Important principles may and must be flexible.

—Abraham Lincoln
April 11, 1865

It is in the uncompromisingness with which dogma is held and not in the dogma or want of dogma that the danger lies.

—Samuel Butler
The Way of All Flesh
Chapter LXVIII

CHAPTER II

THE REUNIFICATION QUESTION IN WEST GERMAN POLITICS

The Deutschlandpolitik (policy of unification of Germany) of the Federal Republic—both the official policy and that of the major political parties—is anchored on constitutional-legal concepts whose principal source is the Basic Law, the Federal Republic’s constitutional document. Thus, foreign policy is being steered by German constitutional-legal doctrines rather than by pragmatic ideas or considerations of expediency. But the West German state was not the first one known in history in which legal-constitutional theory served as guideline or yardstick for political behavior and action. Such theories were mostly the product of some unusual political-constitutional situation; they were used initially to explain some peculiar situation in constitutional-legal terms, and subsequently they became the basis of future policy. Such doctrines may shape political institutions and constitutional and international enactments, and they may direct public policy. The Constitution of the United
States and its interpretation formed the theoretical basis of Union politics before, during, and after the Civil War and tended to enhance legalism in politics.

The West German political leaders and the majority of the country's political elite, though realizing that the goal of reunification was to be achieved by means and methods of a foreign policy, could not help conceiving the question of German unity in terms of internal German politics. The ambivalence, inconsistencies, and misunderstandings created by this double approach were obvious; nonetheless, the doctrine, supported by motivations of righteousness and national sentiment and by the legal education of the policy-makers, continued to serve as the permanent basis of the reunification policy despite some of the practical difficulties and inconveniences of its implementation.

West Germany's desire to consider the "temporary" division of Germany as an internal German affair was given clear expression in its constitutional document. Under this organic statute, the Federal Republic was to be only a temporary substitute for a future all-German state. It was thought that the compromise formula of creating only a "provisional" state would not foreclose the chances of reunification. A comparison with Weimar Germany is not without irony: the Weimar Constitution of 1919, intended to be a definitive one, was considered by many Germans a *pis aller* (a temporary expedient). The constitutional document of the Federal Republic, planned by its authors to be provisional, has outlived the lifetime of the Constitution of Weimar. The Basic Law, which reflected the Federal Republic's foremost policy objective—reunification of Germany—proved to be a *provisoire qui dure.*

**The Basic Law and German Unity**

The Basic Law of the Federal Republic of Germany is, by its own terms, a provisional constitutional document intended for a "transitional period" only. Though some national constitutions intended to be permanent have been replaced within a relatively short time, the provisional constitution of the Federal Republic has actually outlasted the thirteen-year lifespan of the definitive Weimar Constitution. By declaring itself temporary in character, the Basic Law constitutionally enacted the fundamental political goal and

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The raison d'être of the Federal Republic: to preserve the “national and political unity” of the German people. Thus, with not negligible political effects on the German mind, the West German state considers itself a truncated unit of the nation and its government the only true representative of the German nation-state, no matter what future name the state will take.

State names may acquire particular significance. It should be remembered that the West German state does not call itself German Federal Republic but rather Federal Republic of Germany (the East German state's name is German Democratic Republic). In German, the difference is even more expressive: West Germany is Bundesrepublik Deutschland instead of Deutsche Bundesrepublik.

According to its preamble, the Basic Law was enacted by the German people in the Länder of the Western zones and “also . . . on behalf of those Germans to whom participation was denied.” The preamble also called upon the entire German people “to achieve, by free self-determination, the unity and freedom of Germany.” German politicians and publicists, therefore, do not fail to point out that the furtherance of Germany’s reunification is, under the terms of the Basic Law, not only a political objective but also a duty prescribed by the provisions of this Law.

The area of application of the Basic Law is not identical with the areas of the Länder which, according to the preamble, participated in its enactment. Article 23 mentions, in addition to the states of the Western zones, Greater Berlin as one of the territories in which the Law applies. In other parts of Germany, “it shall be put into force

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2 The Basic Law differentiates between the Federal Republic of Germany and Germany (without more proximate designation) and the Reich. The Federal Republic, as distinguished from the constituent states (Länder) is also referred to as the Bund (federation or confederation).

3 One is reminded of the objection raised by Bismarck in January, 1871, against King William of Prussia assuming the title of “Emperor of Germany” (which appeared to him inconsistent with the “sovereign” rights of the princes). King William, on the other hand, refused to be called Emperor of the Germans which smacked of democracy. His title, finally, was to be “German Emperor” with more of a connotation of national appurtenance and less of territorial authority.

4 Grewe, Deutsche Aussenpolitik, p. 324; Rudolf Schuster, Deutschlands staatliche Existenz im Widerstreit politischer und rechter Gesichtspunkte, 1945–1963 (Munich, 1963), pp. 138–42. The preamble of a law is, under the German legal doctrine, not “normative,” only programmatic (political); it is, however, advanced that above injunction (to promote reunification) should be considered “normative” by the support it received in various articles of the main body of the Basic Law.

5 It may be noted that Article 23 expressly speaks of “Greater Berlin” and not of the Western sectors of that city.
on their accession.” The Basic Law may, thus, be extended to those parts of “Germany” where, because of the existing international situation, it cannot be made applicable; and it may become the constitution of reunited Germany. But the Basic Law also provided for its own replacement by a permanent constitution when it pronounced in Article 146 that it shall cease to be in force “on the day on which a Constitution adopted by a free decision of the German people comes into force.”

Under the Basic Law there is only one kind of citizenship: German citizenship. There is no special citizenship reserved for the inhabitants of the Federal Republic. “Germany,” in the meaning of the Basic Law, is the area which was the German Reich on December 31, 1937, before Hitler embarked on his road of conquests. Citizens of the Reich, as it was at that date, their descendants, and also refugees or expellees of German stock are “Germans” within the meaning of the Basic Law. It follows that no citizenship of the German Democratic Republic would be recognized by any agency of West Germany.

German political and legal scholars have pointed out that the Basic Law as well as the official political philosophy held by the Federal government rest on three fundamental theses: (1) the continued legal existence of the German nation-state; (2) the territorial integrity of this Germany, as long as a treaty of peace, to be concluded with an all-German government, has not changed the territorial status quo; and (3) within the confines of this German state there exists only one legitimate state-structure and government: the Federal Republic of Germany and its government.

The Federal Republic’s basic policy goals are said to be inspired by these theses. There exists a general consensus among all major parties and policy decision-makers concerning these principles; however, they fail to explain fully the constitutional-legal and international-legal status of those political entities which exercise governmental functions in the area of Germany. The circumstances surrounding divided Germany have engendered constitutional and international law problems.

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*Article 23. This Article was applied when the Saar returned to become a Land of the Federal Republic in 1955.

*Therefore, Germans from West Germany hardly ever call themselves “Federal Republicans” (Bundesrepublikaner) but simply “Germans.” Inhabitants of East Germany, wishing to differentiate themselves in third countries from those of the West, occasionally call themselves “Democratic Germans” which is giving rise to some misunderstandings.

*Grewe, Deutsche Aussenpolitik, p. 95; Schuster, Deutschlands staatliche Existenz, pp. 261–62.
legal theories concerning the survival of the German state and the legal position of the two German governments, as well as the controversial situation of Berlin.

The constitutional-legal theories generally undertake to explicate three specific controversial points in terms of known constitutional or international legal tenets: continuity or discontinuity of the former German Reich; legal relationship of the Federal Republic with the former German state; and the question of legitimacy of one, or more than one, German political entity. It is, of course, understood that the above-mentioned areas of controversy often overlap or are logically dependent on one another.9

The complete surrender of Germany, Allied assumption of integral control over the country, and the subsequent revival of a native governmental machinery gave rise to various doctrinal interpretations. Outside Germany some held that with Germany’s unconditional surrender the German state had ceased to exist; these views were shared by Germans, too. As to the postsurrender status of the German area, opinion varied from asserting the existence of an inter-Allied condominium10 to the denial of any state power over Germany.11 Others, mostly West German scholars, developed the doctrine of German state survival: the German state as a legal entity had never ceased to exist; it had only lost its self-governing capacity to the inter-Allied government.12 This view received official confirmation by the wording of the Four-Power Declaration of Berlin (June 5, 1945) and by that of the Potsdam Protocol.13

The theories of the continuity of discontinuity of the German state are now of less political significance, but they are associated with doctrines relating to the present-day status of the Germanys. Since the re-establishment of sovereignty in the Federal Republic and in East Germany, a maze of conflicting or complementary

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11 According to Michel Virally, Die internationale Verwaltung Deutschlands (Baden-Baden, 1948), p. 29, Germany, after her surrender, had become a terra nullius—that is, a no man’s land, under international law.
13 See U.S. Senate, Documents on Germany, 1944–61, pp. 12–17, 29–39.
state theories has grown up. We are here primarily concerned with views held in West Germany; those propounded in the German Democratic Republic as well as those relating to the status of Berlin will be considered in their respective chapters.

The state theories stressing the continuity and singularity of the German state either explain the Federal Republic as a Germany reduced in size (contraction doctrine) or as conterminous with the German state of 1937 but prevented, de facto, from extending the authority of its constitutional order beyond its factual borders (kernal- or core-state doctrine). The area of Germany beyond the constitutional authority of the Federal Republic is either considered as under foreign occupation or as international no-man’s land. Under these doctrines the Federal Republic is either identical with the former Reich or sole successor to the Reich.

Some constitutional scholars in Germany argue that the Federal Republic of Germany is legally co-extensive with historic Germany (within its boundaries of December 31, 1937) even if the area of validity (implementation) of the Basic Law is restricted to the area presently known as the Federal Republic. If this is correct, it would signify that the name Federal Republic of Germany might become, after the expected unification, the name of reunited Germany, unless replaced by some other appellation such as the Reich.

There exists a two-state doctrine whose practical conclusions are not basically dissimilar to those of the single-state doctrines. This “unreal” two-state theory differentiates between the dormant all-German state (which used to be called the German Reich) and the rump state which functions within part of its territory. The all-German state has so far failed to recover its capacity to function, while the Federal Republic possesses almost all the prerequisites of a sovereign state and is, because of its democratic legitimacy, entitled to represent, as a kind of trustee, the still inactive all-German state. The Federal government is, thus, one German government but not the German government, and at present there is no other German government. The “so-called” German Democratic Repub-

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15 See Schuster, *Deutschlands staatliche Existenz*, pp. 84–90.


17 This appears to be the prevailing official position of the West German government; see Schuster, *Deutschlands staatliche Existenz*, pp. 152–64.
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lic—also according to this view—fails to possess the characteristics of statehood because of its complete lack of popular democratic legitimacy. This doctrinal explanation appears to be the official view of the Social Democratic party on the constitutional-political status of Germany and of the Federal Republic.\(^{18}\)

Another genuine two-state doctrine based on the continuity of Germany considers the German Democratic Republic as the secessionist part of Germany. Completed Germany is identified with the state presently known as the Federal Republic of Germany. A so-called roof-theory recognizes the existence of a nonreactivated Germany together with the partially limited and, therefore, not fully sovereign West and East Germanys: the first is considered to exercise its authority legitimately, while the second is only a de facto entity upheld by a foreign power. Finally, according to the theories which reject the continuity of Germany, the Federal Republic is regarded as a new state, successor to the Reich but not identical to it; only the German nation has remained, not the former German state. The German area east of the border of the Federal Republic is, by this view, considered “unredeemed” (irredenta) national territory under foreign domination.\(^{19}\)

The Basic Law, by its reference to “Germany” (the reference to the Reich appears whenever the pre-1945 situation is meant), by its insistence on one German citizenship, and by its claim to valid extension over the whole of “Germany” is said to be in conformity with the core-state doctrine or an interpretation of the roof-state doctrine\(^ {20}\) or an interpretation of the roof-state doctrine which would recognize limited statehood for the Federal Republic but deny it to the German Democratic Republic.\(^{21}\)

It should be emphasized that all these subtle doctrines, however divergent in their theoretical explanation of Germany’s present

\(^{18}\) The principal proponent of this theoretical view is Professor Adolf Arndt, Der deutsche Staat als Rechtsproblem (Berlin, 1960); see also his “Deutschland als Wahrheit und Wagnis,” Die Zeit, March 4, 1954.

\(^{19}\) These various doctrines are represented by Hans Reuther, Bundesrepublik Deutschland und Deutsches Reich (Erlangen, 1951), secessionist doctrine; Baron Friedrich August von der Heydte, “Deutschlands Rechtslage,” Friedensswarte, 1950/51, p. 323 (roof-theory); Helmut Rumpf, “Aktuelle Rechtsfragen der Wiedervereinigung Deutschlands,” Europa-Archiv, 1957, p. 9723.

\(^{20}\) The practical conclusions drawn from this doctrine appear in the policy and statements of the Federal government; the nonrecognition of the East German state, the so-called Hallstein Doctrine, as well as the official views of Western governments are, more or less, in conformity with the theoretical frame of the core-state doctrine.

\(^{21}\) Many of the official views expressed by the Social Democratic party appear to be based on the application of this theoretical view.
status, are convergent with regard to their concluding principles which determine West German policies: namely, the continued existence of the pre-1945 German state within its 1937 boundaries and the sole legitimacy, within these boundaries, of the Federal Republic. The constitutional interpretation of the Federal Republic, as a continuing form of the Bismarckian German state created between 1867 and 1871, makes the demand for reunification more than a policy objective: it is the justification of the very existence of today's free German state.

The Western powers and all the signatories of the revised Brussels Treaty have endorsed the thesis that the government of the Federal Republic is the only legitimate government in Germany. The relevant declarations always speak of the Federal Republic as the government "in" and not "of" Germany. This subtle differentiation may indicate that there might be one day another legitimate government in Germany. Or it may also indicate the support for the thesis that there is a theoretical, now dormant, all-Germany; and the Federal Republic, within the area of its own jurisdiction, is the ersatz government as long as the present provisional situation lasts.

Thus, the doctrine and practice of the singularity of the German state, as embodied in the Federal Republic, diametrically oppose the theory of two German states (or three German states if we include Berlin), the official thesis of the East German regime and its supporter, the Soviet Union.

Constitutional-legal theories spur the momentum of politics by mingling political expediency with juridical arguments, but they also may place hurdles before pragmatic political planning. In a country like West Germany, where not only the powerful bureaucracy, including the staff of their Foreign Office, but also a great many politicians and publicists received legal training, constitutional theories supporting the idea of German unity—even if they are not always understandable to the ordinary laymen—are of considerable political and practical importance. Statements made by the Federal government, diplomatic notes of the German Foreign Office, arguments advanced by German legal scholars, writers, and journalists are today under the influence of the prevailing doctrines relative to Germany's international and constitutional legal status.

A political-legal doctrine that purports to explain the inner inspirations of a nation is both a source of strength and a source of weakness. It is a comfortable guideline for decision-making, a lode-star for public opinion, and a standard by which actions or attitudes
can be measured. Doctrines often simplify decision-making, but they may hinder the solution of problems which could be solved if greater flexibility were employed. Such doctrines incline policy-shapers toward inflexibility where suppleness would be expedient.

It can never be ignored that the theoretical foundations used for explaining the status of the Federal Republic of Germany, of Berlin, and of the problems of Germany's unity are inseparable from the understanding and appreciation of West German attitudes and foreign policy toward the fundamental issue of reunification.

The Federal Government and the Reunification Issue

Under Chancellor Adenauer's administration, West German policy of Germany's unification was far more programmatic and legalistic than pragmatic or political. Although the government in Bonn never ceased to pay lip-service to the goal of German unity, it appeared to be giving preference to European integration and participation in the Atlantic Alliance over the fundamental German problem. In the Weimar period the German government endeavored to maintain a politically productive balance between Ostpolitik and Weltpolitik (the name given to policies toward the great powers of the West); however, under Adenauer there was, practically, no Ostpolitik. That Deutschlandpolitik was essentially Ostpolitik was belatedly realized.

Until the last years of Adenauer's chancellorship, foreign policy remained the exclusive domain of the aged head of the Federal government. He, personally, was responsible for the foreign policy choices, although each time he obtained an endorsement of his policy by the West German voters. When his Deutschlandpolitik proved barren, he was blamed for its failure. The opposition always objected to the priority of his choice. The question of whether the Soviet Union had, in 1952, and again in 1954, meant business is moot. More moderate critics admit that the Chancellor may have been right in assuming that the Soviets used delaying and obstructing tactics without serious intentions of agreeing on reunification but for obtaining such evidence he should have promoted negotiations. By others he was blamed for his failure to admit that Western political and military integration was incompatible with a realistic policy for German unity. But his adherents were ready to

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absolve him by arguing that his policy was essentially correct, only
the West "was not strong enough." And many in West Germany,
though they may be reticent to express views on this subject, believe
that Adenauer's line was correct "anyhow."

It is fair to assume that at the time the choices were made (and
many in the CDU/CSU thought that there were no "real choices")
Adenauer genuinely believed that his policy of detour; namely,
that pressure by the West would force Soviet hands and would
"spontaneously" produce German unity. While the prolonged ne-
gotiations on the Federal Republic's rearmament and admission into
NATO were pursued, Adenauer considered talks with the Soviet
highly undesirable. Later, after West Germany's integration into
the West was achieved, he expected fruitful negotiations with the
Soviet Union; but for this he waited in vain. Moscow simply re-
fused to recognize that "it was beaten in Germany."

The conclusion that in Adenauer's scale of values entry into the
Western political and military system and Franco-German recon-
ciliation preceded the goal of reunification appears correct. Ad-
enauer's concept rested also on an exaggerated estimate of Western
strength and on an underestimation of Soviet abilities and power.
On the other hand, his opponents will never be able to prove (unless
Soviet archives, if opened, would produce such evidence) that
reunification would otherwise have been possible.

The successful founder of the Federal Republic had played his
card on the reunification issue and lost. His personal charisma
(source of much of his success) also faded after 1958, both domes-
tically and internationally. His Christian-oriented quondam part-
ners, John Foster Dulles, Robert Schuman of France, Alcide de
Gasperi of Italy, and others, were no longer there to support him.
His pliable and Western-oriented Foreign Minister, Heinrich von
Brentano, was replaced by the more self-willed and more nation-
alistic Gerhard Schröder. As one commentator pointed out, the
leading personnel of the Federal Republic, Adenauer, Brentano,
and Franz Josef Strauss—all Catholics and devotees of European
integration—had, by 1963, been replaced by Ludwig Erhard, the
new Federal Chancellor; Schröder, the Foreign Minister; and Kai-

25 Augstein, Konrad Adenauer, pp. 80-81.
Werner Feld, Reunification and West German-Soviet Relations (The Hague,
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Uwe von Hassel, the Federal Minister of Defense—all Protestants.\textsuperscript{28} This momentous change of the guard coincided by-and-large with the realization that the road to European political integration and to an Atlantic partnership was blocked. These developments, together with the deadlock of the reunification policy, did not fail to impress them.\textsuperscript{29}

There can be no doubt that the reunification question was to be the \textit{primum mobile} of West German foreign politics under Erhard and his successors, a reunification policy more realistically viewed and pursued than earlier. Though rhetoric could be dispensed with, emphasis was to rest on a pragmatic rather than a merely declarative policy. This did not mean that the government would devote less attention to its relations with the West; the “policy of movement” was still to be conducted under the aegis of “Four-Power responsibility for German unity.” Erhard announced that “even if our German policy is only part of our foreign policy, it is nevertheless its deciding element.” While the \textit{Deutschlandpolitik} was to be reactivated and its methods changed, the basic principles were to remain unchanged: “the claim to represent all-Germany must remain inviolable.”\textsuperscript{30}

It is certain that the second chancellor of the Federal Republic did not share those inhibitions with regard to German unification which the first was often suspected of harboring. While Adenauer’s outlook may rightly have been considered anti-Prussian and “Rhenish-provincial” and also much influenced by his Carolingian-Catholic Weltanschauung, Erhard’s Bavarian-Franconian birth, his contacts during his career in various parts of Germany and his general world-outlook prevented him from being a regionally oriented German. The election results of 1965 were generally considered his personal and not his party’s success. The CDU/CSU managed to increase the percentage of its votes from 45.3 per cent in 1961 to 47.6 per cent. The opposition SPD gained 39.3 per cent (as against 36.2 per cent in 1961); the losers were the FDP (a decrease from 12.8 per cent to 9.5 per cent) and splinter parties which received less than the statutory number of votes for obtaining seats in the


\textsuperscript{29} The different religious allegiances of the members of the two teams are rather incidental, though religion has a marginal importance in the outlook toward reunification. See Chapter III, pp. 121–24.

\textsuperscript{30} The quotations are from Chancellor Erhard’s interview broadcast of April 23, 1966, as reported by the German News Service, May 2, 1966.
Bundestag. It seems fairly evident that the reunification issue had no impact whatsoever on the outcome of these elections.

Gerhard Schröder, the initiator of the “policy of movement,” is another specimen of a deregionalized German. His father, originally from the Protestant North, was an employee of the Reich railways who happened to be stationed in Saarbrücken when his son was born. The Foreign Minister spent his youth in Southwest Germany, studied law in Königsberg, East Prussia, in Berlin, and in Bonn. After World War II, he settled in Düsseldorf, in North Rhine-Westphalia. As Minister of the Interior for eight years, he proved to be a versatile tactician. His assumption of the post of foreign minister after the 1961 elections heralded a greater flexibility in handling a problem which heretofore had been dominated by the doctrinal cliches adopted in the Foreign Office under Walter Hallstein, State Secretary, and Wilhelm G. Grewe, head of the Political Section in the mid-fifties, with the approval of the Chancellor and the then-Foreign Minister Heinrich von Brentano. Schröder’s greater “pragmatism” soon brought him into conflict with Adenauer and the punctilious legalists of the CDU/CSU. Under the post-Adenauer administration, Schröder, no doubt, has enjoyed greater freedom of action. Nevertheless, he has remained exposed to the often extremely sharp criticism of the members of his own Party and dependent on the influences of his own Foreign Office bureaucracy.

The domestic and diplomatic staff of the German Foreign Office is in a position to exercise independent authority in matters of policy detail and to have considerable influence on questions of principle in the decision-making process. Foreign Office officials who handle current business in matters of the “Soviet Zone of Occupation,” of Berlin, and Soviet and East European questions are engaged in a relentless, exacting struggle against encroachments or attempted encroachments on West German and Allied rights and positions. They generally have a realistic and down-to-earth view on these questions. They are aware how dangerous it is to give way on seemingly minute changes introduced by the adversary and how important it is to prevent precedents from being created over what appear to be harmless procedures. They are conscious of the fact that past weaknesses or oversights have later been

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81 For good information on the organization and decision-making process in the German Foreign Office, see Majonica, Deutsche Aussenpolitik, pp. 274-304; and Studnitz, Bismarck in Bonn, pp. 217-304.
formidably exploited. When in 1955 nonmilitary traffic to West Berlin was handed over by the Russians to the officials of the German Democratic Republic, there was only a lame protest by the Western powers. The incorporation of East Berlin into the German Democratic Republic hardly elicited formal protests by the West. By similar "salami tactics" is the East German regime intent to have itself recognized as the other German state.

The Foreign Office feels that it is its task to forestall any further erosion of Western positions or rights vis-à-vis the German Democratic Republic, both regarding the international status of the latter and the situation of Berlin. Its watchfulness is alerted to prevent any "upgrading" of the East German regime which would eventually lead to the recognition of Ulbricht's government. It knows that this struggle can be fought only in full agreement with the Western Allies, especially the United States, and that the Federal government is far from having freedom of action in the matter.

Foreign Office personnel often deplore having to ward off Communist encroachments passively with little opportunity to initiate offensive diplomatic actions against vulnerable positions of the adversary. At present, they consider the Soviet offensive against West Berlin to have failed. It is, however, admitted that the Wall has, for the time being, saved the East German regime from collapse; in this respect, the division of East and West Berlin has proved to be a political success. The practical advantages of the Wall are, it is asserted, largely counterbalanced by the propagandistic disadvantage it has evoked.

The German Foreign Office considers the Hallstein Doctrine (that no diplomatic relations can be maintained with states which have officially recognized the German Democratic Republic) not only useful but absolutely indispensable for the purposes of West German policies. In the view of their leading officials, this doctrine has proved more resistant to erosions and exceptions than originally imagined. They are, however, conscious of the drawbacks in the application of this policy. Rigid advocates of the Doctrine point to the utter sterility of the diplomatic contacts with the Soviet Union (which was exempted from the application of the Hallstein Doctrine) and envisage no greater hopes from contacts with either Warsaw or Prague. Other officials who, sympathetic to the United States' view, favor greater flexibility, consider full diplomatic con-

\[\text{For a detailed examination of the Hallstein Doctrine, see Chapter IV below, pp. 148-56.}\]
tacts with East European Communist powers (except of course, East Germany) as likely to produce fruitful results. But even these "progressives" view the setting up of diplomatic relations with these countries as maximum concessions within the frame of the Hallstein Doctrine.

The flexibility which the German Foreign Office and its minister, with the approval or tolerance of Chancellor Erhard, have been practicing in handling the East-West issues, including those of reunification and Berlin, was constantly subjected to the scrutiny and criticism of the three major political parties. Any major deviation from the official legal position would create more than ministerial crisis; it would be considered a real crise d'état. Not only would the foreign minister's position be at stake, but also the belief would be held that Germany's future was being jeopardized.

While Adenauer with his foreign ministers was able to carry on his foreign policy with minimum interference by the coalition parties and with an undisguised disdain for criticism, Erhard and Schröder were not unmindful of the need to implement a foreign policy in agreement and accommodation with the opposition party. Consensus of all three major parties for the pursuit of vital national goals was certainly their wish. Such a course was made possible by the adoption of the government's position on reunification by the Social Democratic party. The quasi-unanimity of all three parties on this crucial issue has, however, allowed the creation of internal rifts in all major parties that make foreign policy somewhat less than bipartisan.

The CDU/CSU and Reunification

The leaders and parliamentarians of the Christian Democratic Union and of its Bavarian branch, the Christian Social Union, acted under Adenauer's leadership as guardians of the correct interpretation and application of the prevailing doctrine and policy concerning the quest for German unity. But even for the most faithful adherents of the "one state" doctrine, this concept, in its variations and subtleties, may have presented pitfalls. In fact, even the speakers of the CDU/CSU lacked the semantic adroitness to conform to the requirements of the official state doctrine. Thus, if (perhaps ironically) the "East Zonal Republic" is mentioned instead of the correct "Central German Soviet Zone," the speaker may expose himself to

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criticism. Even such a seemingly correct expression that the Federal Republic "represents All-Germany" may be taken as an endorsement of the "roof doctrine," assuming the existence of two entities: one which represents and the other which is represented; correctly stated, the Federal Republic is the "provisionally contracted form of All-Germany." Similarly, it is not without ambiguity to doubt the "legitimacy of the Soviet Zonal government" because thereby the speaker might have implicitly admitted the existence of a state which only fails to have, for lack of popular representation, a legitimate government. These slight deviations, however, have mostly been overshadowed by more serious aberrations of the opposition parties that at times gave rise to violent and acrimonious debates.

The phenomenal success of Adenauer, except in the matter of reunification, silenced critics within the ruling party. This does not mean that there was no opposition to the priority which Adenauer, without openly admitting it, assigned to Western integration above German unity. Jakob Kaiser, Ernst Lemmer, and others—most of them either refugees from the East or in close contact with Berlin—stood nearer to the ideas which were voiced by Schumacher and other Socialist leaders. But the personality of the old Chancellor and his insistence that alliance with the West, security, freedom, and strength for the Federal Republic could in time force the hand of the Russians and compel them to give up their East German bastion, eventually silenced them. The Chancellor also seemed peculiarly favored by fortune; the most controversial item of the Paris Agreements of 1954, the international status of the Saar, was luckily replaced by retrocession to Germany. This outstanding event, together with the negative effect of the Hungarian tragedy of 1956, demonstrated that friendship with the West pays and that only a policy of strength could impress the Soviet Union.

But by 1958 open doubts arose, even within the ranks of the CDU/CSU, with regard to official policy on reunification. The second struggle for Berlin, the pat positions of the Geneva Conference of 1959, and the erosions of the one-state doctrine confused many of Adenauer's admirers. Only when in 1960 the erstwhile fervent critics of the Federal government's German policy (the Social Democrats) went over to the official view on reunification was the self-confidence of the CDU/CSU somewhat restored.

*For these and other semantic "blunders," see Schuster, Deutschlands staatliche Existenz, pp. 152-56.*
Nevertheless, there was no return to “blind faith” in Adenauer’s concept of “spontaneous” reunification. The necessity for giving up some of the earlier dogmatic rigidity developed various approaches which, at present, divide leaders and factions on the issue of reunification. The revolts against Adenauer, the travails of his succession, and, finally, the transfer of power to the tolerant Erhard increased divisive tendencies within the Union parties.

Divergent trends within the CDU/CSU are not restricted to the policy issues of reunification. Different views exist on the intensity of alignment with the United States or France, on matters of European integration, and on alternatives of defense strategy and nuclear preparedness. On the reunification issue proper, it is possible to distinguish between adherents of the old rigid, strictly legalistic attitudes and advocates of more flexible, mobile, or pragmatic views. Adherents of both opinions may envisage a long-term view (the “patient” ones) or urge immediate measures and pressures, both against the Western Allies for greater support and against the Eastern foe for concessions. All these trends and their representative groups intersect one another within the party, resulting in an even greater variety of views and shifting attitudes whenever a concrete problem emerges or a decision is to be taken on any particular point.

1) The hard-liners advocated a rigid maintenance of the Adenauer policy; that is, nonrecognition of the East German regime in all its aspects, no contacts whatsoever with East German leaders, insistence on four-power responsibility for German unity and Berlin, and no acknowledgment of the incorporation of eastern territories into Poland and the Soviet Union. They held the view that any loosening of the doctrinal-legal position must lead to an all-out erosion and collapse of their policy and, sooner or later, to a recognition of Germany’s partition. They insisted that Soviet intransigence must be opposed by even greater intransigence in the West. Adenauer himself, since he has given up the reins of government, has returned to his original inflexibility and considered any United States policy of relaxation (even the wheat sales to Russia) a dangerous and ominous experiment doomed to failure or a confirmation of the division of Germany.35 In March, 1966, at the Congress which elected Erhard chairman of the Party, the ex-Chancellor stated that “the Soviet Union wants peace” and later added that the Soviets wanted peace because they needed peace.36

36 Ibid., March 24, 1966.
In this hard stand Adenauer was supported by a considerable number of Party leaders and Bundestag deputies. Former Foreign Minister Heinrich von Brentano, leader of the parliamentary group of the CDU/CSU who died in 1965, and Heinrich Krone, Minister without portfolio, were known to oppose any easing of tension without meaningful concessions by the Soviet Union; otherwise, they claimed it would be Germany that would have to pay the price. This inflexible attitude is shared by many members of the Catholic group of the CDU leadership and, in particular, by the CSU branch led by former Defense Minister Franz Josef Strauss and the influential deputy, Karl-Theodor Freiherr zu Guttenberg. Other geographical factors are significant: the Chairman of the CDU's Berlin organization, Franz Amrehn, has sternly opposed any "impatient abandonment" of positions—even the concept that an economic improvement or other humanization of conditions in the Democratic Republic would lead to a relaxation of tensions. He criticized the Socialist press chief of Berlin, Egon Bahr, for having suggested the omission of quotation marks around the words "German Democratic Republic," so as to suggest the real existence of such a state.

2) The flexible-liners wished to emerge from frozen and merely negative attitudes. They were far from advocating the recognition of the East German state or from giving way on Berlin or on the Eastern Territories. But they favored contacts, negotiations, and a flexible diplomacy without abandoning the essence of earlier positions. Thus, they had no scruples against signing the Nuclear Test Ban Treaty even when the German Democratic Republic also became co-signatory. They had also favored the establishment of trade missions in countries which maintain diplomatic relations with East Germany.

The Foreign Minister, Gerhard Schröder, who succeeded Heinrich von Brentano in the post-1961 Adenauer cabinet, dared to adopt a "policy of movement" or a "change through rapprochement." This mobile and pragmatic view on reunification was then supported by only a few influential members of the CDU/CSU. Erhard, however, has rallied to Schröder's views and so, apparently,

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has Eugen Gerstenmaier, the President of the Bundestag. Gerstenmaier himself has always shown a certain disposition toward flexible views; he once favored the linking of disengagement with the question of reunification and was ready to reverse the priorities on “free elections” versus “peace treaty.”

The flexible-liners favored co-operation with the United States and have seemed undisturbed by direct Soviet-American exchanges on Berlin and negotiations aiming at the easing of international tensions. Though Schröder and his supporters asserted that the Federal Republic cannot afford a harder policy line than that of the United States, they have come under the heavy fire of their opponents in the Party whenever they have tried to implement their “pragmatic” and “realistic” ideas. Schröder’s future depended on the support which he could obtain from the Chancellor and that segment of the Party which was ready to follow similar policies; on the vehemence of the attacks of his opponents, themselves divided; and, last but not least, on international developments and the possibilities for conformity with the official policy of Washington without appearing to infringe on vital German interests.

After the 1965 elections when Erhard was called to reorganize his cabinet, the post of the foreign minister, together with the policy to be followed, became the bones of contention between the warring factions of the CDU/CSU. Erhard had to protect Schröder against the onslaughts of the “hard” group led by Adenauer himself. The struggle developed into a three-cornered fight when the leaders of the FDP, the coalition partner, joined the battle. Although the FDP leader, Erich Mende, himself a candidate for the office of a foreign minister, did not see eye-to-eye with Schröder, he was even more opposed to Franz Josef Strauss, who would have been the favored son of the hard-liners for that ministerial post.

The new cabinet continued to include Schröder as Foreign Minister; the struggle thus ended with a score in favor of the “policy of movement” and “gradualism” to create a “change through rapprochement.” Mende, in addition to his post as Vice-Chancellor, obtained the Ministry of All-German Affairs. Johann Baptist Gradl,
the CDU deputy for Berlin, received another key post concerning reunification: he became the Minister for Refugee and Expellee Affairs. He had rallied to Schröder's views and shortly after his appointment even dared to express the view that West Germany would have to make concrete "sacrifices" if there was to be any hope for reunification of Germany. He particularly hinted that some changes in the 1937 frontier in favor of Poland could be recognized by a future all-German government.  

3) The impatient ones are to be found both among the flexible and inflexible leaders of the CDU/CSU. The flexible-impatient wish to speed up certain "dynamic" moves for the opening of meaningful negotiations on the reunification question. They are particularly anxious to alleviate the sufferings of the inhabitants of Berlin and of East Germany. But many more impatient are to be found among the ranks of the advocates of tougher policies. Their impatience presses them to demand sterner measures of retaliation and use of pressures against the Pankow government and its Soviet protector. Their discontent is often expressed against the Western Allies who, in their view, fail to show sufficient vigor and determination for German unity. They reproach the West for having missed good opportunities and predict that, failing the achievement of German unity within reasonable time, Germans "could lose their patience" and in their frustration would either turn toward Russia or turn their backs on "democracy." The erection of the Berlin Wall is advanced, partly as evidence of Western passivity, partly as a reason for urgent action and for a change. Accordingly, impatience may work both ways: it is an inducement to rapprochement or to increased tension.

In the view of the impatient ones, consistent patience is, in fact, a policy of doing nothing. Schröder opposed such an attitude when he said: "I am of the opinion that a solution to the German Question cannot be attained in long-term, allegedly natural developments in Europe. This problem can be solved only if political tensions are removed and a formal agreement is reached." The adherents of "automatic" or "spontaneous" reunification (the old Adenauer school) were opposed to the tactical moves suggested by the impatient which would reveal that the Germans had lost their nerve.  

4) The patient ones are prepared and have tried to prepare the

44 See the article by Johann Baptist Gradl, Die Welt, June 15, 1963.
German public for a long waiting period before German unity can be achieved. Patients are to be found both among the advocates of hard policies and among the flexible ones. The latter foresee a long process which will lead to a gradual relaxation in the Cold War and create an atmosphere that will render a favorable solution to the German question possible. Many adherents of flexible politics favor a Polish-German rapprochement which, in their opinion, will be conducive to the implementation of German unity; but they have to admit that the road toward a genuine understanding with the Poles will, inevitably, be a long one.

Patient-inflexibles are perhaps more numerous. They generally are those who remained faithful to the concept of an automatic or spontaneous reunification of Germany. In their view, the Russians will one day feel obliged to change their attitude toward the German nation and give up voluntarily their hold over East Germany. They are convinced that, in the course of time, the question of German unification is bound to become “negotiable,” and then the price, if any, to be paid for it will not be excessive. The intensification of the Sino-Soviet conflict is invoked by them as one of the possible reasons which, in the long run, will force the Soviets to give up their advanced positions in Central Europe.

5) The so-called Gaullists (they would disclaim such an appellation) have been impressed by the French President’s active and energetic foreign policy which made nationalism fashionable again in Europe. They are not necessarily pro-French; they are German Gaullists. Translated into the realm of pro-unification policy, German “Gaullism” denies or minimizes the significance of ideological conflicts but stresses the existence of national power struggles and, by definition, wishes to apply a combination of toughness and flexibility. In the opinion of the Gaullists, the German problem is closely allied with the companion problems of the East Central European satellite countries. Unification of Germany is likely to be achieved simultaneously with what they call “the unification of Europe”—that is, when all the area between Germany and Russia will be given up by the Soviets. The Gaullists are often suspicious of American designs and consider American policy “soft,” especially when toughness seems more profitable. Together with De Gaulle, they doubt the likelihood of an all-out American
engagement in case of a Soviet attack against West Germany or Berlin.

6) The “Atlanticists” in the CDU/CSU support European integration and Atlantic partnership. They are definitely pro-American but not necessarily anti-French, though they distrust Gaullism. They are ready to favor a genuine European political federation. In their view, Adenauer's original concept was correct: it was indispensable, for the sake of German unity, first to establish security and prosperity in the Federal Republic and close alliance and co-operation with the Western powers, especially with the United States. It was, furthermore, this line of policy that enabled the Federal Republic to gain the Western powers' full endorsement for the German cause and protection against the East for the Federal Republic and Berlin. In their opinion, a neutral or uncommitted Germany would have become a no-man's-land exposed to a Communist take-over. They believe that a fully integrated Europe in close alliance with the United States will persuade Poles, Czechs, and even the Russians that they have nothing to fear from German nationalism should Germany regain her unity. But they are doubtful that the German problem could ever be solved without an all-out East-West settlement contributing to a solution of the status of the East Central European countries now under Soviet control.47

The Atlanticists agree that theirs is a long-term policy. Accordingly, they generally belong to the “patient” category of politicians. They may be adherents of a hard or of a flexible policy toward East Germany, but they try to adjust their views to the course set by Washington.

The divergences of approach to the reunification issue resulted in a paradox in German politics: the politician who favored an active, mobile attitude is often considered “soft” on German unity because flexibility and impatience might lead to concessions; on the other hand, the passive, patient politician preaching “immobilisme” is considered “hard.” Thus, Adenauer is still thought of by many as the “strong” leader, and Erhard was suspected of being “soft.” 48

The Social Democratic Party and Reunification

In the years following the Geneva Conferences of 1956, the SPD never ceased to draw attention to failures and omissions of

48 Flach, Erhards schwerer Weg, p. 89.
Chancellor Adenauer and his Party that were said to have prevented the achievement of German unity. The Chairman of the Party, Erich Ollenhauer, at the Party Congress in July, 1956, derided the government for its stolidity in failing to pursue an “active policy for re-unification of Germany by the Germans themselves.” He suggested full use of diplomatic relations with the Soviet Union for the sake of unification, the “normalization” of relations with Poland and Czechoslovakia (implying the abandonment of the Hallstein Doctrine), and establishment of a “maximum of relations” with the population of the “Soviet Zone” through agreements with the “competent agencies of the Soviet Occupied Zone of Germany.”49 The ambivalent position of the SPD was characterized by such contradictory theses as dropping, on the one hand, the claim to “one German state” and, on the other hand, refusing to recognize East Germany as a state. In the same speech Ollenhauer stated that the question of German unity could not be solved by direct negotiations between “Bonn and Pankow,” but through four-power agreements. He did not, however, exclude the possibility of talks between the West and East German governments “should they become later indispensable and if they can be carried out in internationally unobjectionable forms.”50

Such statements must have sounded extremely suspect to adherents of the official reunification concepts. It should be remembered that, while many exponents of political views in West Germany were critical of the Adenauer line on reunification, these critics very seldom objected to the doctrinal position held by the government. Even the state theory adopted by the SPD did not, in its ultimate conclusions, differ from the government concept. The SPD’s rather diffuse and ambiguous views on the methods of achieving reunification voiced prior to the 1957 elections did not advance its popularity with the voters.

The Berlin crisis of late 1958 and the subsequent Foreign Ministers’ Conference induced the SPD leadership to prepare, early in 1959, a comprehensive plan for the solution of the German question. The inconsistencies of earlier declarations were thus to be eliminated and proposals formulated which were not in direct opposition to solutions earlier advocated by the Soviet Union itself. On January 10, 1959, Soviet notes were handed to the three Western

49 From Ollenhauer’s Report addressed to the SPD Congress at Munich, July 10–14, 1956; An der Wende der deutschen Politik, pp. 9–10.
50 Ibid., pp. 11–12.
powers and to the Federal Republic proposing the convocation of a peace conference on Germany and enclosing a draft text of a peace treaty to be signed by Germany's adversaries in World War II and the "two German governments." The reunification plan of the SPD was designed to persuade the German public that its terms, if adopted, would forestall the danger of a peace settlement with two Germanys, instead of one, or a separate treaty with only the German Democratic Republic—measures which in either case would perpetuate the division of Germany.

The SPD reunification program, known as the Deutschlandplan (Germany Plan) was tailored to conform to some disengagement projects, such as those submitted by the British labor leader, Hugh Gaitskell; by George Kennan; by the former Belgian Foreign Minister, Van Zeeland; and by the Polish Foreign Minister, Rapacki. It, therefore, proposed as a first stage the establishment of a "zone of relaxation" in Central Europe, including both parts of Germany, Poland, Czechoslovakia, and Hungary. This "zone of relaxation" would gradually be evacuated by all foreign forces and denuclearized; the four great powers and other participants in these agreements were to enter into a collective security convention.

The reunification process, according to the Deutschlandplan, was to be accomplished in three consecutive steps. First, an all-German conference was to be set up with representatives of both German governments on a parity basis. The conference was to pave the way toward unification by introducing provisions, common to all parts of Germany, in the field of human rights and economics. The second step was to be the convocation of an all-German parliamentary council, consisting of equal numbers of members elected in West and East Germany. This parliamentary council was to prepare the complete realignment of the legal, financial, and social systems of the two Germanys and to decide, by a two-thirds majority, on the date and circumstances of general elections for a constituent national assembly which was to frame and adopt the all-German constitution. All of these all-German

61 For the text of the Soviet note and the draft of the peace treaty, see George D. Embree (ed.), The Soviet Union and the German Question (The Hague, 1963), pp. 81-100.
62 The Deutschlandplan was published by the SPD in April, 1959, in Bonn. The Plan also contains an historic introduction and explanatory comments in question-and-answer form.
63 For these disengagement projects, see Eugène Hinterhoff, Disengagement (London, 1959), passim.
bodies were to sit in Berlin; during the three gradual steps the status of this city was to remain unchanged.

The SPD's reunification plan clearly proposed the recognition, as an equal partner, of the German Democratic Republic. In allowing for equal representation of seventeen million Germans with the fifty-four million of the Federal Republic, it even conceded superior weight to a minority. But the weakest point of this scheme was the fact that the East German representatives could surely be expected to speak and vote according to the instructions of the Communist party, while the freely elected members from the Federal Republic would have represented different shades of opinion and one dissenting vote could have turned the balance in favor of the East. The two-thirds majority, required for the setting of general elections, could easily have been sabotaged by the Communist members, leading the whole procedure into an inevitable deadlock. In the meantime, however, the German Democratic Republic would have achieved its primary objective: its recognition as an independent German state. The Deutschlandplan argued that the opening of the border between East and West Germany—the free flow of people and goods from one part of the country to the other—as a result of the agreements would benefit unification and that the higher living standards and greater economic power of West Germany would compel the East to acquiesce in German unity; but these arguments were all based on speculations of a hazardous nature. After all, for many years after 1945 there had been free circulation between the two parts of Berlin; this had not led the East German Communists to change their economic and political system in their portion of the city. The Deutschlandplan evidently underestimated the techniques and potentialities of totalitarian regimentation. It offered the West Germans something they were anxious to avoid: an experiment which might jeopardize their hard-won security and political equilibrium.

The Deutschlandplan exposed the SPD to the criticism of the two other major parties, of intellectuals all over the country, and of many of their own Party members. The abandonment of the Plan, almost as soon as it was published, exposed its impracticality through hard experience.

In March, 1959, a German Social Democratic delegation, consisting of Carlo Schmid, Vice-President of the Bundestag, and Fritz Erler, Vice-Chairman of the Party, visited Moscow, met members
of the Soviet Central Committee, high officials of the Soviet Foreign Ministry, and Khrushchev himself. The German Socialist leaders became fully acquainted with the Soviet views regarding Germany. Khrushchev claimed to have no further interest in whether the Federal Republic severed its ties with the North Atlantic Alliance: in neither case would the balance of power be altered. They were told that the Soviet government was interested only in the conclusion of a peace treaty with the two German states. Such a treaty would render the occupation status of Berlin superfluous. As for the unification of Germany, it was a matter for the Germans to decide; the Federal government should discuss this question with the East German government. The Soviet government could offer only its good offices for facilitating the conclusion of an agreement to this effect.\textsuperscript{54}

The conversations in Moscow persuaded the Social Democratic leaders that, under the prevailing circumstances, the Russians would not consider any form of disengagement or neutralization of Germany as adequate compensation for the potential loss of their East German satellite. As Erler expressed it, they were intent on consolidating the status quo and, for that reason, were pressing for a treaty of peace based on the status quo. With regard to Berlin, on the other hand, they wished to change the status quo because the present situation of West Berlin was disturbing.\textsuperscript{55}

It now became evident that the Deutschlandplan was as poor a tool for furthering the reunification of Germany as it was unpopular in the country. The inconclusive ending of the Foreign Ministers' Conference in Geneva during the summer of 1959 finally convinced Socialist leaders that their much-heralded Plan would, at the next general elections, be a burden on their Party rather than a launching pad to victory. It was easy to say that the bluff of the East German Communists should be called. But it was an accepted tenet of West German public opinion and a view largely held by Socialist voters, too, that the position of the Federal Republic should not be risked. The Deutschlandplan would clearly have opened West Germany to Communist infiltration, cajolery, and

\textsuperscript{54} The Moscow conversations of Carlo Schmid and Fritz Erler are described by them in the following articles: \textit{Frankfurter Allgemeine Zeitung}, March 19, 1959; \textit{Frankfurter Rundschau}, March 21, 1959; and \textit{Düsseldorfer Zeitung}, March 21-22, 1959.

\textsuperscript{55} Radio broadcast by Fritz Erler over the South-West-German Station on March 21, 1959.
pressure. And to deal with the leaders of the SED, the persecutors of workers and students, was not to the taste of Social Democrats. They concluded that their estimate of Soviet intentions had been overoptimistic and, therefore, erroneous. The Deutschlandplan was dropped as quietly as possible, and a new reunification policy was turned over.

The SPD's abandonment of neutralistic or "third force" policies was not altogether easy. The policy change was decided by an extraordinary Party meeting in Bad Godesberg (known as the "Godesberg Plan") on November 15, 1959. The practical implementation of this volte face took place on March 18, 1960, when SPD Deputy Chairman, Herbert Wehner declared in the name of his Party that the Deutschlandplan had become "outdated by developments." And on March 24, 1960, he submitted to the Bundestag a new, four-point program which contained proposals for relaxation in Central Europe "with the view of promoting the rapprochement of Germany's two parts"; for demonstrations by the people of Germany to induce the four powers to open the road toward reunification; for the strengthening of economic, social, and cultural ties between the divided parts of Germany; and for a combination of moves which would lead toward German unity or would, at least, relieve Berlin from Soviet pressures and prevent any final international recognition of Germany's partition.\textsuperscript{56}

During the Bundestag debates on international politics on June 30, 1960, the SPD undertook to align itself with the governmental views on foreign policy and, in particular, the reunification issue. Invited by Franz Josef Strauss, the Minister of Defense, to accept four basic policy theses of the Federal government, Herbert Wehner gave positive replies. He declared that the SPD was ready to accept the Western European and Atlantic alliance systems as the basis and frame for all efforts of the German foreign and reunification policies. Furthermore, Wehner declared, the SPD did not demand the withdrawal of the Federal Republic from the Western alliance and was ready to consider German participation in the alliance as a contribution toward the policy for reunification. The SPD, he said, endorsed the necessity of a powerful national defense and did not, in principle, favor any form of disengagement. On the other hand, it wished self-determination and free elections in East Germany.

\textsuperscript{56} Siegler (ed.), \textit{Wiedervereinigung und Sicherheit Deutschlands}, p. 307.
Questioned by CDU Minister Krone as to whether the Deutschlandplan could, in all its details, be considered “past history,” Wehner replied, “Certainly.”

It was now the turn of Herbert Wehner to ask the CDU/CSU whether it would not be preferable to recognize the moral and national integrity of the SPD opposition party in its desire to promote German unity. He pointed out that an irreconcilable enmity between the Christian Democrats and the Social Democrats would be too heavy a burden for a partitioned Germany.

The SPD thus not only reversed itself on its attitude toward the ways and means of reunification but also suggested active collaboration on this national issue. It did not, however, acknowledge past errors or the propriety of Adenauer’s policy. On the contrary, its reproach was that the government had missed opportunities to negotiate with the Soviet Union when it might have proved profitable. The Socialists reached the conclusion that, for the time being, no more could be done for reunification than to rely on the possibilities inherent in the Western alliance and the diplomatic support of the West.

This change of fronts was no tactical move to attract voters but a policy change believed in and abided by. Simultaneously, their attitude toward the Federal Republic also changed. Earlier the Social Democrats had been inclined to regard the Bonn Republic as even more provisional than was warranted under the terms of the Basic Law. The West German state was frequently compared with the “Confederation of the Rhine,” that puppet construction of Napoleonic domination. Such attacks now came to an end and the SPD has, in every respect, become a loyal opposition, more loyal than in the past.

Subsequent to Ollenhauer’s death, the SPD elected Willy Brandt Chairman of the Party. Brandt, the governing Mayor of West Berlin, could be considered a symbol of the resistance of Berlin and, at the same time, the embodiment of German desire for reunification. Willy Brandt was known as the initiator of the policy of “small steps,” another way to express a gradual approach to the

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57 Ibid.
58 Ibid.
60 See, for instance, Jens Daniel, *Deutschland—Ein Rheinbund?* (Darmstadt, 1953), passim.
East (including East Germany), thus paving the way for reunification. It would be difficult to point to any principal difference between Schröder's flexible policy and that supported by Willy Brandt, though they did differ on concrete issues.

Willy Brandt's chairmanship helped little to secure for the SPD the much-hoped-for majority or even plurality at the 1965 elections. As stated earlier, these election results could hardly be considered an answer to the reunification question: this question simply lacked topical appeal. It is wrong to state, as did the author Günter Grass, who campaigned for the Social Democrats, that by refusing to give a majority to the Party of Willy Brandt, the German electorate "had voted against re-unification." 61

But if bipartisan policy, which developed since 1961, was a complicated matter because of the various trends prevailing within the CDU/CSU, it became even more entangled because of different shades of opinion within the SPD itself.

**Bipartisan Reunification Policy**

Bipartisanship in German unity policy was not reached by any formal agreement; it was achieved by the alignment of the Social Democratic party with the basic course followed by the Federal government and the CDU/CSU. This endorsement could never, however, be complete because, as we have seen, even the official doctrine on reunification allowed manifold interpretations and applications. Even while official SPD policy now adjusted itself to governmental views, no absolute unanimity existed within the Social Democratic party on many questions of detail. Differing nuances of opinion which, according to the significance attached to them in a given situation, could occasionally grow into formidable political conflicts, beset the SPD no less than the CDU/CSU. It has thus happened that specific views held by one faction in the Union parties may come close to or even be identical with views held by a group within the SPD. This is the manner in which bipartisanship prevails: for divergent opinions, too, acquire a bipartisan character when they are shared by members of both participating political parties.

The basic though tacit agreement which now appeared to exist between the major German parties included the following theses:

1) The primary task of German politics is the restoration of German unity in "freedom and peace." This policy objective is,

thus, inseparable from another postulate: the preservation of peace (by which is also meant the security of the Federal Republic).  

2) Any form of a two German states doctrine is to be rejected; the Federal Republic is the only true representative of the German nation. This principle, worded in the form of the one-state roof theory as endorsed by the SPD, was expressed by Fritz Erler in the course of the debate on the declaration of policy by the new Erhard government in late October, 1963, in the following manner: "The German Federal Republic is the form of state organization in the free part of our native land, and it will one day be merged into a free united Germany. That in no way takes from its dignity. . . ."  

3) The reunification of Germany is to be achieved by peaceful means only; preferably by an application of the right of self-determination (free elections).  

4) The improvement of the fate of Germans in East Germany is, for humanitarian reasons, to be considered an immediate and urgent objective.  

5) The Federal Republic remains committed to the defense and international representation of Berlin (the SPD is more inclined to stress the view according to which West Berlin is part of the Federal Republic).  

6) According to international law, the boundaries of Germany are those as they existed on December 31, 1937; the Oder-Neisse Line can, therefore, not be recognized as a frontier until the border question is settled by a peace treaty.  

7) The bipartisan policy for reunification also relies on four-power responsibility for the restoration of German unity and on

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62 See Political Program of the SPD as adopted at the Party Congress at Bonn on April 28, 1961; Willy Brandt, Das Regierungsprogram der SPD (Bonn, 1961), p. 18.  
63 Ibid., p. 19.  
64 See p. 54 above.  
65 SPD Executive Committee, News from Germany—Special Issue (Cologne, n.d.).  
67 "It is the duty of every German government, in peace treaty negotiations—to use the words of Mr. Kurt Schumacher—to wrestle toughly for every square meter of German soil. We must not fail to express the German legal point of view, because to remain silent on this point would render us unworthy of belief and would not make things easier for us either with our allies or with our eastern neighbors. . . ." Fritz Erler, Bundestag debate on the program of the Erhard government, October, 1963.
three-power responsibility for the maintenance of the Berlin status quo. The solution of the German question should be sought in association with the question of European security. A secession of united Germany from the Western alliance, is, however, not foreseen by the adherents of bipartisanship.

The informal bipartisan handling of the problems arising from Germany's partition, including the Berlin question, have undergone serious trials during the past few years. The difficulties which arose in the wake of the Berlin crisis and the attempts of the German Democratic Republic to improve its international status were mostly not interparty disputes but rather divergences within the Union parties and within the SPD.

The first formidable test for the fledgling bipartisanship was presented on August 13, 1961, when the Berlin Wall rose in the former German capital to divide its eastern and western halves. No initiative to take physical countermeasures was suggested by Chancellor Adenauer to the three protecting powers of West Berlin. It remains a matter for conjecture whether the absence of any such measures was the result of Bonn's passivity or of a lack of initiative by Washington—or both. Probably both Adenauer and President Kennedy (or Secretary of State Rusk, who discussed the matter over the telephone with the President in Hyannisport) decided independently to practice restraint in this matter. The CDU/CSU leaders, with few exceptions, shared the Chancellor's reluctance to seek an Allied action which might have precipitated an even more serious crisis. This reluctance was tacitly approved by the SPD leadership. But the SPD's Berlin organization, headed by Mayor Willy Brandt, urged active resistance of the rising Wall. On August 16, Adenauer received Andrei A. Smirnov, the Soviet Ambassador, who conveyed Khrushchev's message to the Chancellor expressing hope that nothing would be done to aggravate the situation, an assurance gladly given.

On August 18, Adenauer made a declaration before the Bundes-

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69 Information given to this writer by an SPD leader.
70 See Willy Brandt's letter to President Kennedy, dated August 16, 1961, which was to remain confidential but was, by some indiscretion, made public. Heinrich von Siegler, Von der Gipfelkonferenz 1960 bis zur Berlinerperre 1961 (Bonn, 1961), pp. 103–4. The President's reply, handed personally by General Clay on September 19, 1961, was never published.
71 Ibid., p. 102.
tag which was in sharp contrast with a speech delivered by Willy Brandt on the same day before the same forum. But the governing Mayor of Berlin received scant help from his Party colleagues. The situation was, nevertheless, believed to be critical in West Berlin. After the usual protest notes, it was realized, both in Washington and in Bonn, that certain limited (and belated) actions were needed to reassure the West’s Berlin stronghold. Troop reinforcements, the lining up of American and British tanks along the Wall, and General Clay’s and Vice-President Johnson’s arrival in Berlin restored morale but could not affect the complete partition of the city. The bipartisan policy helped to bail out the Chancellor; and, during the election campaign prior to the September 17, 1961, elections, the SPD tactfully refrained from exploiting the governmental inaction in Berlin in its own favor. As noted earlier, the election results registered some public censure by reducing CDU/CSU parliamentary representation and increasing the votes for SPD candidates. The voters must have felt that the government had not been seriously concerned to prevent the erection of the Wall. Thanks to Willy Brandt’s performance, the SPD was, undeservingly, credited with having proposed effective countermeasures. The Free Democrats (who had been rather critical of Adenauer’s inaction) increased their voting strength considerably.

In April and May, 1962, during the delicate and often acrimonious exchanges between the United States and the Federal Republic on the “package deal” (an American plan for establishing an international authority to control the access routes to Berlin, augmented by a nonaggression commitment between East and West and bilateral East-West German committees), the SPD observed calm understanding. The American plan had caused a major dissension between the “hard” group of the CDU/CSU, led by former Foreign Minister von Brentano and the “flexibles” supporting Foreign Minister Schröder; the former were in strong opposition to the plan while Schröder was inclined to align himself with the United States in this matter. The Chancellor adopted a practical approach; he was confident anyhow that the Soviet government would reject the “package.” He also relied on the French, who rejected it without much ado.

The “package deal” plan had become known through an “indiscretion” probably managed by Von Brentano and had aroused

72 Ibid., pp. 107-10.
indignation in the ruling SPD circles in Berlin. The treatment of
the issue remained bipartisan, though, of course, there were ad-
herents and opponents to be found in both the CDU/CSU and
the SPD.

The Nuclear Test-Ban Treaty of August 5, 1963, gave rise to
serious conflicts within the Union parties, coinciding with frictions
that had emerged between the Berlin SPD organization and the
CDU branch in that city.

The Treaty of Moscow provided for accession by any state
signing it in one of the capitals of the three original signatory
powers: the United States, Britain, and the Soviet Union. Under this
accession clause the German Democratic Republic could enter this
multilateral convention by signing it in Moscow. The draft treaty
was known to the Federal Foreign Office but its attention had not
been drawn, prior to the initialing of the Treaty, to the accession
clause.

Both the governmental coalition parties and the SPD expressed
discontent because of this precedent which, they thought, might
be interpreted as an indirect or implicit recognition of the East
German state. For a moment it seemed questionable that the Federal
Republic would be willing to sign the Treaty. However, talks and
exchanges between Washington and Bonn, and Bonn and London,
led to official disclaimers on the part of the American and British
governments that the accession in Moscow of the German Demo-
cratic Republic could be taken as recognition. The Bonn govern-
ment also joined in this denial. But the action raised the prospect
of other, more consequential, treaties, such as the suggested conven-
tion against surprise attack, which would provide for inspections
on both sides of the Iron Curtain and would require adherence by
the German Democratic Republic.

The interparty Berlin dispute arose as a result of speeches made
by Willy Brandt and his press chief, Egon Bahr, before the Evan-
gelical Academy in Tutzting (Bavaria) in July, 1963. The two
addresses, especially Bahr’s, contained hints for a limited rapprochement with the East German regime, suggesting an abandon-
ment of the official nonrecognition policy.74 The former Mayor
and Chairman of the Berlin CDU, Franz Amrehn, published a
scathing criticism of these speeches in the CDU’s Party release,

74 Brandt and Bahr relied on President Kennedy’s “strategy of peace” motto
and hinted that a more flexible policy could bring about a relaxed atmosphere
conducive to eventual reunification. Bahr suggested the setting up of a special
federal authority to handle the contacts between the two parts of Germany.
which was then taken up by the daily press. Amrehn wished to refute the argument that a material improvement of life in the German Democratic Republic would be conducive to relaxation; he wrote that the greatest suffering is not material but is caused by mental, moral, and political pressures. There was clearly a conflict between the humanitarian and the political approaches to reunification.

The gauntlet was then taken up by SPD Mayor Heinrich Albertz (after 1966 successor to Governing Mayor Brandt) in a memorial speech on the second anniversary of the Wall. Albertz reverted to the earlier SPD phraseology in calling the Federal Republic a "Confederation of the Rhine-State" and "a perfectionist state recently established between the Elbe and the Rhine." He asked for concrete German proposals to improve the "human situation" in the "Soviet Zone," unrestrained by the "provincial timidity" of Bonn in considering any contact with East Germany as an "upgrading" of the Democratic Republic. This allocution elicited bitter polemics between CDU/CSU and SPD mouthpieces which almost heralded the end of bipartisanship on the question of German unity.

The informal bipartisanship was, however, restored by the cooperative attitude of Schröder and by a conciliatory statement of SPD Vice-Chairman Herbert Wehner. The latter, in an interview which he gave to Die Welt on August 30, 1963, denied any intention of seeking an understanding with the East German regime. He brushed aside Bahr's suggestions as his (Bahr's) private opinions and admitted that Albertz' pronouncements were less than fortunate: "I would not have spoken of a Confederation of the Rhine-State, not even in the conditional mood." He said that the SPD had certain objections against the Berlin clause of the German-Polish Trade Agreement but that it did not wish to initiate a campaign on these grounds, especially because the Treaty had already been signed. He would not accuse the CDU/CSU of "softening tendencies" because of this event.

It should be noted that earlier the Berlin SPD had held "harder" views than the Bonn Party Headquarters; after 1961, however, the attitude of the Berlin group had become significantly more "flexible" than that of the national Party leadership.

76 Heinrich Albertz, Frankfurter Allgemeine Zeitung, August 14, 1963.
77 See editorial ("Shortsighted Quarrels"), ibid., August 31, 1963.
78 Die Welt, August 31, 1963.
The violence of the reciprocal attacks abated and the accession of Ludwig Erhard to the office of Federal chancellor also contributed to the restoration of relative harmony between the two parties. Nevertheless, the opposition within the CDU/CSU of the “hard” and “Gaullist” factions against Schröder was occasionally channeled into attacks against SPD sympathy toward the ideas of the Foreign Minister. Thus, during the Bundestag debates on the ratification of the Test-Ban Treaty in January, 1964 (when the Treaty was called another “Munich” by some inflexibles), CSU Deputy Freiherr von Guttenberg reproached the SPD in words which could or should have been directed against Schröder.78

The Berlin border-pass question also threatened to divide both the CDU/CSU and the SPD internally. The division between adherents of a humanitarian-flexible approach to this question (e.g., the Berlin SPD) and the hard-line orthodox, who would refuse contacts with the representatives of East Germany, confronted Party leaders in both camps. The national SPD leadership disagreed in many respects with its Berlin organization, while the Berlin CDU supported the “hard” line represented by several factions in Bonn.79 The Bavarian CSU, on the other hand, while being inflexible in many respects did not, generally, oppose “inofficial” contacts with the East for humanitarian reasons. Eventually, cooperation between Chancellor Erhard and Governing Mayor Willy Brandt rendered a bipartisan treatment of this question possible.

In order to secure the best results from bipartisan collaboration, Foreign Minister Schröder succeeded in establishing a system of consultation with the SPD leaders. He has regularly sought the opinion of the opposition Party’s foreign policy experts, Herbert Wehner and Fritz Erler.80 Furthermore, SPD specialists have fre-

78 Already in September, 1963, it had been noticed that Schröder, in his approval of the Moscow Treaty, mustered heartier support from the SPD than from members of his own Party. See Frankfurter Allgemeine Zeitung, September 4, 1963.
79 Willy Brandt’s speech before the Foreign Policy Association in New York on May 15, 1964, almost gave rise to a suspicion that Brandt harbors “Gaullist” sympathies when he stated that De Gaulle, with audacity and resoluteness, “is thinking the unthinkable.” “The balance of terror provides the opportunity to set rigid positions into motion. The French President takes advantage of this in his own way. Sometimes I ask myself as a German: why should he be the only one?” New York Times, May 20 and 25, 1964.
80 The collaboration began when Foreign Minister Schröder consulted SPD leader Herbert Wehner on a diplomatic note sent to Moscow in February, 1962, suggesting that the Federal government would be prepared to discuss many questions if the Kremlin would not insist on a two-Germanys concept. Christ und Welt, January 21, 1966.
REUNIFICATION AND WEST GERMAN POLITICS

...quently collaborated with members of the German Foreign Office. Such co-operation has become possible partly because of the change of the SPD's attitude, partly because of the more "mobile" policy of the Foreign Minister. But such a concurrence of views between the Foreign Minister and the opposition party has not facilitated Schröder's task of consultation with elements of his own Party.

The political chasm which almost since the beginning of the Federal Republic had divided the majority party from its main opposition was closed by the adherence of the SPD to the basic tenets of the government's reunification policy and definition of the role which the West German state should play in the restoration of German unity. Additionally, the participation of the Federal Republic in the Western defense system was also fully approved. Thereby, all major foreign policy differences were eliminated.

This loose co-operation, however, failed to satisfy the SPD. They suggested several forms of permanent consultation with the governing parties on questions of foreign policy, or the Deutschlandpolitik, in particular. The elimination of substantive policy differences opened the chance that even a coalition between the CDU/CSU and the SPD, with or without the FDP, might be contemplated.81 When the question of "exchange of speakers" between the SPD and the SED, the Communist party of East Germany, came up in the spring of 1966, the need for joint decision prompted Chancellor Erhard to convoke the first "Germany discussion" on April 21, 1966, with the participation of the three parliamentary parties of the Federal Republic.

In March, 1966, the Central Committee of the SED sent an "Open Letter to the Delegates of the Dortmund Party Conference" of the SPD, signed by Walter Ulbricht, in his capacity as first secretary of the Communist party of East Germany, inviting the West German Social Democrats to join in a conference to promote better understanding and to prepare joint action against "the Bonn revanchists and imperialists."82

The SPD replied with another "Open Letter" in which it emphasized its loyalty to the text and principles of the Basic Law and questioned whether useful talks could be conducted with the ruling

81 Talks concerning the inclusion of the SPD in the Government were conducted after the Der Spiegel crisis, which endangered the then-existing coalition between the CDU/CSU and the FDP, in December, 1962. The question of a Grand Coalition was again discussed after the 1965 elections. Federal President Heinrich Lübke is known to have favored such a cabinet; Süddeutsche Zeitung, January 17, 1966.

party of East Germany as long as Germans were prevented by walls, minefields, and barbed wire from visiting each other and while those who tried to cross the border were being shot under the orders of the Communist government. The SPD was ready to discuss the problems of Germany but only under certain conditions. The correspondence, however, continued, and the suggestion that leaders of both parties should hold joint meetings on both sides of the demarcation line was accepted. The first public discussions were to be held in Karl-Marx Stadt in East Germany and, subsequently, in Hanover in the Federal Republic. SPD Chairman Brandt, together with the Vice-Chairmen, Erler and Wehner, were to participate in these meetings, which were to be given full publicity on both sides of the Iron Curtain.\textsuperscript{83}

The SPD was acting in agreement with the government when it accepted the suggestion to embark on this venture; it did so partly in loyalty to the bipartisan policy and partly because it suspected that the real purpose of Ulbricht was to drive a wedge between the Social Democrats and the government of the Federal Republic. Erhard stipulated only that no high government official should take part in the discussions with the SED and that these contacts were not to affect the accepted basic position on the German question. The interparty conference also gave its blessing to the SPD's affair with the SED.\textsuperscript{84} In the CDU/CSU some of the "hard-liners" criticized the project; others again wished to take further initiatives so as to prevent the SPD from reaping alone the fruits of their action: the ending of a deadlock in the Deutschlandpolitik.\textsuperscript{85}

The exchange of speakers could not have been arranged without the consent of Bonn because the entry of SED leaders raised points of criminal law: these leaders were considered responsible for the shootings along the border and, as German nationals under the prevailing doctrine, could be arrested and sentenced according to the criminal code. Special amnesties were needed to secure their safety.

\textsuperscript{84} \textit{Ibid.}, April 22, 1966. The conference agreed on the following points: political meetings "with individuals or groups from the Soviet Zone" must be oriented by the aim of Germany's unification; they should not serve to enhance the established power system in East Germany; and humanitarian concessions must be demanded for the inhabitants of that part of Germany. \textit{The Bulletin} (weekly survey issued by the Press Office of Bonn), April 26, 1966.
\textsuperscript{85} Rainer Barzel, deputy chairman of the CDU/CSU, made efforts to catch up with the SPD by submitting a number of concrete proposals during his visit to the United States in June, 1966. \textit{New York Times}, June 16, 1966; see Chapter III, p. 121.
The Temporary Immunity Act passed by the Bundestag subsequently served as a pretext for Ulbricht to call off the exchange of speakers.

Until mid-1966, the bipartisan line on the Deutschlandpolitik, despite intraparty cleavages, operated reasonably well. It was not even sorely tested in the election campaign preceding the 1965 Federal elections. However, the fissures within the CDU/CSU—centering mainly around the reunification policy issue, various initiatives taken by the SPD, and ensuing acrimonious polemics—created a political malaise which threatened, by the summer of 1966, to end all collaboration.

A series of humiliating reverses which Erhard sustained after leading his Party to victory in 1965 shook his coalition cabinet some ten months later. The partnership with the Free Democrats, always cumbersome for Adenauer, proved to be fateful for the second Federal Chancellor. The internal splits within the FDP on the reunification issue have often been embarrassing in the past to those who tried to collaborate with them.

*The FDP and the Reunification*

The Free Democratic party has always been a divided party—on practically all issues. It included so-called southern liberals, mainly from Baden-Württemberg, who had been inspired by the ideas of the Frankfurt Parliament of 1848; economic liberals of the Manchester school; and all shades of nationalists of the Weimar era. The question of German unity was probably the only theme on which all Party factions concurred in demanding a more active achievement policy. But the leaders of the FDP hardly ever saw eye-to-eye on how this unification policy was to be implemented, and many of them changed their opinions over time.

In 1949, at the first Bundestag elections, the FDP obtained fifty-two seats. The CDU/CSU, with a mere plurality of 139 seats, had to seek coalition partners. Adenauer invited the FDP into his cabinet, and the SPD with its 131 seats was forced into opposition. But the Free Democrats proved to be difficult partners. There were, especially, two areas in which the FDP opposed governmental policy: social legislation and the West European involvement. The latter was considered by the FDP, and by the SPD, as delaying or blocking reunification.

At the 1953 elections the CDU/CSU increased its Bundestag
representation to 243 (and the SPD, to 151), mainly to the detriment of smaller parties. But Adenauer was still compelled to rely on the 48 FDP deputies for a controlling majority in the assembly. But this time the Chancellor refused to recall to his cabinet the most recalcitrant FDP leader, former Minister of Justice Thomas Dehler. Thereafter, the FDP was already half way in opposition, though it had some ministers serving in the government. Dehler had been elected chairman of the Party. In February, 1956, the FDP overthrew the CDU-led state government of North Rhine-Westphalia by joining the SPD opposition. The Party then split; sixteen deputies joined the CDU/CSU while the rest went, also on the federal level, into opposition.

The FDP had always been critical of the Chancellor's Germany policy; it is to be remembered that one of the Party's deputies, Karl Georg Pfleiderer, had presented reunification projects of his own back in 1952. In 1953 the election slogan of the Party had been "First Germany, then Europe." Although this emphasis on nationalism and German unity strengthened the cohesion of the FDP, its views on internal politics were hopelessly split between a socially minded group (the so-called "Young Turks") and the irreconcilable bourgeois liberals who, for example, had announced that they would do away with the "social achievements" in East Germany when the day of unification arrived. The 1957 elections reduced the number of FDP deputies in the Bundestag to forty-one.

During the full third term of the legislature the FDP remained in opposition. Their main topic of criticism against the government was Adenauer's abortive reunification policy. The Soviet attempts to obtain control over West Berlin and, finally, the erection of the Berlin Wall, gave them ample material for chiding the Chancellor. Their suggested policies were, however, neither uniform nor consistent, nor even realistic. Thomas Dehler was succeeded in the chairmanship of the Party by Reinhold Maier in January, 1957; in 1960 he was replaced by Erich Mende, one of the "Young Turks." Mende, once a fervent supporter of "East-West talks" (in 1956 he participated in discussions with leaders of the East German bogus Liberal Democratic party in Weimar and was severely attacked for it at that time), in 1960 still advocated such contacts together with

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87 See above, p. 30.
the neutralization of a united Germany and the complete restora­tion of the 1937 frontiers.89

The Free Democrats, possibly under the impact of the Berlin Wall, were able to increase their Bundestag representation to sixty-seven at the 1961 elections. The CDU/CSU was now compelled again to look for coalition partners. The FDP, after considerable hesitation and against the views of many of its influential members, agreed to participate again in the Adenauer government. The alternative could only have been an alliance between the SPD and the FDP; Mende had, in fact, pursued conversations to this effect with the Social Democratic leaders. But the influence of big industry, which had financed FDP's election campaign, led the Party to help Adenauer once again. Among the conditions which the FDP stipulated as a price for its collaboration were a more active reunification policy, including a plan to ask the three Western powers to open negotiations with the Russians, and even direct talks eventually between the Federal Republic and Moscow. Mende himself re­frained from joining the new cabinet.

Shortly after the formation of the new Adenauer government, a Soviet memorandum of December 27, 1961, was presented to the Federal government. This long document, couched in carefully worded ambiguities, addressed flatteries to German talent and in­dustry, alluded to the usefulness of past co-operation, and expressed hopes for similar collaboration in the future. It described in glitter­ing colors the possibilities of Soviet-German reciprocal trade and, without giving up the Soviet theses on East Germany and Berlin, suggested direct talks on the Berlin issue between Bonn and Mos­cow.90

The Soviet memorandum caused a major shock in the coalition. The Free Democrats first suggested that the time had now come for Adenauer to live up to his commitment and agree to a bilateral talk with the Soviet Union. But the Chancellor refused; he was skeptical, as before, of Soviet sincerity. He had been trying hard, ever since the abortive outcome of the 1959 Geneva Conference, to

89 See Gibt es noch Wege zur Wiedervereinigung? (Bonn, 1960), pp. 52–57, a symposium with such contributors as CDU Deputy Gradl, SPD Deputy Mommer, FDP Chairman Mende, and Herbert Schneider, leader of the German party (Deutsche Partei) a splinter party which supported the government.
persuade the United States to restrict its "exploratory talks" (conducted alternatively in Moscow and in Washington) to the technical aspects of the Berlin question and not to undertake meaningful negotiations on the East-West German problem as long as the Soviets insisted on the participation of the German Democratic Republic. He foresaw that if the bilateral talks were not limited to the Berlin question on which, in his view, the Western Allies, and not the Federal government, were primarily competent to negotiate, they would lead to a discussion of the German question which, under the terms of the Soviet memorandum, could result only in an "upgrading" or even recognition of the East German regime. And even if these bilateral negotiations were conducted with close consultation, they would expose the Federal government to Soviet pressures or evoke sinister memories of Rapallo and the Hitler-Stalin Pact in the minds of Western leaders.91

Eventually, the Chancellor's arguments partly satisfied Erich Mende, though not the popular leader of the Party, Thomas Dehler. On February 21, 1962, the Federal government replied with another lengthy memorandum explaining the German point of view. It claimed to share the Soviet view that a genuine reconciliation of the two countries would banish the danger of war in Europe. But it also stated: "German-Soviet relations can only be normalized if the situation of the German people is normalized. What is abnormal is the division of the German people, what is especially abnormal are the conditions in the so-called German Democratic Republic and just as abnormal is the wall in Berlin. These are the problems that must be solved if we are to improve German-Soviet relations."92

Thus, the West German memorandum did not deny the usefulness of bilateral talks but suggested preliminary exchanges of view on the basis of the principles laid down in the text. This response to the Soviet initiative was, after some argument, accepted by Erich Mende, but not without "extensive soul-searching" in the FDP. Mende followed the Social Democratic example by admitting that many of his Party's earlier ideas on reunification had become "outdated."93

This event demonstrates the existing split within the ranks of the

Free Democrats over the *Deutschlandpolitik*. After the dispatch of the German memorandum, Thomas Dehler, then Vice-President of the Bundestag, did not hesitate to accuse the CDU/CSU of having violated the coalition agreement. The bipartisanship between the Union parties and the SPD on the policy for reunification had not made the FDP's task easier: before the Social Democratic changeover they professed to stand on the reunification issue, as well as on other issues, midway between the views of the other two major parties. For instance, Reinhold Maier, then chairman of the FDP, stated on behalf of his Party in October, 1958, that they would never adhere to the CDU priority of the integration of “Little Europe” over Germany’s reunification, nor would they adhere to the tendencies within the SPD to place the policy for reunification above the quest for the unity of Europe as a whole.\(^9^4\) The FDP was always unable to convert the coalition and the government to the views held by its more nationalist and less pro-Western wing. With a basic understanding existing between the Union parties and the SPD, the FDP could hope even less to have its weight felt on the question of German unity.

The divergence of views on the *Deutschlandpolitik* between different factions of the FDP is considerably deeper than within either the CDU/CSU or the SPD. In fact, some of the FDP’s internal conflicts are insurmountable. For instance, a member of the rightist wing of the Free Democrats, Bundestag Deputy Ernst Achenbach, who has a Nazi past and was involved in the Naumann Plot of 1953,\(^9^5\) persuaded the Foreign Policy Preparatory Committee of his Party to submit a proposal to the Party Congress to be held in Munich in the summer of 1963 inviting the four former occupation powers to convvoke, without delay, a new conference on Germany with the participation of “both parts of Germany,” of Poland, and Czechoslovakia.\(^9^6\)

Thomas Dehler, a Bavarian liberal with commendable record during the Nazi era, always opposed Adenauer’s concept of an automatic reunification. He never credited the Chancellor with genuinely wanting reunification and considered integration of West Germany into the European Economic Community and the Atlan-


\(^9^5\) About the Naumann Plot which involved the arrest of former Nazi leaders, headed by Werner Naumann, Secretary of State in Goebbels' Propaganda Ministry, see Horne, *Return to Power*, pp. 160–82.

\(^9^6\) See *Christ und Welt* (Stuttgart), July 5, 1963, where Achenbach's conduct is strongly criticized.
tic alliance as measures blocking the path to German unity. He denied that Adenauer, or the Western powers acting on the Chancellor's advice, had ever seriously tried to come to grips with the Soviets in negotiating the German question. The policy of strength was an error; and the more the Federal Republic became entangled in European and Atlantic commitments, the more difficult it would be to satisfy Soviet demands in return for German unification. Dehler favored direct West German-Soviet talks which could discover the real Soviet price for reunification. Thomas Dehler visited the Soviet Union in September, 1963, and had conversations with Khrushchev and Foreign Minister Gromyko. He was told that he had been right in considering the establishment of the Federal Republic as having prevented unification of his country. But since this mistake had been committed, the fact of two (or three, when including West Berlin) Germanys had to be recognized and reunification had to be negotiated between them. Germany's division was a result of the lost war and of Bonn's mistaken policy. Despite this frustrating insight into Soviet political thinking, Dehler continued to advocate direct German-Soviet conversations.

When, after Adenauer's retirement, Ludwig Erhard formed his cabinet on October 17, 1963, the coalition between the CDU/CSU and the FDP was renewed. Five FDP members entered the new government, including this time Erich Mende, the Party chairman. He became not only the Vice-Chancellor but also Minister of All-German Affairs in recognition of the special interest of the junior coalition partner in matters of German unity. The FDP's electoral success in 1961 proved to be temporary; when the Germans went to the polls in 1965, the FDP could muster only 9.5 per cent of the votes as against 12.8 per cent in 1961. Nevertheless, its participation in the coalition cabinet continued and so did the feud between Erich Mende and many of the CDU/CSU leaders, especially Franz Josef Strauss. On the whole, Mende and his faction within the Free Democrats wished to give a much more liberal interpretation to West Germany's principal position with regard to the reunification issue. Thus, the Vice-Chancellor would have preferred that the Bonn government negotiate the border pass agreement with East Germany, instead of leaving this matter, to save the principle of nonrecognition, to the Berlin Senate. Mende

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98 The German Tribune, September 21, 1963.
and his group urged the opening of "contacts," "talks," or "colloquies" with the German Democratic government "on all levels," which they refused to consider "negotiations" for fear of implying recognition of the regime. Such moves were much against the taste of even the "soft" ones in the CDU/CSU. Strangely enough, Mende managed to combine his "flexibility" with certain rigid, highly conservative views, such as his insistence on the continued legal existence of the German Reich.\textsuperscript{100} He saw no inconsistency in declaring, on the one hand, that the Hallstein Doctrine was obsolete, but demanding, on the other, the "sole right of representation" of Germany for the Federal Republic. He also pointed out that one day it might be possible for the Federal government "to confer"—if not negotiate—with the East German regime provided that such talks were conducted at the behest of the four former occupation powers of Germany.\textsuperscript{101}

In the spring of 1966 the FDP was eager to take advantage of the possibilities of a "German dialogue." Even before the SPD was ready to accept a conference with the SED, the FDP Vice-Chairman, Wolfgang Mischnik, took part, for the first time since the division of Germany, in a televised discussion with the leaders of its splinter-branch in the German Democratic Republic, the so-called Liberal Democratic party.\textsuperscript{102} The FDP has also sponsored, since 1959, the establishment of mixed commissions between East and West German officials—at all levels.\textsuperscript{103}

Whether the initiatives of the FDP, as an opposition party, will result in a more active Deutschlandpolitik, including direct talks with the Soviets, and whether such talks will be more productive than Thomas Dehler's experience in Moscow must remain a matter of conjecture. Any movement along the congealed front of reunification may be fruitfully exploited by the Free Democrats because their members have submitted so many plans in the past: the authorship of any of these projects, if revived and adopted, could be claimed by the junior coalition party or one of its factions.

Probably to establish for itself greater maneuverability on the German issue, the Free Democratic party withdrew its ministers from the Erhard cabinet on October 27, 1966, and, once more, ended the coalition with the CDU/CSU. The official reason given

\textsuperscript{100} See Mende's speech of March 12, 1966, over RIAS (Radio in the American sector of Berlin).

\textsuperscript{101} Frankfurter Allgemeine Zeitung, April 5, 1966; Die Welt, April 5, 1966.

\textsuperscript{102} Süddeutsche Zeitung, April 2, 1966.

\textsuperscript{103} New York Times, June 16, 1966.
for this withdrawal was opposition to the Chancellor's fiscal policy measures; but, as in almost every political question of the Federal Republic, it was the German problem which loomed over the secession of the Free Democrats, a step which two weeks later led to the resignation of the Chancellor and his cabinet.

After Erhard—The Grand Coalition

Among the various factors and events which caused the eclipse of Chancellor Erhard, his reluctance or inability to launch meaningful initiatives for the promotion of German unity played an outstanding role. Adenauer, with his reputation as an architect of new Germany, was able to survive, at least for a number of years, without mustering any step forward toward the unification of his country. But Erhard, the contriver of West Germany’s “economic miracle,” whose prestige had already been undermined before his accession to the chancellorship, was unable to refute the longstanding doubts as to his political skills. Eventually, he proved unsuccessful even in the field of finance by running into difficulties about a budget deficit and about offset payments for the maintenance of United States and British forces in Germany. The elections in the Land of North Rhine-Westphalia in July and those in Hesse in November, 1966, favored the Social Democrats. These votes may also have reflected an increased popularity which the SPD has gained by their adroit exploitation of the cause of German unity.104

For the solution of the West German governmental crisis in November, 1966, different alternatives were available: the former partnership between the CDU/CSU and the FDP but under a new chancellor could be re-established; the much-heralded “Grand Coalition” between the CDU/CSU and the SPD could be set up; and, finally, for the first time in the eighteen years’ existence of the Federal Republic, the CDU/CSU could be unseated from its governmental position if a coalition between the SPD and the FDP could be forged. Such a partnership would only dispose of a thin six-vote majority in the Bundestag which, in view of the lax disci-

104 In October, 1966, Herbert Wehner, deputy chairman of the SPD, suggested in an interview the setting up of an “economic community” between West and East Germany, a project strongly repudiated by Erhard and most of the CDU/CSU deputies; New York Times, October 13 and 14, 1966. Earlier, Helmut Schmidt, another SPD leader, had proposed the establishment of diplomatic relations with Czechoslovakia and Rumania; New York Times, August 16, 1966. It is not known whether these two proposals were fully supported by the SPD leadership.
pline prevailing in the ranks of the Free Democrats, seemed insufficient. Of course, if the fifteen Social Democrat deputies from Berlin were able to vote, the majority of the SPD-FDP combination would be impressive. But under the reservations of the three Western military governors which saddled the Basic Law at the time of its acceptance by the Parliamentary Council the deputies from Berlin were not entitled to vote (except on procedural questions, as developed by practice). Thus, the status of Berlin impinged on the developments of West German internal politics.\(^{105}\)

The cause of the governmental crisis was, partly, a personal one: the majority of the CDU/CSU leadership, beset by dissensions mostly relative to the handling of the reunification issue, decided to select another chancellor. Erhard was not again to head the new cabinet also because the FDP refused to accept his leadership. But as soon as Erhard declared his readiness to withdraw, the importance of a future political program, to be agreed upon by the parties which would form a new governmental coalition, came into prominence. In the course of the discussions over Erhard’s heritage, the SPD and FDP were able to crystallize some of their basic positions. The Social Democrats made it clear that their participation in either the Grand Coalition with the CDU/CSU or in a “small coalition” with the FDP would be conditional on the acceptance of certain foreign policy positions such as a clarification of the Federal Republic’s relations with both Washington and Paris, the renunciation of any West German nuclear sharing in NATO, “normalization” of West Germany’s relations with her “East European neighbors,” the promotion of some forms of “organized coexistence” with the German Democratic Republic, and a clear attitude on problems concerning Berlin.\(^{106}\)

As far as the FDP was concerned, its Chairman, Erich Mende, already as Vice-Chancellor and Minister of All-German Affairs in the Erhard cabinet, had proposed the establishment of full diplomatic contacts with the East European countries, going beyond the respective plans of the Social Democrats. Now his Party advocated a policy “more in keeping with the sober facts of the East-West sit-

\(^{105}\) Brandt asserted that the reservations on voting rights of the Berlin deputies had long since been eroded; *New York Times*, November 15, 1966. The stature of the Mayor of Berlin had grown since he was invited for a discussion by Pyotr A. Abrasimov, Soviet Ambassador to East Germany; *New York Times*, October 22 and 23, 1966.

\(^{106}\) See the eight-point program of the SPD submitted on November 13, 1966, to both the CDU/CSU and the FDP; *The Bulletin*, November 15, 1966.
uation” making an end to “all dreams and illusions.” Hans-Dietrich Genscher, chairman of the FDP parliamentary group, declared: “The German Problem cannot be solved without the cooperation of the German Communists.”

On all these issues the CDU/CSU continued to present a wide spectrum of opinions: while Erhard and Schröder appeared to be in favor of establishing diplomatic relations with Rumania, and later with other East European countries, Franz Josef Strauss, the leader of the CSU, opposed such moves. While Rainer Barzel deprecated “patent solutions and ideological prejudice,” the “hard liners” of the Party rejected “hazardous” ideas suggested by the SPD and FDP, and by some “impatient soft liners” of their own Party.

On November 10, the CDU/CSU parliamentary group elected Kurt Georg Kiesinger, Minister-President of the Land Baden-Wurttemberg to become Federal Chancellor provided that he proved able to form a government which would receive a majority vote in the Bundestag. Kiesinger was chosen in preference over Foreign Minister Schröder and Deputy Party-Chairman Barzel. It appeared that Franz Josef Strauss and the votes of his Bavarian group helped Kiesinger, another Catholic and South German, to defeat his rivals. Kiesinger’s first pronouncements showed him a middle-line politician who supported both Franco-German friendship and cordial ties with Washington, who advocated the avoidance of “labels that are divorced from reality”—meaning “Atlanticist, European or Gaullist” approaches to foreign policy—and of “sterile and artificial dilemmas” (whether relaxation or progress toward German unity should come first), and for the advancement to reunification suggested “fewer Sunday speeches and more work-day politics.”

The governmental crisis continued until after the elections in Bavaria on November 20, 1966. The Bavarian poll strengthened both the CSU and the SPD, and secured continued leadership to the former. The loser was the FDP whose vote was reduced below the statutory minimum which left this Party with no seats. On the other hand, the right-wing National Democratic party (see later) gained 7.4 percent of the votes and 15 seats of 204 in the Bavarian diet.

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107 The German Tribune, November 12, 1966.
108 Ibid.
110 The German Tribune, November 12, 1966.
To end the interregnum, the SPD negotiated both with the FDP and the CDU/CSU. The Chancellor-elect negotiated but unsuccessfully with the Free Democrats for the re-establishment of the former coalition. The final decision rested with the SPD: it would have been easier for that party to reach an agreement with the FDP on questions of foreign policy and the reunification issue than with the other major party. But the Social Democrat leaders resisted the temptation of gaining the chancellorship with the support of a volatile coalition partner and a slim, uncertain majority in the Bundestag. They would have preferred new general elections, but these were opposed by the CDU/CSU. The negotiations, in view of the existing divergencies both between the two major parties, and within their own ranks, could not establish a common platform concerning the reunification issue except on most general and vague terms.

The Federal government announced on December 1, 1966, and approved by the Bundestag, included Kurt Georg Kiesinger as Federal Chancellor and Franz Josef Strauss as Minister of Finance. Schröder was moved to the post of a Minister of Defense; Kai-Uwe von Hassel, the former Defense Minister became Minister of Refugee Affairs. The SPD provided the Vice Chancellor in the person of Willy Brandt (he resigned as Governing Mayor of Berlin) who also became the Minister of Foreign Affairs. Herbert Wehner had become the Minister of All-German Affairs, and Gustav Heinemann returned to the cabinet as Minister of Justice. It was a cabinet of strong personalities and one of divergent views, particularly on the issue of German unity.112

The program of the Grand Coalition was submitted to parliament by Chancellor Kiesinger on December 13. He said nothing on the German question which would have conflicted with the Basic Law or the accepted doctrine; however, on certain points, he stretched the limits of the official doctrine as wide as compatible with the generally approved principles of Germany’s international status. He pleaded reconciliation with Poland but stopped short of recognizing the Oder-Neisse Line and insisted that the boundaries of a reunified Germany can be laid down only in an agreement concluded freely with an all-German government. He offered the hand of friendship to the East European governments and hinted that

112 New York Times, December 2, 1966. Heinrich Krone, a rigid “hard-liner” was dropped from the cabinet.
even diplomatic relations could be set up with them "whenever the circumstances allow" such a move. He rejected recognition of the East German regime but advocated expanded contacts across the zonal border.\footnote{New York Times, December 14, 1966. Kiesinger's speech contained such important passages: "The present Federal government, too, considers itself the only German government to have been freely, lawfully and democratically elected and therefore entitled to speak for all Germans. . . . We wish to do our utmost to prevent the two parts of our nation from drifting apart. . . . That is why we wish to do all we can to encourage human, economic and cultural relations with our countrymen in the other part of Germany. Where this requires the establishment of contacts between authorities of the Federal Republic and of those in the other part of Germany it does not imply recognition of a second German state. We shall treat each case on its merits and in such a way that world public opinion cannot gain the impression that we are abandoning our legal standpoint." The Bulletin, December 20, 1966.}

The new foreign policy lines of the Grand Coalition may thus be characterized: (1) General De Gaulle's priority of order, namely, "détente, entente, cooperation," seems to have been accepted; accordingly, relaxation may be sought even before reunification; (2) diplomatic relations, if no conditions are attached, may be established with East European states which, like the Soviet Union, gave recognition to the D.D.R. when West Germany became a sovereign state; their diplomatic ties with East Berlin will thus, "on a pragmatic basis," be overlooked while legal standpoints will mutually be upheld; (3) relations with East Germany in the fields of cultural, economic, and political life are to be improved but without abandoning the legal point of view; the Federal Republic is not to recognize, as either a foreign country or a legitimate state, the "other part of Germany."

The Grand Coalition was not intended by either of its participants to remain a permanent feature of West German politics; it is to end, if not earlier, before the next federal elections in 1969. The SPD, after a waiting period of eighteen years, was at last able to share in governmental responsibilities. It appears quite clear that without the adoption of the Godesberg Program such a participation would have been impossible. No Grand Coalition could have been forged with a Social Democratic party which was not in basic agreement with the official Deutschlandpolitik, even if its own interpretation differed in many respects from the former Adenauer-line, and even from the Erhard-Schröder line.

Although no detailed understanding could be reached between the two coalition partners of the Grand Coalition on how to promote reunification, an abandonment of all doctrinaire rigidity be-
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came part of the working-plan of the new cabinet. No Federal
government had earlier enjoyed such a wide support, a quasi-
unanimous support, in the Bundestag. Such a "strong" government,
backed by the joint responsibility of the two major parties, ap-
peared to be in the position of making "sacrifices" or agreeing to
"concessions" on the reunification issue which either of the two
major parties might not have dared to approve. But such a way of
acting would presuppose a much greater homogeneity in outlook
and intention than the Kiesinger-Brandt cabinet possesses. No
doubt, this government could act with greater flexibility than its
predecessor; even so, every measure which would appear as a devi-
ation from accepted practices, would have to run the gauntlet be-
tween the opposing attitudes of Brandt and Strauss, of those of
Wehner and Schröder, and the rest of the "hard-" and "soft-liners"
both in the CDU/CSU and the SPD.

Furthermore, should a most liberal interpretation and application
of accepted principles in the pursuance of the Deutschlandpolitik
fail to accomplish at least some tangible gains toward German unity,
a reaction on the part of "hard-liners" and "patient-ones" seems
unavoidable. The demand for a return to the erstwhile rigid and
inflexible policy lines is bound to follow. In any case, even a most
imaginative and elastic Deutschlandpolitik cannot jettison certain
essential ideas of Germany's status without betraying the very
raison d'être of the Federal Republic. And a policy of unprincipled
concessions, instead of promoting German unity, will find itself
having sanctioned and hardened the division of Germany.

The Splinter Parties and Reunification

The FDP was the only smaller political party which, ground be-
tween the two major parties, was able to maintain itself and play a
political role. Its relative resilience resulted from the popularity of
the ideas it professed to represent and from the diverse personalities
who stood for the Party. The other smaller or splinter parties did
not present anything of persisting value to the electorate, nor did
they possess strong leadership. After the experiences of nazism and
communism, the radical extremism of some of the small parties was
simply not to the taste of the masses. Even vociferous nationalism
had, at least for the time being, ceased to attract a larger number
of people.

Among the short-lived parties of the radical right, the Deutsche
Rechtspartei (German Right party) was soon succeeded by the
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neo-Nazi Socialist Reich party. This party was declared unconstitutional by the Federal Constitutional Court in 1952. It was replaced by the Deutsche Reichspartei (German Reich party) which, however, proved unable to obtain sufficient votes to be represented in the Bundestag and later even failed to gain seats in Land parliaments. Even so, it continued to remain vocal by publishing newspapers and pamphlets which have limited circulation but still retain a number of obstinate devotees.114

The extreme right represents different shades of opinion on the question of German unity. The neo-Nazis insist that the re-establishment of the German Reich within her prewar boundaries is the only solution acceptable to the German people and the only one which can secure European peace. They are generally vague as to whether they include Austria or the Sudetenland in their schemes. For them, the reunification of East Germany with the Federal Republic would be only a partial solution, and they seem to be more interested in their highly unrealistic dreams for a “Greater Germany” than in “petty” questions of limited territorial scope. At least some of their leaders and organizations appear to have received financial support from the German Democratic Republic.115

A clearly neutralist policy is advocated by a group which, since 1956, has published the weekly *Neue Politik*. It refuses all co-operation with the West, supports a leaning toward the East and represents the nearest approach to national bolshevism.

The recently most successful rightist organization, successor to many small groups, including the German Reich party, is the National Democratic party which polled 2 per cent in the Federal elections of 1965. The partition of Germany is being propagandistically exploited by this party and used to inflame hatred against the former wartime enemies of Germany. The Party’s reunification program, as announced by its leader, Adolf von Thadden, is not

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115 See Manfred Jenke, *Verschwörung von Rechts? Ein Bericht über den Rechtsradikalismus in Deutschland nach 1945* (Berlin, 1961), pp. 79-83, 94-95. The basic theory of the neo-Nazis is the denial of “legitimacy” of both the Federal Republic and the German Democratic Republic; according to them, none of these “satellite” states can be considered the successor of the Third Reich. See also Hans-Helmuth Knütter, *Ideen des Rechtsradikalismus in Nachkriegsdeutschland* (Bonn, 1961), passim.
inhibited by doctrinal views; he said that he would negotiate with Moscow, with Walter Ulbricht, "without waiting for permission from the United States." Relying too heavily on the West was a mistake which should be corrected.\footnote{116}

The Refugee party, representing primarily the interests of expellees and refugees (some ten million people unevenly dispersed over the area of the Federal Republic), obtained a considerable number of seats in the Land parliaments where refugees were to be found in abundance (mainly Schleswig-Holstein, Lower Saxony, and Bavaria). In 1951 they formed a party on the federal level and gained twenty-seven seats at the 1953 Bundestag elections. They then entered into a coalition with the CDU/CSU and were, at one time, represented by two ministers in the cabinet.\footnote{115} In addition to concern for the welfare of the groups they represented, they professed enhanced interest in the reunification of Germany, including the Eastern Territories (where most of their constituents had come from). With the assimilation of most of the expellees and refugees into the main body of the West German population, the original success of the Party receded.\footnote{118} At the 1957 elections, the votes cast for the Refugee party could not even secure them one seat in the Bundestag. Refugees and expellees, nevertheless, individually or collectively through their various organizations, carry considerable weight within other political parties.

The Deutsche Partei (German party) stemmed from a particularistic Hanoverian background and had its roots almost exclusively in the Protestant Northwest. It is a conservative group advocating constitutional monarchism. The German party (DP) consistently maintained closed regional contacts with the CDU/CSU and supported Adenauer's European policy. Although strongly in favor of political reunification and German unity, it abhors any entangle-


\footnote{115 Hiscoks, Democracy in Germany, pp. 102-6.}

\footnote{118 In 1950 they adopted the name Block der Heimatvertriebenen und Entrechteten (Union of Expellees and Dispossessed) wishing to represent also the interests of ex-Nazis who had been deprived of some of their rights. It was this circumstance which gave the Party a rightist tinge. In 1955 the words Gesamtdeutscher Block (All-German Union) were to precede the Party's name.}
ments with East German politicians and wishes to avoid risks which would endanger the present status of West Germany.\footnote{See, for this purpose, the declaration of Herbert Schneider, Chairman of the Parliamentary Group of the DP, in the volume, \textit{Gibt es noch Wege zur Wiedervereinigung?} (Bonn, 1960), pp. 58-68.}

The Zentrum party which had played such an important role during the Weimar period was enormously reduced after its reorganization in 1945–46. Though in 1949 it still polled ten seats for the first Bundestag, by 1953 its number had been reduced to three and in 1957 it gained no seats at all. In its approach to the reunification question, it closely followed the SPD line.

Gustav Heinemann’s Gesamtdeutsche Volkspartei (All-German People’s party)\footnote{See above, p. 28.} gave primary attention to reunification and, for this reason, opposed rearmament and Western ties which it considered an absolute obstacle to the essential national policy objective. The Party, founded in the heyday of the \textit{Ohne mich} campaign, proved to be an utter failure. In 1953 it received insufficient votes to be represented in the Bundestag and, thereafter, dissolved itself, Heinemann joining the SPD.

The Bavarian party (Bayernpartei) pursued particularist policy aims and showed no interest in reunification; after 1952 it held no seats in the Federal Parliament.

The Communist party of Germany, operating in the Federal Republic, had always been a faithful mouthpiece of the East German Socialist Unity party (SED) and of the latter’s Moscow-directed policies. In 1949 Communists held fifteen seats in the Bundestag. Events in East Germany soon made the Communist party more and more unpopular in the eyes of the German industrial workers. At the 1953 elections only 610,000 persons cast their votes for the Communist party (in 1949 the number had been 1,370,000), and it obtained no representation on the Federal Parliament.

The German Communist party always professed to be a fervent advocate of reunification; it endorsed all the resolutions and programs to this end of the so-called German Peace Council and the East German regime. Furthermore, the West German Communist movement was manifestly supported and financed by the East German Communists and, ultimately, by Soviet sources. In November, 1951, the Federal government petitioned the Federal Constitutional Court to declare the Communist party, under Article 21 of the Basic Law, unconstitutional.\footnote{Article 21, paragraph 2, of the Basic Law provided: “Parties which, by}
procedure, the Court ruled that the Communist party’s objective—the establishment of a dictatorship of the proletariat—was incompatible with the liberal democratic principles prevailing in the Federal Republic. The objection that the Communist party had been admitted under the four-power control of Germany as a “democratic Party” was countered by the Court in this manner: in the interpretation, as understood under the four-power regime, “democracy” meant hostility against Nazism, but now the Court was called to assess this concept in the light of the provisions of the Basic Law. The Constitutional Court also ruled that present prohibition of the Communist party does not preclude that it might participate in future all-German elections.\(^{122}\)

The prohibition of the Communist party in the Federal Republic was generally believed superfluous and, therefore, harmful. The Party’s political role had become insignificant. The propaganda value of its poor performance at the polls fully equaled the dangers of its legal activity. The interdiction of Communism has been propagandistically exploited by the East German regime, which claims to allow “bourgeois parties” to operate. Public opinion in the Federal Republic was little impressed by the judgment of the Federal Constitutional Court; people did not need to be persuaded of the antidemocratic character of Communism as practiced, for instance, in the German Democratic Republic. Some observers felt that the prohibition of the Communist party was an added obstacle to the goal of reunification.\(^{123}\)

reason of their aims or the behavior of their adherents, seek to impair or destroy the free democratic basic order or to endanger the existence of the Federal Republic of Germany are unconstitutional. The Federal Constitutional Court decides on the question of unconstitutionality.”

\(^{122}\)Communists and Communist fellow-travelers operate a political organization under the name of German Peace Union; it obtained 1.3 per cent of votes in 1965 (1.9 per cent in 1961). In West Berlin the local branch of the East German Socialist Unity party (SED) is permitted to function, but its role and membership are more than insignificant.