Apart from these two points of difference – the deportation of labour, and the application of German criminal law – there was close, often surprisingly close, correspondence between the German and the Allied plans. On certain plainly essential matters, such as the surrender of firearms and of wireless transmitters, the wording of the orders was virtually identical. So also were the penalties for disregarding these particular orders, which in both cases might amount to death.

But however closely the plans corresponded in detail it would, obviously, be totally misleading to suggest that they were in any way comparable in their broad purpose and spirit. The immediate task of German military government in England was to secure the labour and exploit the other economic resources of the country. The wider purpose of the war and of occupation in England was the conquest of Europe and the establishment over the continent, if not over the world, of Nazi Domination, with its evil doctrines and institutions. The purpose of the Anglo-American Allies was to save themselves and the rest of the world from this fate, to destroy Nazism, Fascism, and German militarism, and to allow, indeed to encourage, the countries liberated from German domination to establish, or to re-establish, governments of their own choice.

¹ Oppenheim, *International Law*, Seventh Edition, edited Lauterpacht, London, 1952, Vol. II, p. 442.

APPENDIX 2

Civil Affairs Chronology

Appendix 2, Chronology

1940—

1940	CENTRAL ORGANIZATION AND PLANNING	AFRICA AND THE DODECANESE
	<i>(Page references are to Civil Affairs and Military Government, Central Organization and Plan- ning, Donnison)</i>	<i>(Page references are to British Military Adminis- tration in Africa, 1941- 1947, Rennell)</i>
January	First 'Politico-Military' course held in Cambridge, p. 295.	
July	30 First Manual of Civil Affairs issued by U.S. Army, p. 308.	
August	20 Churchill in House of Commons promised food for Europe on liberation from Nazis—starting point for relief planning, p. 137.	
September	Inter-departmental Com- mittee set up in London on Food Surpluses, p. 138.	
December	7 Wavell's telegram (see next column) received in War Office, p. 1.	6 Wavell's telegram to War Office regarding adminis- tration of occupied terri- tory, p. 11. 9 British forces invaded Cyrenaica, p.11.
1941 January	2 Sir Philip Mitchell chosen to head O.E.T.A. in Africa, p. 21. 30 Inter-departmental Meet- ing in War Office to discuss Wavell's telegram, p. 22.	Preparation for administra- tion of occupied enemy territory, p. 35. 19 British forces invaded Eritrea, p. 97. 20 Emperor Haile Selassie re- entered Ethiopia, p. 61. 26 Mitchell became Chief Political Officer (C.P.O.) in Cairo, p. 24.
February	20 War Cabinet allocated responsibility in Whitehall for O.E.T.A. to W.O., p. 23.	10 O.E.T.A. (Eritrea) set up at Agordat, p. 98. 14 British forces invaded Italian Somaliland, p. 151. 18 O.E.T.A. (Cyrenaica) set up at Benghazi, p. 35.
March	26 O.E.T.A. Committee set up in London, p. 34. 31 M.O.11 Branch formed in War Office, p. 24.	14 O.E.T.A. set up at Moga- dishu (Italian Somaliland), p. 152. 16 British forces re-occupied British Somaliland, p. 175. 21 British Military Adminis- tration established in British Somaliland, p. 177.

1941	CENTRAL ORGANIZATION AND PLANNING <i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i>	AFRICA AND THE DODECANESE <i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i>
April		British forces driven out of Cyrenaica and O.E.T.A. withdrawn, p. 38. 6 Addis Ababa occupied; British Military Administration established, p. 66. 15 Military Governor, British Somaliland, established at Hargeisa, p. 177. 15 C.P.Os. H.Q. transferred from Cairo to Nairobi, p. 57.
May		5 Haile Selassie re-instated as Emperor at Addis Ababa, p. 67.
August		1 Separate Civil Affairs Chain of Command established in Eritrea and Italian Somaliland, pp. 115 and 165.
September	St. James's Palace meeting and Inter-Allied Post-War Requirements Committee and Bureau set up, p. 139.	
November		British forces began second invasion of Cyrenaica, p. 244.
December	Washington Conference ('Arcadia'), p. 45.	Political Officers re-entered Cyrenaica, p. 244.
1942 January	Washington Conference ('Arcadia'). Combined Chiefs of Staff Committee set up, p. 45.	31 Agreement and Convention concluded with Emperor Haile Selassie, p. 92.
February	9 U.S. authorized establishment of School of Military Government, p. 296.	1 Hone appointed C.P.O., North, Cairo; Mitchell became C.P.O., South, Nairobi; p. 304.
May	11 First course at U.S. School of Military Government, Charlottesville, p. 296.	5 Diego Suarez occupied; Military Administration established under control from London; p. 210.
June	1 Military Sub-Committee formed in London to consider Armistice Terms and Control Machinery, p. 82. 20 F.5. Branch formed in War Office, p. 237.	30 British forces driven out of Cyrenaica to El Alamein, p. 8.

1942	<p>CENTRAL ORGANIZATION AND PLANNING</p> <p><i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i></p>	<p>AFRICA AND THE DODECANESE</p> <p><i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i></p>
June—(contd.)	<p>23 Sir Edward Bridges' meeting regarding administration of territory to be occupied in Europe, pp. 34, 142. Administration of Territories (Europe) Committee formed, p. 35.</p> <p>29 War Cabinet recognized initial period of military responsibility for provision of relief to civilians, p. 143.</p>	
July		<p>1 Control of Diego Suarez administration transferred from London to East Africa Command, p. 213.</p>
August		
September		<p>10 British forces landed at Majunga in Madagascar, p. 216.</p> <p>23 British Military Administration established in Madagascar, p. 224.</p>
October	<p>D.C.C.A.O. N.W.E. (see fifth column) attached to War Office, p. 28.</p>	<p>23 Battle of El Alamein began, p. 9.</p>
November	<p>Anglo-American 'Torch' landings in North Africa; absence of preparations for C.A., p. 62.</p>	<p>11 British military occupation of Cyrenaica announced, p. 249.</p> <p>21-28 Political officers established at Derna, Cyrene, Barce and Benghazi, p. 250.</p>
December		<p>13 Political Officers established at Agedabia, p. 607.</p> <p>15 B.M.A. Tripolitania established, p. 268.</p> <p>17 Anglo-French agreement regarding Madagascar, p. 233.</p> <p>23 H.Q. Military Government of Cyrenaica established at Barce, p. 251.</p> <p>28 Agreement concluded with French Somaliland, p. 608.</p>

<p>ITALY</p> <p><i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i></p>	<p>FAR EAST</p> <p><i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i></p>	<p>NORTH-WEST EUROPE</p> <p><i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i></p>
	<p>Proposals formulated by Government of Burma for administration of Burma on re-occupation, pp. 33-34.</p>	<p>Civil Affairs Section formed at European Theatre of Operations, U.S. Army (E.T.O.U.S.A.), p. 12.</p>
	<p>1 Military Administration established at Maungdaw in Arakan, under local arrangements, p. 22.</p>	
	<p>Military administration withdrawn from Maungdaw to Bawli Bazaar in India, p. 23.</p>	<p>D.C.C.A.O. N.W.E. (see first column) appointed to plan for administration of countries to be occupied in north-west Europe, p. 9.</p>
	<p>War Cabinet decided administration on re-occupation of Burma to be military not civil, p. 37.</p>	
	<p>Military Administration re-established at Maungdaw, p. 23.</p>	

1943	<p>CENTRAL ORGANIZATION AND PLANNING</p> <p><i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i></p>	<p>AFRICA AND THE DODECANESE</p> <p><i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i></p>
January	C.A.S.C. formed at Wimbledon, p. 297.	7 British Military Administration in Madagascar terminated, p. 238.
February	25 First C.A.S.C. course began, p. 297. Administration of Territories (Balkans) Committee formed in Cairo, p. 35.	1 H.Q. Military Government of Cyrenaica established at Beda Littoria, p. 608. Administration of Territories (Balkans) Committee formed in Cairo (see also first column).
March	A.T.(E) Legal Sub-Committee formed, p. 36. A.T.(E) Shipping and Supply Sub-Committee formed, pp. 36-37. Civil Affairs Division set up in Washington, p. 65.	10 British Military Government became British Military Administration, Cyrenaica, p. 251. 30 Rennell called to London to confer regarding administration of Sicily and Italy, p. 308.
April	Ward-Perkins seconded as Monuments Officer in Tripolitania, p. 215.	Ward-Perkins seconded as Monuments Officer (see also first column). 26 Hone recalled to London to plan for administration of Malaya, p. 309. 26 On departure of Rennell, post of C.P.O. East Africa Command, downgraded to C.C.A.S.O., p. 308. 26 C.C.A.O. required to plan for administration of Balkans, p. 309.
May	12 W.O. received urgent request for police for Sicily, p. 272. Prime Minister visited Algiers (see also third column), p. 57.	3 Fighting ceased in Tunisia, p. 279.
June	Directorate of C.A. formed and Kirby appointed D.C.A., p. 26. Inter-Allied Committee on Post-War Requirements submitted report, p. 140. Metropolitan police party moved to Algiers, p. 272.	20 Civil Affairs Staff School set up at Mena in Egypt, p. 610.

<p>ITALY</p> <p><i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i></p>	<p>FAR EAST</p> <p><i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i></p>	<p>NORTH-WEST EUROPE</p> <p><i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i></p>
		<p>Casablanca Conference decided on invasion of north-west Europe, p. 4.</p>
<p>8 Eisenhower formulated proposals for administration of Sicily, p. 1.</p>	<p>15 C.C.A.O. (Burma) appointed at G.H.Q. (India) and took over administration of Arakan, p. 31.</p>	
<p>24 Appreciation and Outline Plan (Spofforth Plan) prepared at A.F.H.Q. for Sicily, p. 2.</p>		<p>C.O.S.S.A.C. H.Q. formed for invasion of Europe, p. 4.</p>
<p>6 Rennell began planning in Algiers for administration of Sicily, p. 2.</p>	<p>20 Military Administration withdrawn from Maungdaw to Bawli Bazaar, p. 23.</p>	
<p>Planning and training centre set up at Chrea in Algiers, p. 25. Prime Minister visited Algiers; agreement reached regarding organization for administration of Sicily (see also first column).</p>		<p>19 General Morgan (C.O.S.S.A.C.) conferred with Rennell, p. 12.</p>
<p>11 Pantellaria taken and Military Government established, p. 33.</p>		

1943	<p>CENTRAL ORGANIZATION AND PLANNING</p> <p>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, <i>Donnison</i>)</p>	<p>AFRICA AND THE DODECANESE</p> <p>(Page references are to British Military Administration in Africa, 1941-1947, <i>Rennell</i>)</p>
July	<p>6 First Peel House Course began, p. 304. C.C.A.C. formed in Washington, p. 67. Civil Affairs Branch of British Army Staff formed in Washington, p. 72. M.P.U. (see fourth column) attached to War Office, p. 28. Post-Hostilities Planning Sub-Committee (P.H.P.) set up in London, p. 92.</p> <p>27 Eisenhower sought guidance regarding Armistice Commission for Italy, p. 86.</p>	
August	<p>4 A.C.A. Committee formed in London, p. 38. D.C.C.A.O., N.W.E., transferred from War Office to C.O.S.S.A.C., p. 28. P.H.P. Sub-Committee began planning for control machinery in Germany, p. 92. Young-Sinclair estimates for relief of civilians completed and sent to Washington, p. 154.</p> <p>20 Roosevelt appointed Roberts Commission for protection of Monuments, etc., p. 217.</p>	
September	<p>3 C.C.A.C. Charter issued, p. 68. C.A. 20 Branch formed in W.O. for specialists, p. 27. C.C.A.C./S. formed, pp. 77, 155.</p>	<p>10 C.A. party landed Castellorizo, p. 504. 16 C.A. party landed Cos, p. 504. 20 C.A. party landed Leros, p. 504. 22 C.A. party landed Samos, p. 504. 25 C.A. party landed Calymnos, p. 504. 28 C.A. party landed Ikaria, p. 504. 30 C.A. party landed Symi, p. 504.</p>

<p>ITALY</p> <p><i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i></p>	<p>FAR EAST</p> <p><i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i></p>	<p>NORTH-WEST EUROPE</p> <p><i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i></p>
<p>10 Allied forces invaded Sicily, C.A.O.s. accompanying, p. 34.</p>	<p>Malayan Planning Unit (M.P.U.) formed in London, p.139.</p>	<p>21 Army Group formed, p. 7.</p>
<p>17 Enemy resistance ceased in Sicily, p. 34.</p>		<p>Civil Affairs Division formed at C.O.S.S.A.C. H.Q., p.13. 'Country Houses' formed, to plan administration for countries to be occupied, p. 13. 26 U.S. and U.K. accorded limited recognition to F.C.N.L., p. 43.</p>
<p>3 Eighth Army landed in Italy, p. 68. Military government established in Reggio, p. 69. 3 Armistice concluded with Italy, p. 105. 8 Unconditional surrender of Italy announced, p. 105. 9 Allied forces landed at Salerno, p. 82. 9-12 Allies forces landed at Taranto, p. 73. 13 Elements of Mason-Macfarlane Mission arrived in Taranto, p. 74 'King's Italy' (Apulia, minus Foggia, plus Sardinia) recognized, pp. 74-75.</p>		

1943	CENTRAL ORGANIZATION AND PLANNING <i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i>	AFRICA AND THE DODECANESE <i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i>
October	<p>15 C.C.S. Directive issued regarding administration of Italy, p. 90.</p> <p>23 A-M Tedder initiated action to protect monuments, p. 236 (see also third column).</p> <p>26 War Cabinet allocated responsibility in Whitehall for Control Commissions, p. 95. D.C.A. attended Cairo Conference ('Sextant'), p. 74. Chief Planner appointed in Colonial Office for administration of Borneo. Hong Kong Planning Group set up in Colonial Office.</p>	<p>5 C.A. party withdrawn from Calymnos, p. 504.</p> <p>9 C.A. party withdrawn from Symi, p. 504.</p> <p>13 C.A. party withdrawn from Cos, p. 504.</p>
November	<p>1 Agreement concluded to set up E.A.C., p. 103. Sir Leonard Woolley appointed Archaeological Adviser to W.O., p. 217.</p> <p>9 U.N.R.R.A. Agreement concluded, p. 140.</p> <p>10 U.S. President placed responsibility for relief on Army, pp. 148-149. S.L.A. Committee set up, A.C.A.O. Committee set up, p. 39. S.L.A.O. Committee set up, p. 39. E.A.C. set up in London, p. 103. British Red Cross invited to take part in relief of Refugees and Displaced Persons in Sicily, p. 179. (see also third column). Refugee Section formed within C.O.S.S.A.C., p. 187.</p>	<p>16 C.A. party withdrawn from Leros, p. 504.</p> <p>17 C.A. party withdrawn from Samos, p. 504.</p> <p>19 C.A. party withdrawn from Icaria, p. 504.</p> <p>21 C.A. party withdrawn from Castellorizo, p. 504.</p>
December	<p>Colonel (C.A.) appointed in War Office, p. 28.</p> <p>C.A.7 Branch formed for Control Commission business, p. 28.</p> <p>C.C.A.C./B. formed in Washington, p. 77.</p> <p>Second U.S. Manual of Civil Affairs issued, p. 309.</p>	

<p>ITALY</p> <p><i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i></p>	<p>FAR EAST</p> <p><i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i></p>	<p>NORTH-WEST EUROPE</p> <p><i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i></p>
<p>1 Allied forces entered Naples, rumours of looting, p. 85.</p> <p>3 Compartimenti of Calabria and Lucania passed to direct control by C.C.A.O., p. 70. King of Italy declared war on Germany, pp. 94-95.</p> <p>23 A-M Tedder initiated action to protect monuments, etc, from air-bombing (see also first column).</p> <p>24 A.M.G.O.T. renamed A.M.G. and became A.M.G. Forward and A.M.G. Rear, p. 96.</p>	<p>28 South-East Assia Command (S.E.A.C.) formed, p. 56. Colonel (C.A.) appointed at SEAC H.Q., p. 57. Chief Planner for administration of Borneo appointed in Colonial Office, p. 145. Hong Kong Planning Group set up in Colonial Office, p. 149.</p>	<p>C.A. staff formed at 21 Army Group, p. 14.</p> <p>28 C.O.S.S.A.C. discards 'A.M.G.O.T. conception' of C.A., p. 20.</p>
<p>10 Allied Control Commission formed, p. 110. British Red Cross invited to take part in relief of Refugees and Displaced Persons in Sicily (see also first column).</p>	<p>15 S.E.A.C. took over from G.H.Q. (India); 11th Army Group formed; p. 56. Advance into Arakan began; S.C.A.O. upgraded to D.C.C.A.O.; p. 64.</p>	<p>'Country Houses' transferred from W.O. to C.O.S.S.A.C., p. 14. Refugee Section formed within C.O.S.S.A.C. (see also first column). Control Commission Planners set up in London, p. 250.</p>
	<p>31 Agreement concluded clandestinely in Malaya between Malayan Communist Party—Anti-Japanese Forces—Anti-Japanese Union—Representatives of S.E.A.C., p. 380.</p>	

1944	CENTRAL ORGANIZATION AND PLANNING <i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i>	AFRICA AND THE DODECANESE <i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i>
January	<p>E.I.P.S. set up, p. 93. Bovenschen and Stopford visited Washington in connection with relief estimates and formation of C.C.A.C./L., pp. 76, 159. U.S. War Department produced Plan A, p. 160. C.C.A.C./L. Committee set up, p. 76. Responsibility for D.Ps. within W.O. placed on D.C.A., p. 188. 20 War Cabinet reviewed measures for protection of monuments, etc., pp. 223-225. C.O.S.S.A.C./S.H.A.E.F. Refugee Section renamed Displaced Persons Section, p. 189.</p>	<p>H.Q. B.M.A. set up at Barce, p. 613. 26 A.T.(B)1. H.Q. set up at Maadi to plan for administration of the Balkans, p. 508.</p>
February	<p>5 War Office Manual of Civil Affairs issued, pp. 308-309. Peel House courses ended, p. 304.</p>	<p>28 A.T.(B)1 H.Q. reverted to command of C.A. Branch, G.H.Q., M.E., p. 508.</p>
March	<p>25 British Red Cross invited to take part in relief of Refugees and Displaced Persons in North-West Europe, p. 183. (see also fifth column).</p>	
April	<p>A.P.W. Committee replaced A.C.A. Committee, p. 41.</p>	<p>24 A.T.(B)1 H.Q. transferred to Cyprus, p. 508.</p>
May	<p>9 Macmillan Committee for preservation and restitution of works of art appointed, pp. 228-229.</p>	

<p>ITALY</p> <p><i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i></p>	<p>FAR EAST</p> <p><i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i></p>	<p>NORTH-WEST EUROPE</p> <p><i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i></p>
<p>22 Allied forces landed at Anzio, C.A.O.s accompanying, p. 159.</p>	<p>1 Military Administration formally proclaimed for Burma; C.C.A.O. (Burma) transferred from G.H.Q. (India) to H.Q. 11th Army Group; p. 58. Advance elements of M.P.U. began moving from London to Delhi; pp. 139-140.</p>	<p>1 Planning began for re-occupation of Channel Islands, p. 171. C.O.S.S.A.C./S.H.A.E.F. Refugee Section renamed Displaced Persons Section (see also first column).</p>
<p>11 Italy South of northern boundaries of Bari, Potenza, and Salerno, together with Sicily and Sardinia, restored to Italian Government control, p. 122.</p>	<p>Japanese offensive in Arakan held and broken, p. 64.</p>	<p>1 21 Army Group H.Q. drew up Initial Joint Plan, p. 58. 7 Danish Country Unit formed, p. 153. C.O.S.S.A.C. became S.H.A.E.F.; C.A. Division reorganized; p. 14. Control Commission Planners renamed Control Commission (Military Section), p. 250. Shrivenham became Mobilization Centre for U.S. recruits, p. 33.</p>
	<p>Japanese launched offensive in Assam; Most C.A. officers withdrawn; p. 65.</p>	<p>25 British Red Cross invited to take part in relief of Refugees and Displaced Persons in North-West Europe (see also first column).</p>
		<p>Grasett relieved Lumley as A.C.O.S. G-5, S.H.A.E.F., p. 14. C.A. Mobilization and Training Centre set up at Eastbourne for British recruits, p. 32.</p>
	<p>Myitkyina airfield occupied in N. Burma and C.A. officers established, p. 82.</p>	<p>1 Standard Policy and Procedure issued by S.H.A.E.F., p. 34.</p>

1944	CENTRAL ORGANIZATION AND PLANNING <i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i>	AFRICA AND THE DODECANESE <i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i>
May — <i>(contd.)</i>	S.H.A.E.F. issued Outline Plan for Refugees and Displaced Persons, p. 193 (see also fifth column).	
June		
July	Kirby appointed Deputy Commissioner, British Element, C.C.G. (see also fifth column), pp. 28, 108. Anderson appointed D.C.A., p. 109. C.A.7 Branch became C.A.(D.P.), p. 29. E.A.C. agreement concluded on unconditional surrender document, p. 128.	
August		25 Anglo-Ethiopian Agreement expired, p. 494. 31 Planning began for administration of Dodecanese Islands, p. 508.

ITALY	FAR EAST	NORTH-WEST EUROPE
<p>(Page references are to Allied Military Administration of Italy, 1943-1945, <i>Harris</i>)</p>	<p>(Page references are to British Military Administration in the Far East, 1943-1946, <i>Donnison</i>)</p>	<p>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, <i>Donnison</i>)</p>
<p>4-5 German forces withdrew from Rome, p. 163. 5 Allied Military Government established in Rome, p. 163. King of Italy retired in favour of his son, p. 138. 15 Rome became an A.M.G. Region, p. 171.</p>	<p>22 Imphal relieved; Japanese offensive in Assam broken; p. 66.</p>	<p>16 C.A. Agreements concluded with Norway, Belgium, and the Netherlands, p. 40. S.H.A.E.F. issued Outline Plan for Refugees and Displaced Persons (see also first column). 6 Allied forces landed in Normandy, p. 73. 7 C.A. officers established in Bayeux, p. 75. 9 Advance elements of 2nd Army C.A. staff landed in Normandy, p. 73. 26 Cherbourg taken and C.A. officers established, p. 85.</p>
<p>15 Italian Government and A.C.C. transferred from Salerno to Rome, p. 204. 20 Campania (except Naples) restored to Italian Government control, p. 171.</p>	<p>9 C.A. officer established at Layshi in Naga Hills, Burma, p. 99</p>	<p>8 D.C.C.A.O. 21 Army Group established advanced H.Q. at Le Manoir, p. 84. 9 Caen taken and C.A. officers established, p. 85. 25 Allied Forces broke out from Normandy bridgehead, p. 88. Control Commission (Military Section) became British Element, Control Commission for Germany (see also first column), p. 251.</p>
<p>4-13 A.M.G. progressively established in Florence, pp. 186-187. 15 Rome, Frosinone and Littoria restored to Italian Government control, p. 205.</p>	<p>3 Myitkyina taken: C.A. officers established; p. 83. 6 C.A. officers established Tamu, Burma, p. 99.</p>	<p>15 Allied forces landed in south of France, p. 93. 25 Allied forces entered Paris and C.A. officers established, p. 90. C.A. Agreement concluded with France, p. 54. U.S. Group Control Council formed, p. 252. British Element formed to plan for administration of Austria, p. 284.</p>

1944	<p>CENTRAL ORGANIZATION AND PLANNING</p> <p><i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i></p>	<p>AFRICA AND THE DODECANESE</p> <p><i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i></p>
September	<p>C.C.S. approved S.H.A.E.F. Outline Plan for R. and D.P., p. 194.</p>	<p>12 German forces evacuated Mytilene, p. 615. 16 German forces began to evacuate Samos, p. 615. 26 German forces evacuated Symi, p. 510.</p>
October	<p>Training for Far East began at R.E.M.E. Officers Training School, Kettering, p. 303.</p>	<p>1 Greek patrol reached Symi, p. 510. 8 Samos captured; Corinth reached by Land Forces, Adriatic; p. 615. 9 B.M.A. relief party left for Khios, p. 511. 17 Lemnos occupied, p. 615. 18 Carpathos occupied, p. 615. 22 B.M.A. to be set up in Carpathos, p. 615. 24 B.M.A. caiques reached Symi and food distributed, p. 511.</p>
November	<p>Training for Far East began at C.A.S.C. Wimbledon, p. 303. E.A.C. concluded agreement on control machinery, p. 104. 25 S.H.A.E.F.-U.N.R.R.A. agreement concluded, R. and D.P. (see also fifth column), p. 196.</p>	

ITALY	FAR EAST	NORTH-WEST EUROPE
<p><i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i></p> <p>10 Command of A.C.C. transferred from 15th Army Group to A.F.H.Q., now at Caserta, p. 256.</p> <p>26 Hyde Park Declaration issued announcing that A.C.C. would become Allied Commission, and that British High Commissioner would become Ambassador, p. 231.</p>	<p><i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i></p>	<p><i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i></p> <p>4 C.A. Detachment reached Brussels, p. 113.</p> <p>4 S.H.A.E.F. Mission reached Luxembourg, p. 123.</p> <p>5 C.A. Detachment reached Antwerp, p. 113.</p> <p>6-16 S.H.A.E.F. Mission arrived in Paris, p. 99</p> <p>9 S.H.A.E.F. Mission arrived in Brussels, p. 114.</p> <p>10 S.H.A.E.F. Mission to Netherlands arrived in Brussels, p. 130.</p> <p>17 Operation 'Market-Garden' began (Arnhem), p. 131.</p>
<p>Viterbo, Rieti, Teramo, Chieti, Pescara, and Aquila restored to Italian Government control. p. 194, Map 9.</p> <p>27 A.C.C. became A.C. followed by exchange of diplomatic representatives Rome, London, Washington, p. 234.</p>	<p>C.A. Officer established at Tamanthi, Burma, p. 99.</p>	<p>23 F.C.N.L. recognized as Provisional Government, p. 103.</p> <p>23 Zone of Interior proclaimed, covering three quarters of France, p. 103.</p>
<p>10 Macmillan appointed Acting President of Allied Commission, p. 234.</p>	<p>12 11th Army Group became A.L.F.S.E.A., p. 60.</p>	<p>3 C.A. Detachment established in Flushing, p. 137.</p> <p>XXX Corps established Military Government in Gangel, p. 207.</p> <p>25 S.H.A.E.F.-U.N.R.R.A. agreement concluded, R. and D.P. (see also first column)</p> <p>25 Unlawful procession dispersed, Brussels, p. 119.</p> <p>28 First convoy of ships reached Antwerp, p. 121.</p>

1944	CENTRAL ORGANIZATION AND PLANNING <i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i>	AFRICA AND THE DODECANESE <i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i>
December		<p>1 Crete, except Suda Bay, Canea, and Maleme, cleared of German forces, p. 616.</p> <p>19 Anglo-Ethiopian agreement concluded, p. 494.</p> <p>25 B.M.A. proclaimed on Symi, p. 616.</p>
1945 January		
February	<p>Agreement concluded U.S.-U.K.-Canada on bearing cost of relief supplies, p. 168.</p> <p>Agreement concluded at Yalta regarding repatriation of D.Ps. to Russia, p. 204.</p>	
March		<p>4 B.M.A. personnel landed on Telos, p. 617.</p>
April	<p>29 M.P.U. left War Office and moved to India, p. 28.</p>	

ITALY	FAR EAST	NORTH-WEST EUROPE
<p>(Page references are to Allied Military Administration of Italy, 1943-1945, <i>Harris</i>)</p>	<p>(Page references are to British Military Administration in the Far East, 1943-1946, <i>Donnison</i>)</p>	<p>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, <i>Donnison</i>)</p>
<p>5 Ravenna occupied, p. 196.</p>	<p>C.A. officer established Homalin, Burma, p. 99</p>	<p>1 S.H.A.E.F. Handbook issued for pre-surrender Military Government of Germany, pp. 193-198.</p>
<p>31 'New Deal' Directive issued reducing control over Italian Government, p. 251.</p>	<p>3 D.C.C.A.O. entered Akyab, p. 106. C.A. officers moved from Tamu to Kalewa, Burma, p. 99.</p>	<p>Planning began for 'B2 Area' of the Netherlands, p. 142.</p>
	<p>Advance elements 50 C.A. Unit for administration of Borneo began to arrive Australia, p. 149.</p> <p>21 C.A. officers established Kyaukpyu and and Pakokku, Burma, pp. 99, 107.</p>	<p>Military Government progressively established in Germany west of the Rhine, pp. 210-213.</p>
	<p>4 Meiktila occupied and C.A. officers established, but British forces besieged by Japanese, p. 102.</p> <p>24 C.A. officers established in Mandalay, p. 105.</p> <p>27 Burma National Army (B.N.A.) defected from Japanese and joined British forces, p. 352.</p> <p>28 Meiktila relieved, p. 103.</p>	<p>23-24 British forces crossed the Rhine, p. 214.</p>
<p>9 Final offensive opened, p. 295.</p> <p>21 A.M.G. established in Bologna, p. 297.</p> <p>27 A.M.G. established in Genoa, p. 300.</p> <p>30 A.M.G. established in Turin, Milan, and Venice, p. 300.</p>	<p>4 C.A. officers established in Myingyan and Pinyinmana, Burma, p. 108.</p> <p>27 B.B.C.A.U. raised and advance elements moved to Morotai, pp. 175, 176. C.A. officers established in Toungoo, p. 108. Main body of M.P.U. arrived in Barrackpore, p. 153.</p>	<p>15 British forces uncovered Belsen camp, pp. 219-224.</p> <p>24 Zone of Interior extended in France, pp. 103-104.</p> <p>29 Food drops in 'B2 Area' began, p. 145. Military Government progressively established throughout British Zone of Germany and Provincial Detachments progressively deployed, pp. 216-219. British Element, C.C.G., began moving to France, p. 258.</p>

1945	<p style="text-align: center;">CENTRAL ORGANIZATION AND PLANNING</p> <p><i>(Page references are to Civil Affairs and Military Government, Central Organization and Plan- ning, Donnison)</i></p>	<p style="text-align: center;">AFRICA AND THE DODECANESE</p> <p><i>(Page references are to British Military Adminis- tration in Africa, 1941- 1947, Rennell)</i></p>
May	<p>12 E.A.C. agreement concluded on Declaration of Defeat and Assumption of Authority, p. 131. Hong Kong Planning Group attached to War Office.</p>	<p>1 Greek raiding forces landed on Rhodes and Alimnia, p. 617. 9 B.M.A. staff sailed for Rhodes, Cos, and Leros, p. 618. 10 B.M.A. formally established in Dodecanese, p. 618.</p>
June	<p>1 British Element C.C.G. took the field, p. 113.</p>	
July	<p>8 O.R.C. Committee replaced A.P.W. Committee, p. 41.</p>	

ITALY <i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i>	FAR EAST <i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i>	NORTH-WEST EUROPE <i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i>
<p>2 German forces in Italy surrendered. Provinces of Florence, Pistoia, Lucca, and Apuania passed from A.M.G. 5th Army to Region VIII, p. 354.</p> <p>10 Provinces of Siena, Grosseto, and Arezzo, and Compartimenti of Umbria, and Marche (less Ancona) restored to Italian Government control, pp. 354-355.</p>	<p>C.A. officers established in Pegu and Sandoway, Burma, pp. 107, 108.</p> <p>7 D.C.C.A.O. arrived in Rangoon, p. 109.</p> <p>15 Aung San ex-filtrated to 14th Army, p. 355.</p> <p>C.A. officers established in Henzada, Burma, p. 108.</p> <p>25 C.A. officers established in Bassein, Burma, p. 110.</p>	<p>5 German forces on British front surrendered, p. 224.</p> <p>7 Unconditional surrender of Germany, p. 263.</p> <p>8 Military Government party entered Austria, p. 287.</p> <p>9 Military Administration established in Channel Islands, p. 178.</p> <p>11-15 S.H.A.E.F. Mission and C.A. Officers established in Norway, pp. 163-164.</p> <p>14 S.H.A.E.F. C.A. Mission arrived at the Hague, p. 147.</p> <p>16 S.M.G.O. Carinthia took charge of British-occupied Austria, p. 287.</p> <p>22 Montgomery appointed C-in-C and British Member A.C.C., p.257.</p> <p>23 C.A. agreement concluded with Denmark, p. 157.</p>
<p>9 Belgrade agreement concluded with Tito regarding A.M.G. in Trieste and part of Venezia Giulia, pp. 341-342.</p>	<p>10 B.B.C.A.U. Detachments landed in Borneo, p. 180.</p> <p>C.C.A.O. (Burma) moved H.Q. from Barrackpore to Rangoon, p. 113.</p> <p>30 Disbandment and registration of B.N.A. begun, pp. 358, 359.</p>	<p>5 Declaration of Defeat and Assumption of Authority promulgated, pp. 263-264.</p> <p>7 Hand-over from C.A. to Norwegian Government, p. 168.</p> <p>15 Netherlands Government returned to the Hague, p. 150.</p> <p>Partial transfer of responsibility from C.A. to N.M.A., p. 150.</p>
	<p>17 Handing Over Commission set up in Burma, p. 123.</p> <p>22 Macaskie took over as C.C.A.O. in Labuan, p. 182.</p> <p>C.A. officers established in rest of Irrawaddy Delta, pp. 110, 111.</p>	<p>1 U.S. Military Government party entered Berlin, p. 268.</p> <p>2 British Military Government party entered Berlin, p. 268.</p> <p>12 British and Americans took over administration of their sectors in Berlin, p. 270.</p>

1945	<p>CENTRAL ORGANIZATION AND PLANNING</p> <p><i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i></p>	<p>AFRICA AND THE DODECANESE</p> <p><i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i></p>
July —(contd.)		
August	Last C.A.S.C. course ended	
September		
October	Control Office set up in London, pp. 113-114. Responsibility for Military Government passed from War Office to Control Office, p. 115.	

<p>ITALY</p> <p><i>(Page references are to Allied Military Administration of Italy, 1943-1945, Harris)</i></p>	<p>FAR EAST</p> <p><i>(Page references are to British Military Administration in the Far East, 1943-1946, Donnison)</i></p>	<p>NORTH-WEST EUROPE</p> <p><i>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)</i></p>
		<p>14 S.H.A.E.F. and all S.H.A.E.F. Missions dissolved; rest of France passed to French Government control, pp. 103-104, 108.</p> <p>23 Russians evacuated Graz and British Military Government took over, p. 290.</p> <p>30 First meeting of Allied Control Council in Berlin, p. 274.</p>
<p>4 Emilia and remaining Provinces of Tuscany restored to Italian Government control, p. 355.</p>	<p>14 Surrender of Japan, p. 111.</p>	<p>25 Lt. Governors resumed responsibility from M.A. in Channel Islands, p. 184.</p>
	<p>1 Military Administration proclaimed in Hong Kong, p. 202.</p> <p>5 C.C.A.O. and C.A. Units landed in Singapore, p. 154.</p> <p>6 Kandy Conference with B.N.A. leaders, pp. 361-364.</p> <p>7 C.C.A.O. arrived Hong Kong, p. 203.</p> <p>10 C.A. officers established in Mergui, Burma, p. 111.</p> <p>11 C.A. officers established in Kuching, Sarawak, p. 183.</p> <p>21 Gracey assumed responsibility in Indo-China, p. 408. C.A. officers established in Thaton, Burma (early in month), p. 111. By end of month Military Administration had been established throughout Malaya, p. 155.</p>	<p>3 Military Government Branch, B.A.O.R., transferred to British Element, C.C.G., p. 275.</p> <p>11 First meeting of Allied Council for Austria, p. 295.</p> <p>11 British assumed responsibility in their Sector of Vienna, p. 295.</p>
	<p>1 C.A. officers established in Amherst, Burma, p. 111.</p> <p>1 Separate C.A. chain of command established in Malaya, p. 157.</p>	<p>Dykes closed at Walcheren, p. 149.</p>

1945	<p>CENTRAL ORGANIZATION AND PLANNING</p> <p><i>(Page references are to Civil Affairs and Military Government, Central Organization and Plan- ning, Donnison)</i></p>	<p>AFRICA AND THE DODECANESE</p> <p><i>(Page references are to British Military Adminis- tration in Africa, 1941- 1947, Rennell)</i></p>
October —(contd.)		
November	E.I.P.S. absorbed into Control Office, p. 93.	
December		
1946 January		

ITALY	FAR EAST	NORTH-WEST EUROPE
<p>(Page references are to Allied Military Administration of Italy, 1943-1945, <i>Harris</i>)</p>	<p>(Page references are to British Military Administration in the Far East, 1943-1946, <i>Donnison</i>)</p> <p>10 C.A. officers established in Tavoy, Burma, p. 111.</p> <p>13 A.M.A. established in limited areas of Indonesia, p. 429.</p> <p>14 A.M.A. established in Jesselton, North Borneo, p. 183.</p> <p>16 Major part of Burma handed over to Civil Government, pp. 124-125.</p> <p>17 C.A. officers established in Tawa-u, North Borneo, p. 183.</p> <p>17 Dual responsibility conferred on C.C.A.O. Hong Kong, p. 205.</p> <p>19 C.A. officers established in Sandakan, North Borneo, p. 183.</p> <p>29 C.A. officers established in Salween District, Burma, p. 111.</p>	<p>(Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, <i>Donnison</i>)</p>
<p>31 Rest of Italy (except only Venezia Giulia and Udine) restored to Italian Government control, p. 366.</p>	<p>1 M.P.A.J.A. disbandment parades held in Malaya, p. 387.</p> <p>17 Hand-over Committee set up in Malaya, pp. 167-168.</p>	<p>Progressive transfer of responsibility in Germany from Corps Commanders to Regional Commissioners, pp. 276-277.</p> <p>22-January 5, Allies recognized Austrian Government, p. 298.</p>
	<p>1 Rest of Burma handed over to Civil Government, p. 126.</p> <p>1 Partial hand-over to French in Indo-China, p. 410.</p> <p>10 British Borneo transferred from S.W.P.A. to S.E.A.C., p. 185.</p> <p>28 Remaining responsibility handed over in Indo-China, and Control Commission dissolved, pp. 410-411.</p>	

1946	<p>CENTRAL ORGANIZATION AND PLANNING</p> <p><i>(Page references are to Civil Affairs and Military Government, Central Organization and Planning, Donnison)</i></p>	<p>AFRICA AND THE DODECANESE</p> <p><i>(Page references are to British Military Administration in Africa, 1941-1947, Rennell)</i></p>
February		
April		
May		
June		
July		
November		

ITALY (Page references are to Allied Military Administration of Italy, 1943-1945, Harris)	FAR EAST (Page references are to British Military Administration in the Far East, 1943-1946, Donnison)	NORTH-WEST EUROPE (Page references are to Civil Affairs and Military Government, North-West Europe, 1944-1946, Donnison)
	<p>1 Appointment of C.C.A.O. (Burma) terminated, p. 126.</p> <p>15 Communist rally and processions in Singapore, pp. 391-394.</p> <p>26 Post-operational organization introduced in Borneo, p. 186.</p>	
	<p>1 Hand-over to Civil Government in Malaya and Singapore, p. 170.</p> <p>15 Hand-over to Civil Government in Sarawak, p. 194.</p>	Four Civil Regional Commissioners took over from Corps Commanders, p. 277.
	<p>1 Hand-over to Civil Government in Hong Kong, p. 213.</p>	
		28 New agreement on control in Austria conferred virtual independence on Austrian Government, p. 298.
	<p>6 Hand-over to Civil Government in Brunei, p. 195.</p> <p>13-14 Partial hand-over to Dutch in Indonesia, i.e. N.E.I. less Java, Sumatra, and Riouw Archipelago, p. 433.</p> <p>15 Hand-over to Civil Government in N. Borneo and end of Military administration in Borneo, p. 195.</p>	
	<p>30 Java, Sumatra, and Riouw Archipelago handed over to Dutch, p. 433.</p>	

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