

# Minorities and Boundaries

A SERIES OF PAPERS

EDITED BY

OTTO EDWARD LESSING



Springer-Science+Business Media, B.V.

1931

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## FOREWORD

This book is intended to serve the cause of peace by a frank discussion of problems which, unsolved, loom sinister behind innumerable public protestations of peace. The authors of the several papers brought here together by the editor, are recognized experts. Since their contributions speak for themselves, there is nothing left for the editor to say except that he is glad to express his sincere appreciation of their unselfish efforts.

It is the editor's intention to continue the series.

OTTO E. LESSING,

formerly professor at Williams  
College, Mass., U. S. A.

Chicago, Ill., April 1931.

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<sup>1)</sup> Chapters 6 and 7 are authorized versions of articles previously published in German. The translations of all papers were done by the editor.

# ALSACE-LORRAINE AFTER ITS RETURN TO FRANCE

BY AN ALSATIAN

The growing tension in Alsace-Lorraine which for several years has been reflected in the French press and in stormy debates of the French parliament, suggests that the solution of the problem as brought about in consequence of the war, cannot have been a very perfect one. The following explanation is frequently given in Paris: "German agents are at work undermining the traditional loyalty to France of Alsace-Lorraine." Almost exactly twelve years after the armistice, in the middle of October 1930, French partisans issued the campaign slogan, at two local elections in Strasbourg and Colmar, that the decision was to be made for or against France. The Strasbourg "Journal d'Alsace et de Lorraine", the only French language daily in Lower Alsace, implored the voters that they should not let themselves be influenced for an action against France, a gesture for Germany, an appeal to war. Another paper, French nationalist in spirit, though published in the German language, the "Elsässer Bote" (Alsatian Messenger), declared at the same time that the election would have to be "an unmistakable refutation of any

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desire for revenge, a refutation of the handful of agitators who, in their inveterate hatred of France, were using every opportunity of disparaging her. In view of the additional fact that such entreaties after all failed to make an impression, it seems clear that French post-war policy in Alsace-Lorraine must have been the cause of deep dissatisfaction.

The charge of German intrigues was never substantiated to the slightest degree, although in 1928 and 1929 Alsatian leaders were arraigned before Grand Juries under the accusation of having instigated conspiracies against the security of France. At that time the causes of dissatisfaction were discussed for weeks, in the presence of representatives of the foreign press. The statements of Alsatian politicians, however, of high officials, of clergymen and teachers, etc., plainly showed that the facts told gave sufficient cause for a movement of protest against Paris of such dimensions as demonstrated by the general elections. Besides, would it speak for the alleged French character of the country, if German influences had been strong enough, so soon after the return of Alsace-Lorraine to her "mother country", to undermine the traditional loyalty of the native population?

The problem of Alsace-Lorraine today occupies international attention far less than before the war, when the words Alsace-Lorraine meant for many people a symbol of a fatal disregard of the interests of the population of a province by a victorious nation, a symbol of a crude violation of inherent human rights. It is quite



comprehensible and a credit to the American sense of justice that the eighth of Wilson's Fourteen Points was especially popular in the USA: the "righting of the wrong done in 1871". When Germany, in the fall of 1918, was forced to ask for an armistice, declaring herself ready to enter peace negotiations on the basis of these Fourteen Points, she consented to a settlement of the Alsace-Lorraine problem by will of the people. In 1871 Germany had deliberately disregarded the public protest of the same Alsace-Lorraine. Now that the reorganization of international relations in Europe was to be based upon the right of selfdetermination of each people, Germany as well as Alsace-Lorraine assumed that the people of the provinces hitherto called "Reichsland" were to be called upon to decide, free and unconstrained, their own political destiny for the future. It is safe to say that at the time even among the victorious nations there was a strong belief in the necessity of a plebiscite for Alsace-Lorraine. What else could Poincaré, then President of the French Republic, have referred to in his famous words spoken upon entering Strasbourg, December 10, 1918: "Le plébiscite est fait" — "the plebiscite has taken place". When? Evidently in the form of an enthusiastic reception of the French troops, especially by the larger towns, and finally by Strasbourg, the former capital of the country.

We Alsatians did not quite realize then how clever and how well calculated those words had been. But in the decisive moments of the Versailles negotiations

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Clémenceau actually based the French claims upon that imagined plebiscite, when the chairman of the German peace delegation, the late Count Brockdorff-Rantzau, in his memorandum, called attention to potentially fatal effects in case Alsace-Lorraine were refused her right of selfdetermination.

Without any consideration of the real desires and feelings of the provinces, the Versailles Treaty dated their return to France back to the armistice. For, according to Clémenceau, in the note of the Allied and Associated Powers of June 16, 1919, "Alsace-Lorraine herself determined the day of her liberation when she threw herself into the arms of France, as of a mother found again". A treaty, "based upon the right of self-determination could do no more than take notice of a will so solemnly announced".

During the first few years after the war public opinion in France and elsewhere was led to believe that in this spot of Europe, at least, a just solution of a dangerous problem had been found. It appeared as though in the first general election all mandates for the French Chamber and Senate had gone to parties supporting the French national block. Indeed, in the first session of the newly elected parliament, the Lorrainean François, in the name of all delegates from Alsace-Lorraine, gave expression to the "exuberant joy" of the people at their reunion with France. Apparently there had not been the slightest opposition anywhere to the political upheaval.

As to the nature of the elections, truth did not leak

outside of Alsace-Lorraine until much later. Today, among other evidence, the following remarkable ordinance of October 30, 1919, is known:

“Political Meetings — Autonomist Propaganda.

I have the honor to inform you that the administration cannot tolerate, under any pretense, even elections, any public or private meeting in which any other form of government for Alsace-Lorraine would be recommended or simply discussed, but the one established by the conditions of the armistice or peace treaty, i.e., the unconditional reincorporation in the French national unity, of the provinces taken from France by the peace of Frankfurt.

It is therefore your duty to see to it that in your community no meeting take place in which the subjects of autonomy, neutralism, federalism, or any other political system are discussed, which would mean for Alsace-Lorraine a political organization different from the one described above.

The distribution of pamphlets and circulars is subject to the same regulations even during election time. You are under obligation to confiscate at once, and to report to me upon, any document of propaganda written in that spirit.”

(“Administrateur du Territoire de Haguenau”, Lower Alsace, to the mayors of his district.)

The fact that in those first French elections in Alsace-Lorraine, in contrast to the election for the German Reichstag in 1874,, not any “protestler” (delegates protesting against the new régime) were elected or even nominated, has frequently been interpreted as a clear plebiscite and proof to the effect that the return of the country to France had not met with any opposition whatsoever. It is hardly necessary to ask a politically informed man the question, how an Alsatian or Lorrainean would have fared, had he ventured to show open resistance. Furthermore, the question had been answered beforehand, clearly enough: by the banish-

ment of more than one hundred thousand inhabitants, by the deportation of several thousand more to departments in the interior of France, and, e.g., by such acts as the internment of a man like the former President of the Legislature, Dr. Ricklin, for the whole duration of the peace negotiations and beyond the period of elections.

The ordinance quoted does not only mention a possible discussion of neutralism but also an agitation for an autonomist or federalist solution of the Alsace-Lorraine problem. This means that Alsace-Lorraine was forbidden to demand a homerule similar to the homerule she had obtained during the German régime. In other words, centralized France did not and does not wish to grant to her liberated provinces even such federalist privileges as European countries like democratic Switzerland and Germany, or the United States of America guarantee to cantons, "lands", and states. To this very day France meets "regionalist" or "autonomist" demands with the assertion that the French system of government, in view of its construction and historical development, is not in the position of conceding to Alsace-Lorraine a similarly privileged place as she actually had occupied, as a member of the Reich, for a long time.

It is somewhat surprising that the French nation declares herself unable to do justice to the autonomist movement in Alsace-Lorraine now, after the same movement had always been encouraged by France before the war. At that time, however, the problem was

merely to secure for Alsace-Lorraine her peculiar character within a people speaking the same language, while today German speaking Alsace-Lorraine belongs to a state whose population speaks a foreign tongue. Small wonder that a province wishes to be safeguarded against a central government imposing from the distance regulations and laws incompatible with her cultural situation!

Was it not the French themselves who, before the war, condemned the Prussian school policy against the Poles intended to deprive a part of the population of its traditional mother tongue? There is certainly no free American who would defend the tyranny of Fascist Italy in South Tirol, where the people are to be robbed of their language. But the French policy in Alsace-Lorraine is exactly alike: only here it is one and a half million people who, against their will and by pedagogically impossible methods are to be compelled to forget the German language spoken in the country for a thousand years, and to exchange for it the French "national language". It need not be demonstrated to Americans that it is a different case entirely for the U.S.A. not to maintain foreign language schools for all its immigrants. He who voluntarily immigrates into another country for the purpose of making his living there, knows in advance that his children will be instructed in the language of that country. Not so, when, in consequence of a war, the victor takes possession of a country whose population speaks a tongue different from that of the new masters. In this case we feel it a

disregard of the simplest human right, if the language hitherto spoken is suddenly outlawed and persecuted. And in Alsace-Lorraine, too, the "lost provinces" now "liberated"!

Is it at all comprehensible that, as a result of that "liberation", schools, administration, judiciary, are no longer organized according to the rational facts of reality, but according to an erroneous mirage of old hopes, or according to purely egotistic views? However, both of these things happen in Alsace-Lorraine after her return of France. For half a century people in France were taught that the Alsations and Lorraineans had always been French and that Germany was carrying on a brutal policy of Germanization in these "Provinces Martyres". In reality Germany recognized in the small sections where French is spoken, the French language as the official one and gave the children instruction and education in their French mother tongue.

After the armistice the French soldiers observed to their great astonishment that those "French" Alsations only understood German. Nevertheless the French do not wish to admit yet that the language of the country is German; at best they reluctantly call it a "Germanic idiom". Although the French government in recent years made the theoretical concession that bilingualism would be useful in this frontier territory, in practice the urgently needed reform of the present system has not been carried out. In the opinion of the French it is necessary, for the sake of military security, to abolish as rapidly as possible German civilization in the

border land. For this reason they persistently refuse the wishes of the people, the vast majority of whom absolutely demand protection for, and cultivation of, their German mother tongue. The security of France, which cannot possibly be considered endangered along the Rhine since the Locarno and Kellogg pacts, would best be guaranteed, if the French met the natural discontent of Alsace-Lorraine by recognizing her rights.

That discontent, called "malaise" (discomfort) in Paris, could not be suppressed any longer after the fall, in 1925, of the French national block (régime Poincaré). It found its first expression in a small weekly, the "Zukunft" ("Future") published in Zabern(!), which very soon forced the existing parties and the whole of the press to face the issue. It transpired that the criticism of the French methods of administration had affected all classes of people. Consequently the controversies about the "Zukunft" and its demand for protection of the regional and national rights of Alsace-Lorraine, very soon resulted in remarkable changes in party politics. In the year following a non-partisan and a non-denominational "home league" issued an appeal to the people. France tried in vain, by means of sanctions against the signers, to check the effect of that appeal to the pride and fidelity of the native population. She therefore feared that homerulers might be nominated and even elected at the approaching (third) elections for the French Chamber.

During the period preceding the elections the French authorities took even more severe measures than before,

readily approved in France since there the autonomist movement seemed explicable only as the effect of "foreign", i.e. German agents. Many homes and editorial offices were searched, many arrests made. The charge of conspiracy against the "safety of the state" was raised against prominent leaders of the autonomist movement, among others Dr. Ricklin, now chairman of the home league, P. Schall, editor of the *Zukunft*, J. Rossé, leader of the native teachers and officials. The autonomist press had been suspended as early as November 1927.

At a banquet of all mayors of Lower Alsace Poincaré in person announced "that Alsace will be shocked" (*l'Alsace trémira*), when learning from the forthcoming conspiracy trial what dastardly things the defendants had plotted. At the end of April (1928) the elections for the Chamber took place. Although imprisoned, Dr. Ricklin, Rossé, and Schall were candidates. Without the aid of the press or of campaign meetings, Ricklin and Rossé were elected, and with them a number of men of various parties all of them favoring the principles of autonomism.

That election created a deep impression in France and elsewhere. In neighboring Switzerland and Germany people looked forward to the conspiracy trial with all the greater suspense. Strange enough to say, it was not set for a term before the elections but one day after. It was conducted before a jury in Colmar, lasting from May 1, to May 24, 1928. The foreign reporters present were convinced that there was no evidence of a



conspiracy, nor that the autonomist movement could be regarded as a "Pan-German intrigue". The nearly general surprise was great, therefore, when the state's attorney Fachot declared the conspiracy proved. Still, he contented himself with demanding a sentence against only four of the defendants, besides the men already mentioned, a catholic priest, Abbé Fashauer. In view of the charge of conspiracy, alleged to be proved, the punishment was relatively lenient: one year of prison; five years of banishment from any of the three departments of Alsace-Lorraine. The sentenced men were soon pardoned and set free; nor was the sentence of banishment enforced. However, it appeared that the loss for lifetime of the active and passive vote was connected with the sentence and that only a special law of amnesty could set aside that political punishment.

It must be assumed that the dishonoring secondary punishment had been imposed as the real one, for the French parliament has so far (the end of 1930) refused to grant an amnesty. After stormy debates in the Chamber, Ricklin and Rossé were deprived of their mandates in November 1928, almost to the day exactly ten years after the "liberation" of Alsace-Lorraine; later they also lost their seats in the General Council of Upper Alsace.

A number of Alsations living abroad, soon after the Colmar trial were sentenced ("in contumaciam") to many years of jail, among others Dr. Karl Roos, formerly secretary of the homeleague. He reported voluntarily to the courts at Strasbourg, on November 9, 1928,

forcing in this way a new trial. The case was heard in Besançon this time, instead of Colmar. The jury pronounced a sentence of complete acquittal, denying the existence of a plot.

The French government saw that there could be only one way out of the discrepancy between Colmar and Besançon: amnesty for the men sentenced in Colmar. However, as pointed out before, parliament failed to pass the amnesty bill, although submitted and qualified as "urgent" by Poincaré himself. Nor could a revision of the Colmar trial be obtained. Consequently, the homerulers now insist on the twofold demand: "Autonomy and Amnesty!" With this slogan they removed from office, in May 1929, the anti-autonomist magistrates of Strasbourg and Colmar so that both cities have had homerule mayors and administrations since. To them belonged two of the Colmar defendants, Paul Schall in Strasbourg and Joseph Rossé in Colmar. Even before the fate of the amnesty law had been decided, the French State Council declared the annulment of their election so that supplementary elections had to be made in both cities, in the middle of October 1930.

At the beginning of our discussion of post-war developments in Alsace-Lorraine, we called attention to the curious fact that the French proclaimed these elections as a decision "For or Against France". If such was really the case, it was a blow to the policy of "liberation" that in Colmar the "Anti-French" Rossé remained only a few votes behind the victorious "French" candidate, while in Strasbourg Schall was elected for

the second time, and two more homerulers with him.

The autonomist parties were nonetheless consistent in their policy. They declare now, as before, that they are fighting for their ideals only "within the frame of France", even if they are opposed on the ground of being "secret separatists". In Germany, too, there has never been a false interpretation of the autonomist movement. The emigrants from Alsace-Lorraine, first of all, have always been warning the German public against misjudging as a desire to return to Germany what in reality is merely a struggle of Alsace-Lorraine for cultural liberty and homerule. This does not prevent the French from still believing that "secret and malign German machinations" are at work creating in Alsace-Lorraine pretenses for a future revenge. It is strange that the Frensch do not wonder why it is that there are quite a number of men among the autonomist leaders, who before the war had the reputaton of being Pro-French and who, during the war, were inflicted with serious punishments for actions in favor of France. This fact alone sufficiently proves that causes other than German propaganda explain the widespread discontent.

The principal cause of discontent is without doubt the disappointment with France's utter lack of understanding for the peculiar situation of that border country. France, instead of being satisfied with the political loyalty of her new citizens, demands of each and every Alsatian and Lorrainean that he become, or try to become, a perfect, ultrapatriotic, fullblood Frenchman. France does not see that an Alsatian can very

well cling to his German mothertongue and to his inherited German culture familiar to him, without endangering the safety of his new "fatherland". While in Paris any appreciation of German cultural achievements is esteemed and lauded as a "European attitude", the same thing is branded as "separatism" in Strasbourg, Colmar, or Metz.

Te be sure, the authorities in Paris have at last been convinced that for a long time to come German will be the everyday language of the people in Alsace-Lorraine — for the government itself subsidizes daily papers there, in the German language, and there are only two French language papers in all Alsace. But it is the hope of the authorities that the new method of instruction, introduced in 1919, the so-called "méthode direct", will train the young generation for a purely French way of thinking and feeling. Judging from present experiences that hope will be fulfilled in the case of a part of the children. The large majority, however, will be transformed into mental cripples by a method which aims at imparting to children, grown up in a German environment, knowledge in French only. The children will no longer master their inherited mother tongue, while knowing but superficially the official language of the state.

In the twelvth year of the French era government school reports emphasize the fact that the pupils graduated very soon forget their French to a large degree. The young Alsatians and Lorraineans, when drafted for the French army at the age of twenty, have by that

time lost again a considerable part of the "national language". Difficulties then arise, similar to those that existed in Belgium until a short time ago. There the Flemish citizens succeeded in making it a law that the recruits themselves are given the option of enlisting in "French", "Flemish", or "German" sections of the army.

France, we fear, will probably never be wise enough to reach, of her own accord, a reasonable solution of the language problem in Alsace-Lorraine as long as she pins her hopes on the "new generation" or still later generations. It is of importance for judging the fact that in 1919 France declared a plebiscite to be absurd, to know that since then the phrase of the "sacrificed generation" has been coined. This means that France renounces the idea of assimilating the present generation to the new conditions, so as to win over the hostile and indifferent too. Their interests, desires, and opinions are simply ignored. But this very generation, such was the sense of the principle of selfdetermination, would have had to decide the future of the country. To this generation belong the tens of thousands of sons of Alsace-Lorraine who served in the German army. France asserted, and occasionally still asserts, that those "fieldgray" Alsace-Lorraineans possessed a "French heart", serving by compulsion only, and against their own will. It is incompatible with such assertions that those fieldgray soldiers, when returning to their home country, in the meantime occupied by the French, were first lead, under military guard, to

remote barracks and then, after a few days of internment, sent to their native towns one by one. When the large majority of Alsace-Lorrainean soldiers returned from the distant seats of war in the East and South of Europe to their homes, the future of their country had already been decided upon. The word of the "sacrificed generation" cannot be reconciled with the word of "liberation".

It is not wise for the French to brand ironically the opponents of her policy of assimilation as "malcontents" or "Germanophiles". In this Alsace-Lorraine which was said to have waited forty-eight years for her liberation from the German yoke, there should not be, twelve years after, malcontents and Pro-Germans in such large numbers as to give the French occasion for exultation at every accidental "French victory". Even as realistic a Frenchman as Tardieu made the mistake, in 1930, of publicly praising such a victory as a great event. "French victories" in the "French" Alsace-Lorraine should not be such a remarkable thing as to give the head of the Paris government cause for a public demonstration!

At the conclusion of the armistice the world was entitled to the hope that the Alsace-Lorraine problem would no longer be an object of contention between two great European nations. Alsace-Lorraine had learned to know Germany. Hers was the decision as to whether she wished to return to France, or to stay with Germany, or to form, if her desire for selfdetermination be strong enough, an independent neutral state like her

neighbors Switzerland, Luxembourg, or Belgium.

The German disregard of the will of the Alsace-Lorrainean people in 1870 was condemned as a wrong. How can an Alsatian call it "right", when half a century later the same mistake is made for the second time, and that after an enormously bloody war of civilized mankind, a war which, according to the solemn promises of the victors, was to bring to the small nations of Europe, really or supposedly suppressed, the liberty of determining their future themselves?

It has been a favorite idea of many Alsace-Lorraineans for a long time that their country serve as a bridge between France and Germany, both of which they have learned to know and to compare. In the Locarno year the French prime minister Painlevé, speaking in Strasbourg, expressed that beautiful hope too. However, it is not in keeping with that ideal and consequently with the interest of European peace, when France tries to compell the German speaking population of Alsace-Lorraine to become French like any other Frenchmen, in everything, especially in their language and culture. If France succeeded in that process of frenchification, the borderland would no longer be a bridge to the neighboring German people, but a piece of France like Verdun, Nancy, or Belfort.

If there is ever to be a pacified, justly balanced federation, a "United States of Europe", we must earnestly wish that the zones of cultural transition, at the borders of the several nations, be not robbed of their

traditional individuality for the sake of egotistically political reasons.

The homerulers of Alsace-Lorraine profess their preference for conciliation, for that Pan-Europa which Briand would organize for economic considerations first. It is a tragic fate that France casts suspicion upon their aims, as though they were preparing for a new war. Nothing could be a worse misunderstanding or distortion of the idea of autonomism. A contented Alsace-Lorraine, secure in her right of existence and of developing freely her powers, would be the strongest guarantee of peace.

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## SOUTHERN TIROL — A GERMAN MINORITY

BY ERNST MUMELTER

### I

The peace treaties failed to provide for the protection of minorities in Italy. However, representatives of the Italian government gave at various occasions most solemn promises to the effect that the rights of minorities were to be recognized. Contrary to their promises, Italian statesmen, after a few years had passed, declared that minorities were legally non-existing and that the minority problem was a purely Italian affair which no outsider would be allowed to interfere with. Mussolini himself categorically denied that the League of Nations had anything to do with the question (speeches of February 1926). As a matter of fact, Italy suppresses the racial and cultural life of her minorities in a manner unaparalleled among the nations of Europe.

South Tirol, the territory between the Brenner Pass in the North and the linguistic border at Salurn in the South, for about fourteen hundred years a German country, with an homogenous German population of 240 000, is now de facto a German minority within Italy. The Italian claims on this territory have no foundation, political, legal, or moral. President Wilson

who had neglected to investigate Italy's pretensions in time, was the first to admit his own mistake and to foresee that the wrong done would become and remain a source of evil. In the second part of *Woodrow Wilson and World Settlement*, p. 146, we read; "Already the President had, unfortunately, promised the Brenner Pass boundary to Orlando, which gave to Italy some 150 000 (*in reality 240 000*) Tirolese Germans — an action which he subsequently regarded as a great mistake and deeply regretted. It had been done before he had made the careful study of the subject he was now engaged upon and was due to Orlando's pleading for a strategic frontier. Perhaps he also thought that a concession in the Alps might mitigate Italian claims in the Adriatic; but the Italians wanted both!"

A survey of facts and documents will show how South Tirol was torn away from her mother country, and how great are her sufferings and humiliations under the new régime, how ruthless the brutality of her present masters. Here was committed and is being daily committed, a monstrous crime that is breeding dangers the dynamic power of which may prove great enough to shake the peace of the world. To know the facts means to realize their portentous significance. A just solution of the South Tirolian problem is a case of honor for the whole world as far as it is capable of righteous thinking.

*Italy's solemn promises.*

Of solemn promises by the Italian government,

shortly after the annexation of South Tirol, there were many. We shall quote a few of the most explicit:

Senator Tittoni, Italian delegate at the peace conference of St. Germain, said in a speech to the Italian parliament, on Sep. 27, 1919:

“Italy will include in her territory also 180 000 Germans <sup>1)</sup>. Today we cannot foretell with certainty what the attitude of that minority will be and whether we can prevent new irredentist movements to rise or revolutionary organizations to form. Very much will depend upon the treatment accorded to the minorities.

Poland, Czechoslovakia, Roumania, and Serbia are obliged, by various stipulations inserted in the peace treaties, to recognize and respect language, religion, culture, schools, and any free self-assertion of the national minorities. And it is absolutely necessary that those stipulations be lived up to, sincerely and according to the law.

Italy, different from the other powers, has no legal obligations to act likewise, but there is, so I feel, a great and moral duty to do so, in view of her liberal traditions which are her glory and privilege.

People of other nationalities to be united with us, know that the idea of suppression and denationalization is very far from us, and that their language and cultural institutions will be honored and that their administrative officers will enjoy all privileges of our liberal and democratic laws.

We can give the people of German South Tirol the promise that there will never be introduced a system of police regulations with persecutions and despotism, such as the Istrians and Trentinians were subjected to for so many years, under the Austrian régime.”

Similarly His Excellency Luzzatti expressed himself in Parliament:

“To the Germans whom the necessity of our national defense forced us to incorporate in our empire, we say the follow-

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<sup>1)</sup> The correct figure is 240 000.

ing: 'It must be a duty of honor for our government and parliament to grant to the Germans, who were joined to us solely because of the absolute necessity of defending our frontiers, their autonomous institutions.'

Except for necessary measures for military security, they must feel free and undisturbed in carrying on their cultural and religious ideals in their administrative and economic life, for only in this way Italy follows the traditions of the old Romans."

Prince Colonna, commissioner of the Roman Senate, wrote in his report:

"Article 4 of the proposed law has been modified by the other house in the sense that the government do specially justice to the autonomous institutions of the provinces and communes in those annexed territories to which our constitutional and other statelaws are to be extended. Your commission approves completely of these modifications of the original government proposal.

Italy will consequently inaugurate the most liberal policy in that she respects the administrative autonomies without demanding to standardize and to centralize everything, in contrast to the methods (unfortunately) applied at the annexation of various parts of our peninsula, to the detriment of our country and against the often expressed wishes of our great statesman Cavour."

Speech from the throne, Dec. 1. 1919:

"The territories lately joined to Italy put us to the task of solving new problems. Our liberal tradition will show us the way in which we can find a solution giving the greatest possible consideration to the local autonomous institutions and customs.

No care and no sacrifice must be spared in order that the return of those territories to their natural unity mean no retrogression nor a decrease of their prosperity, after the unavoidable uncertainties caused by newly introduced administrative methods. We know that we have in our citizens on the mountains and by the sea, valuable collaborators toward the progress of the nation."

In the course of our discussion we shall see the glaring discord between those promises and real facts, between the pledges of Italian statesmen and the treatment of South Tirol by the exponents of fascism.

## II

### WHAT THE PEOPLE OF TIROL AND THEIR REPRESENTATIVES HAVE TO SAY

On the 14. of April, 1919, the Tirolese legislature demanded that no peace be signed without a guarantee for the right of selfdetermination for South Tirol.

On the 3. of May, 1919, the Tirolese legislature, after Wilson's message to Italy regarding the 'watershed-boundary' had been published, declared that Tirol was ready to constitute herself a neutral republic, if German South Tirol were left to her as a compensation.

On June 12, 1919, the Tirolese legislature unanimously and solemnly protested against the conditions of peace as published, directing the following "Appeal to the Nations of the Whole World":

"Threatened by the danger of disruption and suppression, we ask you, Americans of the Union, who established your state on the right of the peoples to determine their own government, you who always defended the cause of liberty and who wished this very war to be ended by a general organization of mankind founded upon right and justice:

Can you approve that the people of South Tirol be enslaved and tyrannized, separated from their brothers in the North after a common history of a thousand years, to be surrendered to the reign of a foreign power?

People of Italy! In a struggle, lasting a hundred years, you

acquired your national unity. Do you now wish to impose that wrong that you always felt so keenly and now have shaken off, do you really wish to impose it upon a part of a neighboring people that wants to live with you in peace and friendship? Shall there be created in the heart of Europe a new source of unrest from which at a later time the whole world might be set on fire again?

Peoples of the globe who are called upon to watch over the peace of the world! We cannot believe that with your consent Wilson's principles be degraded to a stratagem of war and that German South Tirol be sold and pushed from one sovereignty to another like merchandise? Give an answer! The whole of the German people feel with us, we anxiously await the decision as to whether now right or oldtime might be victorious."

On the 4. and 31. of July, 1919, government and legislature of Tirol protested against being refused the right of selfdetermination, declaring that they would fight against the separation of South Tirol always and with all means available.

On the 29. of August, 1919, the Tirolese legislature cabled an appeal to the United States senator Lodge asking his intervention in the matter of the Tirol.

On the 4. of September, 1919, the Tirolese legislature declared that Tirol did not recognize the final conditions of peace just published as a status of right, appealing to the League of Nations for a reparation of the injustice committed.

In October 1918 the German and Ladin communes of South Tirol had passed unanimous resolutions, as follows:

"The town of . . . has taken notice of the government's action in submitting to the enemies, for the purpose of putting and end to the terrible massacre, a proposal of peace by

which the well known peace principles of the President of the United States are accepted.

Inasmuch as it is a part of those principles that the Italian boundary be rectified and Austrian territory, as far as it is inhabited by Italians, be ceded to the Kingdom of Italy, the Town of . . . herewith solemnly protests against any cession of territory, except that in every single county a plebiscite prove that it is the desire of a prevailing majority in that county to submit to the government of the Kingdom of Italy. The Town . . . therefore raises a most solemn protest, especially against any cession of such territories as are for the most part inhabited by Germans or Ladins, since any doubt is eo ipso excluded with regard to their remaining as inseparable sections of the Province of Tirol within the State of Austria.

The government is consequently requested to represent this point of view at the impending peace negotiations, with all the greater energy for the reason that the President of the United States of America, too, in repeated pronouncements, declared the selfdetermination of peoples to be the most indispensable foundation and condition for territorial divisions."

One hundred and eighty communes signed the above resolution which was submitted to the competent authorities in the customary official form.

In February 1919 all German townships, augmented by 12 Ladin ones (Gröden, Enneberg, Buchenstein, and Fassa) addressed a comprehensive memorandum to President Woodrow Wilson, of which we quote only the concluding paragraph.

"And now our German home country with its millenium of civilization and history, this people with its inherited love of liberty, is to become Italian? One great cry of deepest grief sounds through the whole country at such a thought.

It cannot be, it must not be that the name of Tirol, after a brilliant past of a thousand years be wiped out from History, that the free sons of these mountains be subjugated under a

foreign yoke, robbed of their language, national character, and civilization.

In this greatest distress, suffering with the German people, the entire population of German South Tirol approaches you, Mr. President, with the request that you become the spokesman of our people. It was you who coined the powerful word of the selfdetermination of peoples. It was you who announced conciliation to the world; do not allow more than 200 000 Germans to be deprived of their national rights in a detached Southern province, so that hatred be sown instead of love. Do not allow our country to live through another 'anno 1809', which would be the case, if it had to break by force the fetters now being forged. You, an American, the successor of your hero of liberty, George Washington, can understand that liberty is the highest ideal of a people and that a free people prefers destruction to a shameful enslavement.

For Italy, German South Tirol is but a piece of land like so many in a country richly blessed by nature. For us, however, it is the only German territory with the warmth of a Southern sun, it is the German home country embedded in our hearts.

Across mountains covered with ice, our messengers carry this request of ours to you. Be the righteous judge for our people, for our country! Give German South Tirol liberty as you gave the world peace! The people of South Tirol will then hand down your name from generation to generation as that of the saviour of our home country.

Such is the request of all communes of German South Tirol and of the 12 Ladin communes of Gröden, Enneberg, Buchenstein, and Fassa." (Signatures of all communes.)

The bourgeois political parties of South Tirol, forming a German association, protested several times against the disruption of the province of Tirol and the annexation of its Southern part by a foreign power. On September 19, 1919, in an address to the Commissioner General Credaro, they demanded recognition and application of the right of free selfdetermination, protesting energetically against annexation by Italy without a plebiscite.



On the 10. of October, 1920, the day when Italy took formal possession of South Tirol, her three political parties published an appeal as follows:

“South Tirolians! Today the annexation by Italy of South Tirol is an accomplished fact. Thereby the old country has been torn in two. South Tirol is a victim of the peace treaty which separates us from our fellow countrymen in spite of the right of selfdetermination so solemnly promulgated.”

(Follows a section erased by the Italian censor).

“We South Tirolians entertain the unshakable hope that the time will come when justice and farseeing politics will restore our national liberty.

South Tirolians! Let us submit to our fate today undaunted! We admonish you to avoid any sort of illegal acts, bearing our lot with composure and dignity!

South Tirol, Oct. 10, 1920.

(signed) The German Liberal People's Party,  
The Social Democratic Party,  
The Tirolian People's Party.”

The legislative representatives of South Tirol, elected by more than 90% of all South Tirolian votes, on the day of entering the Italian Parliament, made the following declaration:

“At the beginning of the negotiations for peace which was to end the World War, the right of national selfdetermination was established as a universal basic law of the new world order.

That right of national selfdetermination was denied to the Tirolese people who had, as early as in the course of the 13. century, organized as a political unit, which later on found expression in the form of a *Gefürstete Grafschaft Tirol*.

The representatives of South Tirol, regardless of party affiliations, from the very beginning of the peace negotiations, clearly voiced the demand that Tirol be preserved undivided, at the same time addressing to the powers assembled the ardent request, not to tear asunder their fatherland Tirol.

The Kingdom of Italy did not base its claims to South Tirol on any legal grounds, historical or nationalistic, but frankly demanded and received the annexation of South Tirol, solely for reasons of geographically natural borderlines and strategic necessities resulting therefrom.

Since, however, geographic features are not of universal validity for the course of statelines; since the Brenner never in history formed a frontier for either state or country, and since certainly the disruption of a people can never be justified by geographic formations — strategic exigencies could have been met in some other way —, South Tirol must forever regard the loss of her right of selfdetermination as an act of oppression against which she is in duty bound to raise and submit an official protest, at the moment, when she is sending her representatives to the Roman Parliament.”

The protests cited are not a complete enumeration of all the steps taken by representatives of South Tirol and of the province of Tirol. They constitute merely a section of the most important actions and demands. The South Tirolian women too, at various times, voiced loudly their protests, demanding energetically the right of selfdetermination for South Tirol, on October 30, 1918.

### III

#### SUPPRESSION OF THE INDEPENDENCE OF PROVINCE AND COMMUNES

It will be remembered that the Italian government had promised to the South Tirolese that their local autonomous institutions and their administrative and economic organizations be left free and intact. In reality, however, things have been developing in such a

manner as to surpass by far even the worst apprehensions at the time of annexation. During the pre-fascist period the Italian government several times came near making concessions and granting the administrative autonomy demanded. But all projects tending in that direction were stopped by chauvinist influences. German South Tirol was joined to the Italian section to make a uniform Province of Trentino, in order to restrict the better any movement for independence. In December 1926, to be sure, a separate "Province of Bozen" was established, comprising the districts of Bozen, Meran, Brixen, and Bruneck. But this did not mean an improvement. Mussolini himself declared that the organization of the new province was nothing like a concession or gift to the German population, but was only intended to serve the purpose of Italianizing the territory as rapidly as possible.

At the time of the catastrophe South Tirol possessed a highly developed constitution for both province and municipalities. She enjoyed under the Austrian régime farreaching autonomous privileges. Such a form of administration was unknown in Italy. Contrary to promises given, those privileges were rapidly diminished. Instead of a legislature, the province was governed by an Italian commissioner. For it seemed risky to call a legislative assembly in view of the strength of the German contingent.

After Fascism had come to power, it soon went to work wiping out completely any vestiges of municipal independence left. A law was decreed that put all com-

munes of less than 5000 inhabitants under appointed government officials. The larger communities had been administered for years by commissioners appointed by the governor, the elected municipal representatives having been eliminated, much to the detriment of the municipal exchequer. The experienced officials who were familiar with the German population, had to give way to Italians. At the same time the number of officials was greatly increased, while the revenues decreased. Other instances prove the fatal consequences of the changes in administration.

Small towns, like Bozen, were forced to subscribe 100 000 lire for a Cesare-Battisti monument, and an equal sum for four Italian theatrical performances, while the number of town officials was increased by almost one hundred percent. In a town with 900 inhabitants — Sand in Taufers — and 137 houses, the salaries, which under the municipal administration in 1923 had amounted to 5000 lire, climbed up to the relatively fantastic sum of 40 000 lire, under the government commissioner, two years later. Considering the fact that wages for forest wardens, fire department, health officers, and day laborers, are not included in the above sum, it is easy to understand that the town, in 1925, was unable to meet an obligation for the payment of 20 000 lire on interests due, whereas in 1923 it had been able to decrease the municipal debt by 55 000 lire. The town clerks must be “citizens of Italian tongue” and can be replaced or dismissed by the prefect of the province at his discretion.

## IV

## SUPPRESSION OF GERMAN CULTURAL LIFE

The Italian policy of destruction had for its main object, from the very beginning, the German language. That purpose appears to have been achieved today, as far as external aspects go. But even the barbarous methods of fascism cannot alter the fact that a people can never be robbed entirely of its mother tongue.

Laws and decrees are published in Italian exclusively with no official translation. Since the majority of people do not understand the language, the Italian personnel are at liberty to interpret texts very much as they see fit. All officials and employees, even the judges, are dependent on the fascist régime in a manner as to make impossible free, impartial decisions and absolute security under the law.

The official language is Italian only. According to an order of the Governor, October 23, 1923, "all offices, and institutes, establishments, enterprises, etc., dependent upon them, are obliged to use the Italian language exclusively. The same obligation holds true for the German communities as well, also for public charitable institutions, advisory boards, corporations, banks, etc., that are subject to supervision or control by governments of state, province, or towns, or that exercise, directly or indirectly, public functions, or that render public services."

By a decree of the king, October 15, 1925, the courts

of justice were compelled to use the Italian language exclusively. A German counsel of defense is no longer allowed to ask his client a question in German during the proceedings. Appeals to higher Courts, petitions, and other documents written in any other language but Italian are considered non-existing. Protocols, expert opinions, evidences, orders, in short any document that has anything to do with civil or criminal jurisdiction, is considered not valid, if presented in a language other than Italian. In criminal proceedings, interpreters are admitted only, if the Judge has been convinced beyond doubt of a total ignorance of the Italian language on the part of the persons to be questioned. If persons, registered in jury lists, should refuse to act as jurors, on the ground of not being familiar with the Italian language, they must be reported to the state's attorney.

Such regulations as those mean the gravest cases of interference with the public life of the Germans in South Tirol, except for the equally vexatious school laws.

All publicly visible writing or printing, i.e., all announcements, information, inscriptions, headlines, etc., even private publications, if accessible to the public, must be composed in Italian exclusively. A few exceptions had been granted to the cities of Bozen and Meran, and to the town of Kaltern; but even that last trace of independence disappeared, in consequence of a decree, on October 1., 1929. From then on the external appearance of all South Tirolian towns has been purely Itali-

an, as far as names of towns and streets, shop signs, etc., are concerned. Not even tombstones and the peace of the dead were respected. A Governor's order of November 16, 1927, decreed that tombstone inscriptions of a date later than September 30, 1927, must be done in Italian exclusively. It takes but little human understanding and sympathy to realize how much grief that one decree must have caused to people as deeply religious as the South Tirolese are.

A Governor's decree of August 8, 1923, prohibited the use of the ancient name of the province: "South Tirol"; likewise the use of similar names such as Tirol, Tirolese, etc. All German local names, geographic designations, etc., names many hundreds of years old, were replaced by Italian translations, often grotesquely wrong, or by new appellations. Changes like Merano, Bozena, Brennero, from Meran, Bozen, Brenner, respectively, seem explicable and even excusable under existing conditions. The vast majority of changes, like San Candido from Innichen — a town with a history of more than a thousand years — are practically sacrilegious in spirit, giving evidence of a complex of fear, caused by an evil conscience on the part of the conquerors. They wish to have the plain facts of history ignored, as though the very landscape with its thousands of German settlements did not reveal its true character!

No less did the German Press of South Tirol suffer from the new despotic rule. At the beginning of the year 1926 the German Daily Papers were stopped, for

reasons nationalist as well as commercial. The fascist régime itself issued a daily paper written in German, called "Alpenzeitung", from March 1, 1926 on, no doubt for the purpose of eliminating the competition of genuinely German papers. A little later an Italian language paper "Provincia di Bolzano" was started. Apropos, it must be said that even Italian papers, as far as they were non-fascist, were prohibited in South Tirol.

Toward the end of 1926 prohibition was extended to the weekly and semi-weekly papers, to several Austrian and to nearly all Tirolese papers. Those publications were confiscated and their sale forbidden. By decree of the Governor the owners of establishments (restaurants, cafés, etc.) where dailies or periodicals were kept for the benefit of guests, were compelled to offer at least as many Italian publications as foreign ones. In many cases this regulation put an excessive burden upon the management, shutting out German publications altogether — precisely what the government intended to accomplish.

Any other expression of cultural life was ruthlessly suppressed. Even in prefascist times it happened that the founding of cultural societies like the "Schiller-Bund", an association for the cultivation of the German language, was prohibited, on the ground that "the activity of the association insofar as it supports or resists the government's activity, is either superfluous, or detrimental to the interests of the state in its care for citizens of Italian nationality."



In consequence of such macchiavellian arguments organizations of catholic young people, corresponding to American Young Men's Christian Associations were put under the ban. Worse still: the Volunteer Fire Departments of South Tirol whose unselfish and absolutely non-political work had protected the country from many a potential calamity, were disbanded, as were the German Alpine Societies, despite the fact that a Governor's decree of April 9, 1921 had approved of them. The property of the societies was confiscated and transferred to the "Club Alpino Italiano". Similarly the social democratic Trades Union House, with its printing shop, was forcibly taken over by the government. Most societies were compelled to elect Italians members of administrative committees. After the fascist régime had been established, no attempt was made to organize new cultural associations. The situation had become hopeless. For many years past it has been impossible to call meetings of any kind.

By a Royal decree of August 6, 1926, public activities of whatever nature they might be, scientific, charitable, games, sport, etc., were placed under the control of the Governor who in each case consulted a commission specially appointed. At the end of 1926 the German political parties were dissolved, and at the same time numerous other German organizations: the "Turner" societies in Bozen and Meran, the Christian German Turner Society in Meran, the Societies of Untermais, Lana, Sterzing, and the Men's Glee Club in Brixen. The property of all of them was confiscated.

Even the "Schlaraffia", an entirely harmless society of international ramifications, as many an American member will be able to testify, fell a victim to reasons of state, together with a few German Music Bands: reasons of state being ridiculous charges like "playing the Giovinezza, (the Fascist March) poorly."

## V

INDIVIDUALS AND PRIVATE PROPERTY UNDER THE  
TERROR

On July 21, 1924, a Royal decree of May 23 was published that put extremely grave restrictions on real estate property throughout South Tirol. The tenor of the decree plainly indicates its purpose, *vz.*, to give the government control of all purchases and sales in the German districts. The law forbids, in the whole of South Tirol, "to start building construction of any kind, like houses, roads, railways, mines, water and power works; wrecking or excavating, making any kind of use of grottoes and subterranean caves; and cutting timber, without the consent of the military authorities. They will have to decide whether or not the respective project might interfere with the defense of the frontier."

Furthermore, the Governor's consent is required for "all changes of property rights, rights of usufruct, residence, rent, in short for all rights which commonly mean a transfer of property or a giving away of possessions, likewise all titles and deeds." The tribulations

and intrigues resulting from this decree cannot be fully discussed here.

Experience has shown that, e.g., sales to Germans living outside South Tirol were never approved. On the other hand, property belonging to citizens of the German Reich, was confiscated against the principles of international law. A characteristic example of the methods applied is the following case.

A decree of November 6, 1926, concerning "the regulation of the Etsch river and its tributaries" gave the "Opera Nazionale dei Combattenti" the privilege to condemn property for the purpose of constructing settlements. In fact, the O. N. d. C. made use of the decree in building an Italian village "La Vittoria" next to Meran and in having a number of Italian families settle there. Three farms and numerous other establishments were condemned to make room for the Italians, while the German inhabitants were driven from their homesteads on a few days' notice.

A complete history of violations and restrictions of personal liberty would fill many volumes. Innumerable are the cases of arrest, on trivial pretenses — the victims are, as a rule, handcuffed when taken —, also the cases of homes searched by officers of "public security" who need give no reason beyond their suspicion of "concealed weapons", and the like. It happens all too often that lawabiding German citizens, whom the government wishes to get rid of, are "framed" by a method unfortunately not unfamiliar to Americans. Incriminating objects are stealthily "planted" by the very

agents whose interest it is to find the “evidence” otherwise lacking.

The mail service is similarly demoralized. Letters are opened and inspected by the censor so obviously that the intention of adding insult to injury appears unmistakable. Sometimes addressees of letters from abroad are compelled to open them in the presence of Carabinieri. A characteristic instance is the experience of a lawyer in Bozen who found a confidential report of a Carabinieri station to the head office, in a letter from a Prague packing house!

A particularly infamous feature of the terror is the banishment of “undesirable” persons to one or the other of the criminal island colonies. The sentence of “confinement” is decreed by a special commission, unapproachable, inasmuch as the defendant is not allowed to have counsel nor to appeal his case to a higher tribunal. Compulsory deportation is in most cases preceded by a “warning”. A great many South Tirolese have lately received such warnings, nothing being known to them except that the hour of their banishment may strike any moment. To appear “undesirable” to the Fascist régime is cause enough for deportation to a criminals’ island.

Two notorious examples are the following, both of January 1927; the victims: Dr. Josef Noldin, attorney-at-law, of Salurn, and Rudolf Riedl, teacher in Tramin, both accused of having favored German private tutoring for German children. While Riedl was released after a few weeks’ internment on the islands of Pantelleria

and Ustica, Dr. Noldin had to serve fully two years on the island of Lipari, after the original sentence of five years had been reduced to two by an "act of pardon"! His health, hitherto perfect, was completely ruined by privations and the unbearable climate of that Italian version of Devil's Island. He returned, a hopelessly sick man, unable to provide for his family of wife and four children, even his attorney's license having been cancelled.

The papers of December 16, 1929, published the end of the tragedy:

"In a Bozen sanitarium the South Tirolese attorney, Dr. Josef Noldin of Salurn, died last Sunday. Thus the martyrdom of a man has been completed, who because of his love of country and because of his uprightness in the face of fascist chicanery, was subjected to terrible sufferings. After a five year period of war imprisonment in Russia, he had refused to become an Italian citizen. As an attorney he defended two young fellows who had been falsely accused of attacks on Carabinieri, and two girls whose sole crime was tutoring German children. First he was mobbed by Fascist railroad men, then his house was broken into at night, then suddenly without warning, his vinyard was cut in two by the construction of a road. Followed his two year internment on the penal island of Lipari. The incredibly poor sanitation and the species of typhus prevailing on the island, "Liporitis", broke his health. A physical and mental wreck, he succumbed to the disease contracted on the island."

Thousands attended his funeral. His own sister, domiciled in Innsbruck, was not given an Italian visé to cross the frontier for the funeral.

VI

THE SCHOOLS UNDER THE TERROR

We remember the promises of Italian statesmen given during the early stages of the annexation. Let us now compare theory and practice as far as the educational system of South Tirol is concerned.

October 1922:

All schools and classes German, altogether 770 German public schools.

All German highschoools flourishing and progressing. SouthTirolese students attend German universities of Innsbruck, Graz, Vienna.

Religious instruction by clergymen in all schools in German.

October 1929:

Not one German class left.

Such originally German highschoools as were not closed entirely, changed into Italian schools. Students wishing to attend universities abroad, are refused passports, nor would they find employment at home, if they did succeed in studying at foreign universities.

Religious instruction, when given in German, is confined to church or parsonage. Even this remnant of the old privileges suffers from Italian intrigues and sabotage.

Kindergartens and children's homes have been Italianized completely, since October 1, 1924. Children's play rooms, etc., were persecuted with the greatest severity, if the German language was used even in small groups.

From the curriculum of the now Italianized schools,

the German language has disappeared entirely. But far beyond that, in violation of the law, any sort of private instruction in German is prohibited and subject to severe penalties. Instruction to more than three children at a time is considered a secret school organization and accordingly dealt with. But even instruction given to a single child, *without* a government permit, is punished. A government permit is, of course, *never* given under any circumstances!

Soon after the annexation, the German teachers in South Tirol were dismissed, with very few exceptions, in many cases without the slightest compensation or pension. Appointments or reappointments were made dependent on conditions impossible to meet. Men with most honorable records were driven from their schools and homes on short notice, and, in true Fascist style, on such grounds as "possession of the Gold Medal for Bravery" (in the war). The well-trained and experienced German teachers were replaced by mediocre or poor Italian teachers. Many of them had had no training at all, incredible as that may sound to cultured readers.

More incredible still would seem an account of the gross immorality of teachers, both men and women, shamelessly displayed within the school or perpetrated upon pupils. Protests on the part of indignant parents hardly ever meet with success. Guilty members of the teaching staff are simply transferred from one school to another, or from one class room to another in the same building. The South Tirolese are disfranchised in their own country.

It need not be said that such methods of terrorizing innocent people are unworthy of a Great Power. Nor will it result in a permanent advantage to Italy. Instead of making the borderland South Tirol what nature intended her to be, a bridge between the South and the North for their many common interests, economic and cultural, Fascism has here created a source of dissension that necessarily interferes with relations of any kind. As to South Tirol herself, the country has been given an Italian veneer that may deceive, for a time, the tyrants themselves. The soul of a people, however, cannot be changed by a policy of terror. Fascism has so far only succeeded in ruining the country financially, and in planting in the hearts of the people an irreconcilable hatred for Italy.

The nameless country today is filled with an inarticulate longing for liberation.

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# GERMAN CIVILIZATION IN CZECHOSLOVAKIA

BY DR. EMIL LEHMANN

## I

The new Czecho-Slovakian republic appears on the map as a peculiarly shaped duplex country with a considerably long extent from West to East, narrowly compressed between North and South. It was put together of two pieces of the old Austro-Hungarian monarchy that so far had had very little to do with each other. Its western half consists of the provinces Bohemia and Moravia with Silesia, while the eastern half comprises Slovakia and Carpatho-Russia, i. e., the northern edge of former Hungary. The western half is indisputably the most important. Its area of 79 800 km. compares to the 61 500 km. of the East, while the respective populations are  $10\frac{1}{2}$  as over against not quite 4 millions.

This western half is bordered on three sides by the territory of the Reich and Austria. Or in other words: Czechoslovakia presses itself, or is wedged, into the territory of those two countries as far as the center of its own longitudinal extent.

It may consequently be assumed from the start that German civilization will be of decisive importance for the Czechoslovakian state. This is all the more evident

for the reason that since ancient times a large number of Germans were settled in the country, forming compact groups. Throughout the whole country there were counted 3 123 568 citizens of German blood — the procedure of that first Czechoslovakian census was criticized by experts —. If the German non-citizens and the increase since 1930 are added, the figure must be assumed to be more than  $3\frac{1}{2}$  millions even Czechish estimates going as far as 3 800 000. That makes about one fourth of the total population, a good third of the western half. This western half, then, must be regarded as a Czecho-German two-nations country with a double civilization. In the eastern half,  $\frac{3}{4}$  million Magyars, nearly half a million Ruthenians, about 150 000 Germans and as many Jews, besides a few smaller nationalities, are joined to two million Slovaks. It is, therefore, a prevailingly Slovako-Magyar country.

The Germans are not only themselves representatives of German civilization, but since olden times they have been exercising so profound a cultural influence upon their fellow inhabitants that both the Czechish and the Slovakian people are thoroughly impregnated with elements of German civilization. Not until the period before the war was the influence of the Germans in Slovakia replaced by that of the Magyars. Among the Czechs, who a hundred years ago came near giving up their language and nationality, and being absorbed by the German people altogether, there started — with the cooperation of Germans! — a vigorous movement for the preservation of an indigenous civilization, a

movement which at an early stage entered the political field, turning aggressively against the German people. A systematic attempt was made to eliminate or to obscure the old connection with German civilization. Often, to be sure, merely a newly formed Czechish word was introduced for an expression borrowed from the German. Czechish dependence goes so far that Czechish civilization is rightly called sub-German, and that other Slavic people frequently mistake Czechs for Czechish-speaking Germans. An account of German civilization in the Czecho-Slovakian republic must consequently take into consideration that old and comprehensive German influence upon, and German penetration of, the Czechish people.

A great deal of the country's history is reflected in all that. To begin with, the Germans did not come as conquerors but as bearers of civilization. Otherwise they easily could have germanized the whole country completely. They were instrumental in opening up the country. They aided Czechish development too. They deserve credit for winning this Slavic branch for the German-Central European and, in a wider sense, for the Christian-Occidental sphere.

Fully half a millenium before Czechish immigration Bohemia and Moravia were inhabited by Germanic tribes, by the Markomans and Quades. The immigration of the Czechs came in the course of the Migration of the Nations. There are no historical sources preserved. But we know that the Czechs came into the country as the slaves of the Mongolian Avars. It was due to Ger-

man efforts that the Avarian conquerors were driven back again. From the Germans came the beginnings of Christianity and of political organization; likewise many institutions and improvements, in homebuilding and settling, industry, and commerce, social life and custom. With Charlemagne Bohemia became a part of the Roman Empire of the German Nation. The last kings of the native dynasty of the Przemyslides sought for an ever more perfect assimilation with the German people by means of intermarriages with German dynasties, by adopting German social forms, and by encouraging German immigration.

It was only through the colonization of that eastern country by the Germans in the Middle Ages that the dense primeval forests of the bordering mountain ranges and marginal territory were cleared, plowed over, and changed into farm land; that towns were built throughout the country; that the mining industry at Iglau and Kuttenberg was developed. A culmination point of cultural life was reached, when under the Luxemburg prince Charles IV, Prague became the seat of the German emperors. At that time, in 1348, the university of Prague was founded, the oldest university in German territory. And even now it is the Gothic buildings erected by Charles IV that give the city of Prague her architectural character: the St. Vitus cathedral on the Hradshin and the Moldau stone bridge with its two towers. Near Prague Karlstein Castle was built for the safekeeping of the German crown jewels.

It is generally known that soon after, under Charles's

son Wenzel, a destructive countermovement set in. In the person of Master John Hus there arose not only an ardent religious revolt, but also a passionately nationalist feeling that turned into a hatred of everything German. With the churches and monasteries, the German cities, too, were reduced to ashes; and all of the civilitory work of the Germans in the country was destroyed. After years of war fury, the Czechs were indeed able to establish, for a short time, a national kingdom, but that result was too dearly paid for by the welfare and prosperity of the country. It proved impossible, too, to keep the newly organized state shut off from the advancing worldwide movements introduced by none other than the neighboring Germans. With the spread of the reformation, German influence and German elements again crossed the frontiers.

Bohemia became one of the principal battlefields of the Thirty Years War, after the Hapsburg emperor Rudolf II had made Prague once more a center of the arts. The battle at the White Mountain which finished the first period of the war, made Ferdinand II ruler of the country. He punished the insurgent nobles, giving their estates to his own adherents. That procedure was continued after Wallenstein's assassination, and upon the close of the war protestantism was stamped out. Bohemia's population having decreased from two millions to 800 000, new settlers had to be called in, and they came from the bordering German provinces. With the rise of the Austrian empire, expanding especially in consequence of Prince Eugene's wars against the Turks

Bohemia became a center of baroque art to which we owe numerous churches, monasteries, castles and sculptural works. Again German culture and language prevailed so strongly that during the reigns of Maria Terezia and Joseph II the use of Czechish was practically restricted to peasants, domestics, and the lower stratum of the bourgeoisie.

However, when Germany, after a period of intense frenchification, bethought herself again of the national foundations of her own civilization, the ideas of Herder and the romanticists, and the works of the Weimar poets spread over into Bohemia and Moravia, starting a Czechish romantic movement. This movement, as was said before, succeeded within a few generations, in warding off the danger of national extinction; more than that, it started an aggressive campaign against the German inhabitants. In 1848 the Czechish movement assumed political importance. After the Prusso-Austrian war of 1866 and the Franco-German war of 1870, the Germans in Austria were thrown on the defensive. With the end of the World War the Czechs were given an independent state, much larger than could reasonably have been expected, and with it the control of the Sudetian Germans, which control is carried out in a most persistent and effective manner while the forms of the democratic constitution are only superficially upheld.

Such is in bold outlines the geopolitical and historical background of the present cultural life of the Sudetian

Germans. From it result its principal ramifications. It is first of all a hard struggle for the preservation and continuation of inherited organizations like schools, institutions of research, schools, and monuments of art, etc. As far as the new authorities have not put them out of existence altogether or handed them over to Czechs, they are continually discriminated against and have to lag behind newly created and most liberally endowed Czechish institutions. They are naturally at the same time in danger of losing their connection with the rapid development of the German mother country. New attempts are being made, especially by the young generation, to find a compensation for external losses by a maximum of intensification and spiritualization.

## II

Until the war both peoples, as may be seen from their school system, were culturally about equally developed. The Sudetian Germans themselves approximately came up to the average standard of cultural and economic development in the German Reich. For that reason the revolution could not simply eliminate the structure of cultural institutions; it could only restrict it. A mob, to be sure, succeeded by brutal force in robbing the Germans of Prague of their old Landestheater (Provincial Theatre), the place of the first performance of Mozart's *Don Giovanni* — but the New German Theatre remained in German hands. Besides, there are still twenty permanent German theatres left. The

Czechs, wishing to sweep aside all historical reminiscences of old times, attacked German monuments, not even sparing works of art of such generally recognized value as Franz Metzner's Kaiser Josef in Teplitz-Schönau. But St. Vitus cathedral, the Charles bridge, St. Barbara's in Kuttenberg, the baroque buildings of German masters, and the German character of the cities, could not be removed, after all. As a matter of course, the Fine Arts as cultivated by the Sudetian Germans, are in a precarious condition, great as the number is of painters and etchers like Brömse, Hegenbarth, Karasek; Klemm, Orlik, Thienemann, Kubin, Kraft, and sculptors like Hanak, architects like Zasche and Bitzan who built the new Teplitz-Schönau theatre. None of them enjoys governmental support or encouragement.

Of institutions of higher learning the Germans lost the Mining Academy in Przi Bram, south of Prague, while the Agricultural College in Tetschen-Liebwerd for its preservation had to be incorporated with the German Technical School in Prague. The latter itself, one of the oldest in the world, as well as its sister institution in Brünn, was continued, although with distressingly cramped quarters. There remained also the German University at Prague, side by side with the Czechish University which had been founded during the Austrian régime. The fact that even Czechish university men did not refrain from disavowing the historical position of the German university, shows to what an extent science was affected by the exaggerated nation-



alist fanaticism of the Czechish people. Yet, inspite of financial curtailment, inspite of the elimination of important chairs, the German university holds its ground, attendance having increased to about 5000 students. The Czechs, though, in the meantime added to their university at Prague two new ones, in Brünn and Pressburg, taking advantage of the best possible equipment.

Even supposing that some of the German schools in prevailingly Czechish communities had served the purpose of training German officials and army officers, still it must be called a great wrong that the Germans were deprived of so many schools. As regards the higher schools, the Germans have at their disposal now only about one hundred institutions, while the number of their children amounts to one fourth of the total.

The new masters used dictatorial methods in crippling the German public school system. Between 1918 and 1928 the Germans lost 293 schools with 2910 classes. In contrast to such discrimination a special school law provided for the Czechish "minorities" in the German territory more schools than needed, in many cases for only between five and ten pupils, or even in places where not a single Czechish child had to be taken care of. It often means a humiliation to the German school children, when they have to witness that next to their own old school a new palatial building is erected for a much smaller number of Czechish pupils.

It is for this reason that the work of the German protective associations is directed to the schools in par-

ticular. First of all must be mentioned the German Culture League, the successor of the former German School Association. It has its headquarters in Prague and a membership of 600 000 Germans who annually raise nearly ten million crowns for the maintainance of German schools, Kindergartens, day homes for young children, and for other similar purposes. It is the biggest German society in the republic. It has to meet especially the many disgusting attempts on the Czechish side to exploit poverty or economic dependence of German parents for bribing them by presents and favors so that they give their children to Czechisch schools where the children are alienated from their people.

This national struggle for the child oftentimes begins with its birth. For this reason the provincial commissions for the protection and care of children and young people are interested in such problems. It is clearly the task of national self-preservation, not only to fight dangers to public health, but also to pay attention to great questions of population like the decrease in births.

The Culture League is supported by the protective associations that are called League of the Germans in Bohemia, in Northern Moravia, in Southern Moravia, in Silesia, etc. They have for their aim the general maintainance of German civilization, cultural, and economic. The first-named League has a membership of 140 000 in 1400 towns. They are trying to keep German owned real estate and houses in German hands, promote the

settlement and training of German artisans and trades people, procure employment, grant financial aid, etc. They take care of orphans, give stipends to talented students, especially in professions of importance to national life. Particular attention is paid to the many branches of home industry in the Sudetian mountains that enables the inhabitants of that agriculturally poor district to make a living. In short, the protective organizations influence the whole economic system, including tourist traffic.

Their cultural work is just as varied. The protective associations were the pioneers of all branches of adult education. Even before the war they founded public libraries, arranged lectures, and courses of study. They encouraged national traditions and succeeded in reviving the customs of equinoctial bonfires, of "Easter riding", etc. They introduced mothers' day with us. The festivals of the protective associations are the greatest national institutions we have. A considerable part of our cultural life, then, is carried on under the auspices of those associations whose aim it is to permeate their entire sphere of activity with the idea of national selfpreservation by means of selfsupport.

In old Austria adult education had been organized in a similar way as in the German Reich. For the last sixty years we have had people's educational societies in the narrower sense. As early as 1848 there were reading and study clubs, some of them, to be sure, with political tendencies. The "German Society for the propagation, of national education", with headquarters in Prague,

takes first place among such associations as influence an entire province. It founded and is supporting many libraries, arranges lecture courses, and publishes a series of printed lectures, from ten to twelve issues a year, which are distributed among about 5000 members and subscribers. Of local societies the "Urania" of Prague deserves special mention for its varied activity.

The establishment of public libraries in the American sense had started before the war, partly with American aid. Oswald Ottendorfer, e. g., editor of the New York Staatszeitung, donated to his native town Zwittau in Northern Moravia, near the Bohemian border, a library with reading rooms and a fine lecture hall. That was the first institution of the kind on the European continent. The good example was followed by others elsewhere.

The universities did not take up extension work until the beginning of this century. The development that culminated in the organization of "popular university courses" can best be studied in the book "August Sauer's cultural speeches and writings", edited by Pfitzner and published by the "Sudetendeutscher Verlag", Kraus in Reichenberg. In this respect the Czechs had taken the lead. Foremost in the extension work for adults are the university summer courses in Reichenberg. These and similar efforts had for their center the "Society for the advancement of German science, art, and literature in Bohemia". In the field of history the "Society for the history of the Germans in Bohemia" carried out the double mission: on the one

hand, to encourage the scientific investigation of the native country and people; on the other hand, to make the results of such investigations accessible and serviceable to the people themselves. The society has been existing for over sixty years. In Moravia—Silesia there is a sister organization. The natural sciences are represented by the “Lotos” society; other branches of learning by similar institutions. The study of folklore, as introduced by the folkloreist of the university of Prague, Adolf Hauffen (d. in 1930), was carried on directly by the “Society for the advancement of German science, art, and literature in Bohemia”, which established a folklore archive, conducted research, and published a series of papers. Under the auspices of that corporation with August Sauer as the managing editor, appeared the “Library of German writers in Bohemia”, now called ‘Sudetian-German writers’, “containing the complete edition of Adalbert Stifter’s works in 24 volumes. The Society also started the monthly magazine “German work” (“Deutsche Arbeit”), mainly with the help of the two scholars named, now in its 23. year, but no longer appearing in the country nor limited to Sudetian affairs. It developed to be a magazine for the German frontier problems in general, and became the leading publication of the “Society for the German people in foreign countries”. The intention of making this important organization of the Sudetian Germans an “Academy” has so far been thwarted by the persistent resistance of the Czechs.

## III

Soon after the revolution, the new state government instituted a thoroughgoing legislation for adult education. In this the Czechish people wished to prove worthy of the great educator Comenius. Two laws were passed, giving a new basis to general education. The one concerned the establishment of communal libraries, the other courses of lectures for education in citizenship. The first law benefited the German and other minorities, despite certain handicaps in connection with taxation. As regards the second law neither the German nor the other nationalities, incorporated, as they were, in the new state against their own will, were able to co-operate in the process of national assimilation. Wherever the Germans did take part in the educational work for citizenship, it was not so much the state as the hometown and homedistrict they took an interest in. Home education became the leading ideal of the Sudetian Germans, fearing for their inherited rights, and "Home education" was the name of a periodical founded in 1919 by Lehmann and Blau.

A special organization, combining several of the older societies, with headquarters in Aussig, is doing excellent work in publishing numerous papers. Its editor is Professor E. Gierach to whom we also owe the foundation of a Sudetian Central Library, the German library in Reichenberg, with now about 100 000 volumes. This was done by means of reviving the "German Science Society" in Reichenberg which in many ways supple-

ments the work of the "Society of Sciences and Arts for the Czecho-Slovakian Republic", as the former "Society for the Advancement of German Science, Art, and Literature in Bohemia" now is called.

A "Bohemia week", held at Tribsch near Leitmeritz, in the midst of the revolutionary turmoil, together with an association "the Bohemian Country", became the nucleus of a comprehensive rejuvenation of Sude-tian-German life. Young people belonging to the German youth movement, joined men of the older generation for the purpose of giving new foundations and directions to the entire life in the territory hit so hard and deprived of its liberty. A new psychic attitude made its appearance, a deeply felt solidarity with the whole of the German people in the new state of Czecho-Slovakia. This Bohemian movement had its most universal effect in the revival of the German folksong as organized by Walther Hensel. The "Finkenstein League", founded by him, originated "Song weeks" of the new kind of folksong and folkmusic, throughout the Reich and other German territories. Poets like Hans Watzlik and Gustav Leutelt joined the movement. Robert Hohlbaum, Hadina, Haas, Strobl created poetical images of their native country. Rainer Maria Rilke had started his literary career from Prague, as did Werfel and Brod.

Similar tendencies appeared in the fields of the Fine Arts and folk dance; most of it, of course, along the lines of All-German developments, only with a peculiar nuance as determined by the native character of the

people and by the distress of the borderland. Likewise gymnastics, physical training in general and the entire conduct of life were reorganized. As in the Reich, the aim was and is an organic conception of society and community, in contrast to the more intellectualist tendencies of the Czecho-Slovakian school laws.

The whole movement, then, was bound to affect the spirit of the protective work described above. It was discovered that the shifting of population near the linguistic and national boundaries, was not merely a local affair subject to the local protection of the language. Long before the revolution the Czechs had begun to advance against the German territories, i.e., mainly against the Sudetian borderland. German farms were bought up by Czechs. Czechish laborers settled in German industrial districts. They were followed by shopkeepers and tradesman, until they could make use of the liberal Austrian school laws for establishing schools. The teachers came as organizers; and state officials of Czechish nationality joined such Czechish groups within German communities for the purpose of attaining by energetic cooperation a majority and thereby the control of the community.

The Czechs indeed developed an admirable technique of fighting for the borderland. Their entire regeneration as a people had been led by the idea of penetrating and conquering the Sudetian territory as a whole. Their historians did not even stop short of evident forgeries, like the "Königinhof manuscript", in order to picture to their compatriots a brilliant All-Czechish



past of their native provinces when they were populated by Czechs alone. Mob riots of Czechs in Prague displayed, long before the new order of things, a fanatical intolerance against the Germans in the country and against their cultural life. The Germans, on the other hand, had given their own civilization the stamp of cosmopolitanism as taught by the great Weimar poets, principally Goethe who had directly influenced Bohemia in the course of his various visits. The Germans, therefore, were forced to adapt their own civilization and social life to the struggle against the aggressive Czechs.

The latter had in their favor the nature of the country, inhabiting the agriculturally best parts. For this same reason they did not have to cultivate the multiple forms of home industry by means of which the German mountaineers were making a scant living. But that German home industry, favorably known as early as the 17. century, was the root of a great industrial development, once machinery had made possible modern methods of manufacture. Now the German districts benefited from the rich mineral and metal deposits in their mountains, especially brown coal in the Northwest Bohemian valley.

#### IV

Naturally such a development was merely a part of the great Central-European-German economic rise which expanded to huge dimensions especially after

the foundation of the German Reich. One of the consequences was that many Sudetian Germans left their native province for the Reich, only to be replaced by Czechs, who, no longer finding employment in the purely agricultural sections of Southern Bohemia, pressed on into the old German settlements where until then the Czechish language had never been heard. Besides, the political and economic system of the old Austro-Hungarian monarchy claimed many Sudetian Germans who served as government officials, army officials, army officers, engineers, physicians, teachers, etc., all over the country, from Trieste and Pola to Galicia and Bukowina. Even in the Austrian Alps and in Vienna Sudetians made up a considerable part of public and economic life.

Such a large export of valuable forces had for its basis an advanced state of education. The towns rivalled one another in building schools, and the people in general were characterized by a pronounced docility and eagerness to study. On that quality of character, indeed, rested the economic prosperity of those sections who produced a large portion of the industrial necessities of the former monarchy. On the other hand, any curtailment of educational facilities is bound to reflect upon the very life of the Sudetian German people.

In view of the difficult situation today, education is a more vital factor than ever. Not only do the Sudetian Germans no longer find employment in the successor states, nor, because of the economic depression, in the Reich; but even in their own state they are, after nu-

merous dismissals of German officials and employees, limited to the German districts where again the number of positions has been rigorously cut by the government. The young generation is the chief sufferer; to find employment is now a most serious problem.

From these conditions result entirely new and difficult tasks for our cultural life. How is it at all possible to have the Sudetian Germans educated and prepared for life? It is not necessary to adapt education most closely to existing conditions? Should not the most effective and intensive and productive methods of education be used? But the fact is that the government, i.e., the Czechish majority and the Czechish bureaucracy in administration, have complete control of the educational system, including the Germans. German parents consequently have no free choice as regards the education of their children. The government treats the German schools with pronounced animosity. The financial means that, according to the number and taxation of the Germans, ought to go them, are not only withheld, except for humiliatingly, or provokingly, small amounts, but the Germans are compelled to let their own money be used against them and their children.

It is the real spirit of these new states created by the peace dictates, that they obstruct the cultural progress of their large minorities, forcing them to use all possibilities still available in the service of strenuous self-preservation. Thus a most valuable branch of the Central-European-German race has been placed under intolerable compulsion. The attempt to find in the develop-

ment of popular and adult education a sort of compensation for the obstruction of the schools, has not been very successful, chiefly for external reasons.

To meet this emergency is one of the principal aims of the "Association for the education of the German people in the Czecho-Slovakian Republic", founded by the Protective Societies and located in Reichenberg, Waldzeile 14. The Association was created as the real educational organ of the Protective Societies and People's Leagues. It studies aims and methods of adult education and shares the work of cooperative organizations in educational institutes. It started the Sudetian German library aid and has had considerable success in its various forms of activity.

Its next goal is the establishment of a people's university for the Sudetian Germans which would centralize the educational work of the various organizations, not competing with, but compensating, the German university at Prague. The Germans in Prague, it must be remembered, are only a small upperstratum in a foreign environment, outside the actual German home country in the Sudetian provinces.

Generally speaking, the Sudetian Germans form a compactly organized national group of people willing to live and to determine their own life. They are grieved at the fact that, despite all sacrifices, it appears more and more difficult to preserve their inherited civilization. It is scarcely possible to continue the existing institutions, much less so to undertake new things however badly needed. And yet, this branch of the great

German people, here at the border of Eastern Europe, has its old historical mission to fulfill: to keep the neighboring Slavic people within the sphere of the general and common European-American civilization. The Czechish nation in itself is far too small to be a decisive factor in the cultural development of mankind; it needs the support of a larger civilization. For the Czechs that can only be found in the German people — in contrast to the linguistic — Pan-Slavic illusion. Reciprocal cooperation will have to be organized in such a way as to make possible a fruitful give and take on the basis of equality and national home rule. So far the Czechs have been too much intoxicated by their unexpected war spoils to think of ideals concerning all mankind. Nevertheless, the ideal remains for the Sudetian Germans to strive for in their cultural work, in spite of all oppression and cultural handicaps.

In this sense the Sudetian Germans need the encouragement, not only of their brothers in the Reich, but of all those outside who have the cause of civilization in general at heart, and who feel responsible for the cultural liberty of any branch of the human race.

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<sup>1)</sup> The literature on the above subject is now conveniently listed in: "Schriften über das Sudetendeutschtum und die Sudetendeutsche Frage", by Lehmann und Kunze, Reichenberg, 1930.

# THE ANSCHLUSS-PROBLEM, AUSTRIAN POINT OF VIEW

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We must go back to the historical basis of the Anschluss problem, to the condition of the German people prevailing in the Central Europe of past centuries, if we wish to understand the deepest significance of the Anschluss — or rather reunion — of Austria with the German Reich. For nearly a thousand years the German East Alpine territory was closely connected with the rest of Germany, either in the form of vassalage or of a federated state, or in the juridically loose, but not ineffective, form of a confederacy — at the time of the German Federation.

For many centuries of Germany history the Austrian section even was the center of the whole German people, political as well as intellectual and cultural. The period of the Minnesang at the Babenberg Court in Vienna is generally considered a culmination point in the history of the German mind and civilization. It was not until much later, toward the end of the middle ages that foreign nationalities were territorially joined to German Austria. In 1526, when the German Austri-

an country rose to greater independence in proportion as the German Empire decayed, the Bohemian-Sudetic complex and the Hungarian Crownlands were added. The connection, however, consisted merely in a personal union with a common sovereign. The German Austrian territories remained, as members of the German Empire, in closest connection with the German people as such.

It was especially during the epoch when the Hapsburgs wore the imperial crown that Austria bravely fought for the interests of the whole of Germany; chiefly in the wars against the Turks. These same wars, on the other hand, proved to be the cause of consolidating German and non-German possessions of the Hapsburgs, in the form of a more or less organically constructed new Eastern State. For the Eastern provinces were united by the common danger to them all, from the Turkish invaders, while the progressing disintegration of Old Germany made impossible the full use of her military power for the benefit of the East alone.

Between 1687 and 1723 the personal union became a real union, and when the Napoleonic era put an end to the Old German Empire, the Danubian Monarchy was organized as an independent federation, by the proclamation in 1804 of the Austrian Empire. Nevertheless, it would be a mistake to suppose that the Austrian Germans from then on ceased to consider themselves a part of Greater Germany. The German provinces of the Monarchy were indeed at the same time members of the German Federation, from 1815 till 1866.

Even with the dissolution of the German Federation in 1866, with the foundation of the North German Federation in 1867, and of the German Reich, in 1871, under the leadership of Prussia — the Austrian Germans being excluded —, the feeling of solidarity among the Germans of Austria and the Germans of the Reich, was not extinguished. Furthermore, since 1879 the Austrian and the German Monarchies were closely united by an alliance which lasted, until the final catastrophe of the World War destroyed both of them.

Inside the Austrian Monarchy, however, that endless chain of struggles among her sundry nationalities grew more and more embittered, so that she bore the marks of decay long before her dismemberment. The attempts toward reconstruction by means of granting autonomy to the several national groups within Old Austria, did not reach fruition, because history set those attempts aside by the destruction of Austria-Hungary, and by the foundation, in her old territory, of independent, non-German national states.

New Austria, that rump state left over by the great disaster, was confronted with the following possibilities. She could live on, by herself, as a separate state, completely disavowing the great history of the German Austrians who at not time had contented themselves with the limitations of petty state politics. Or she could have sought for an opening to a Danubian Federation, i.e., a union with the very peoples that had just now destroyed their common political home, subjugating and incorporating with brutal force large sections of



German nationals. Finally, in memory of her own glorious past, there remained the possibility of a reunion with the Reich, now the principal state of German nationality.

Austria chose the latter possibility. As early as November 12, 1918, the Provisional National Assembly of the German-Austrian Republic, in the very hour of her birth, unanimously passed the following resolution:

“German-Austria is an integral part of the German-Republic.”

The Assembly thereby merely carried out the will of the entire German people, in harmony with the centuries old identity of the German people, which in the late war had found its supreme expression in the joint defense of the Central Powers against the Allies. In this struggle Old Austria for the last time placed her entire power side by side with the German Empire, bleeding white on the European battlefields, especially in the Carpathian Mountains, fighting the Russians, not only for the German cause, but at the same time for the individual life of all Central Europe.

The resolution of the Provisional National Assembly was repeated, after the elections, by the Constituting National Assembly, on March 12, 1919, in the form of a unanimously adopted fundamental law of the German-Austrian Republic, a law annulled, to be sure, by a new law of Oct. 21, 1919, in compliance with the treaty of St. Germain-en-Laye. Article 88 of that treaty, it must be remembered, read:

“The independence of Austria is unchangeable, except that the council of the League of Nations consent to a change. For this reason Austria assumes the obligation to desist, except with the consent of said council, from any action which directly or indirectly, or in any way whatsoever, especially,— before being admitted to membership in the League of Nations — might endanger her own independence in consequence of cooperation with another power.”

German-Austria, expressing her desire for a union with the Reich, had honestly believed to be doing nothing more than assuming for her own benefit a right granted to all other nations, especially the several nations formerly belonging to the Dual Monarchy.

Wilson in his wellknown congressional speeches had proclaimed the right of selfdetermination of the nations. As a matter of course, the Germans, like all others, were entitled to that right. In this connection attention must be called to the fact that the Germans of Austria did not establish their own national state, nor declare their union with the German Reich, until after all the other nations of the Monarchy had founded their national states.

The resolution of the German-Austrian National Assembly, made as it was, upon the basis of that same right of selfdetermination, could not hold out against the will of the hostile powers to weaken the German people to the utmost. An additional cause of failure was no doubt the fact that the solemn resolution was not followed up by a consistent application of its purport: the people, drained by starvation and misery, were incapable of a determined effort toward resistance. Nonetheless, it is only fair to say that the peace

treaties, imposed upon the Central Powers, in this respect — especially through article 88 of the treaty of St. Germain — broke a solemn promise, the promise of selfdetermination, upon which the Germans had relied, inflicting thereby a deep wound upon the principle of honesty in the intercourse of the nations among one another.

Naturally the Allies tried to make the solution, thus forced upon Austria, palatable to her by means of persuasion, saying that Austria, who had even been forbidden to choose her own name, fared best in remaining independent. They suggested, and are still suggesting, to her that she give up her claim to an Anschluss for economic, historical, and cultural reasons. It has almost become a slogan that Austria must gain her economic independence; and then, strong and independent, she would no longer strive for Anschluss. Others again, not quite so confident of the vitality of the new state, lay stress upon the geopolitical connection of Austria with the Danubian territory, pointing to the great economic advantages of a Danubian confederacy, which alone could restore to Austria her economic health.

In reply to such insistence upon the economic phase of the whole problem, we must first of all say this: it would be a most discouraging testimony for the state of mind and the ethical selfvaluation of the German people, especially of the Austrian Germans, if they viewed their national flag exclusively from a materialistic standpoint, renouncing their national ideals and their very soul, for purely utilitarian considerations.

Aside of that we can easily refute the assertion that the Anschluss would put Austria under an economic disadvantage.

To begin with, it must be pointed out that — not to mention the political impossibility —, an economic union with the successor states would no longer mean a specific advantage to Austria.

The products and articles of commerce, formerly supplied by the Austrian Alpine country to the provinces now severed from it, are by this time made by these new states themselves. They succeeded in establishing very rapidly their economic autarchy and independence of Austria. For instance, in Bohemia textile factories were erected, and the electrical industry, scarcely represented there before, developed to such perfection as to shut out completely the Austrian electrical industry. In Hungary numerous machine factories were built for the purpose of making the country economically more independent, a development clearly to be seen by the declining figures of exports from Austria to that country. In 1927 there were 203.1 million shillings worth of exports, in 1928 only 190.9 million sh., a phenomenon paralleled in the trade with other successor states, all striving for the greatest possible autarchy.

Consequently, the most natural means of expansion for the Austrian economic system is the Anschluss today. Proof of this is the history of the past decade.

There is first to be noticed an extraordinary intensification of traffic — passengers as well as freight — between Austria and the Reich. From 1919, when the

Austrian export to the Reich amounted to 1 300.000 hundredweight of goods, it rose even in the following year to 2 236.000, whereas in the same period the import from the Reich to Austria rose from 7 200.000 hundredweight to 12 000.000. Between 1922 and 1928 the Austrian export to the Reich rose from 161.865 million goldcrowns to 413 million sh., and the import from the Reich from 392.4 million goldcrowns to 654.4 million sh. At the same time, in 1928, the Reich's import stood first in Austria's export, second in Austria's import (next to Czechoslovakia), a ratio that has in the meantime changed in favor of Germany. Particularly noteworthy is the considerably higher figure of German import to Austria as over against export, with a relatively strong upward trend. This shows how much Austria, even now, despite the customsbarrier, counts in the economic life of Germany. In addition it should be noted that, beginning with 1927, the imports to Austria from the neighboring states, Czechoslovakia excepted, have greatly fallen. In brief, the economic interdependence of the two countries is stronger by far than Austria's connection with any other country.

It would be a mistake, however, to interpret, as is sometimes done by opponents of the Anschluss, the figures given in such a way as to make Austria appear to be a negative factor only, to the disadvantage of Germany's economic system. On the contrary, the economic history of the past decade shows clearly the importance of Austria for greater Germany. It is true that importance cannot fully assert itself, the free develop-

ment of all forces being much handicapped by customs-barriers and political frontiers. In this respect the electrical industry plays a foremost part. The German Reich needs an immense quantity of high power in order to place her industries on the basis of successful competition. She can produce that power in her own country only in part, possessing merely 4.7 million PS. of potential waterpower, a large part of which is already utilized. Austria, on the other hand, is able to furnish to Germany an enormous amount of electric power, the basic element of modern industry for production and consumption.

Of 4 million PS. available waterpower only about 440 000 PS. have been used so far, much of that going to Germany even now, especially from the Vorarlberg powerworks. Gigantic plans are being devised, or already in the making. Similarly the Austrian mining industry would be a valuable supplement to the German. For instance, in 1927 Germany produced 6 626 000 tons, Austria, in 1928, 1 913 000 tons. Austrian agriculture, too, would be of great value to Germany because of her overindustrialization. The intensification of trade in the latter field proves how much production would gain by economic unity. Austria would find for her products, also, a suitable market. Industrial and economic enterprises now fighting hard for mere existence, could at once be made to pay; for the history of economics shows, that any extension of the market and any elimination of customs barriers encourages and furthers production.

The railway system would be greatly benefited by such an improvement. The Austrian federal railways are in a most precarious condition today, owing to the fact that with the borderlines cut short — Austria consists almost entirely of borderlines —, the income hardly pays for the cost of management, fuel, and maintainance. This would be quite different, if the material could be used to the full extent of its capacity over large distances, and on the other hand the Reich would receive considerable benefits from the addition of 6717 km. to her own 53 623 km. of railroads (1926/27). Electrification, too, would make for an increase in revenues. In Germany, so far, 998 km. of railways have been electrified, in Austria 905 km.

Something similar may be said of the system of highways, 210 955 km. in Germany, 34 104 km. in Austria. The influx of German tourists to Austria, even now about 50% of all strangers, would certainly rise still more, the value of their consumption benefiting Greater Germany, whereas, according to the estimation of the League of Nations, the Reich now loses about 90 million marks spent by her nationals in foreign countries. (The estimation for Austria shows an income of 75 million marks from foreign tourists). The economic union is all the more necessary, since in our "global" age only the very largest political and geopolitical units can successfully meet the ever more intensified competition of extra-European countries. German commerce urgently needs support in its struggle for its old position in the markets of the world.

We have been discussing at length — at too great a length, maybe, — the problem of Anschluss from the economic point of view so as to refute an objection that many consider the most important one. But economic points of view are not decisive for our problem. Even among our former enemies the feeling was not lacking that, important as the struggle for mere existence was, the Austrian people could not be expected to make political decisions of the deepest significance and most far-reaching consequences, involving its separation from a kindred nation, for material reasons only. The Austrian people therefore was to be persuaded that it had the mission of preserving a civilization peculiar to it alone. The periods of Austrian baroque, the “Austrian soul”, Austrian music, and Austria’s political mission in the East, were mentioned. Whatever there exists in the line of cultural values, Austria was said to possess in a peculiar fashion. The grotesque statement was made that this our Austria represented a phase of civilization not exactly contrasting with the German phase but still as peculiar as e.g. Poland in relation to Russia, or Japan in relation to China. All such statements can easily be refuted as gross exaggerations, the wish being the father of the thought.

There is some justification in calling the Austrian a typically baroque being in the sense of a peculiar form of art, of a characteristic kind of artistic vision. However, to go so far as to say that the Austrian possesses an entirely unique mentality shaping his whole life, in contrast to the mentality of German culture, German



thinking and feeling, is to forget that this "baroque culture" could have originated only from the mother-soil of the German mind, however highly it may be valued — as it should, indeed — by every Austrian.

No form of art, to be sure, stands by itself alone. It has its predecessors and contemporaneous parallels influencing it; and certainly the Austrian baroque, in Vienna and Graz let us say, absorbed much of what is peculiar to the South, even to Italy. But the big stream of German civilization, the heart of which lay then in Vienna, is the force that created the Austrian baroque. It is German names that are for ever connected with it. As an expression of the German mind this form of art asserted itself victoriously against other, non-German forms of arts. It would be a mistake, however, to deduce from that phase of art an entirely unique national character, a "baroque soul".

The artists and creators of baroque works of art — they are to be found throughout the wide expanse of the present Reich, not only in Austria — were the very men who won a place for German civilization in the East, who for the last time raised the hope that German culture might penetrate the belt of mixed nationalities in the East, not by force of arms, but by means of its own superior mental power.

Only a history as tragic as the history of Germany prevented her civilization from completely penetrating those peoples, desirous of art and culture though they were, and blocked her way to the formation of a united

powerful state which would have been able to do full justice to her cultural mission.

As the art of baroque evolved from German soil, in a form, to be sure, adapted to South German characteristics, so music. No one can deny that Austria enriched German civilization and the whole world with the works of her immortal masters. But the melodies of that "Austrian" music might never have been created, if Austria had not been rooted in the intellectual life of Germany as an integral part of German culture, at the time when those great masters lived. Only the consciousness of devoting themselves to the entire German people, made men like Mozart or Beethoven, a son of the Rhineland, seek for highest perfection in Vienna. Nothing can better demonstrate that inseparable unity of culture than the fact that after the political elimination from the whole of Germany, Austria did not produce another great composer, mighty Bruckner excepted. Music in Austria today — aside of the modern international genres — lives on the tradition of those bygone times, when at least all intellectual forces of Germany cooperated in complete and undisturbed harmony, without being violated by unnatural boundaries imposed upon her.

All those who are trying to make out the Austrian homo to be fundamentally different from the German, those who speak of baroque and Schubert, and would preserve Austria for posterity as a sort of park and florist's greenhouse with sundry curiosities stored up in it, forget one thing more. Austria had done great

things for all of German civilization at a time when no one dreamed of regarding Austria as anything else but a part of the old German empire. The Lay of the Nibelungs, probably the greatest poetical creation of the German people, originated in Austria. Without Austria medieval German literature would be a torso. Many German artists, first of all Dürer, found encouragement and support at the Austrian court. All these and other points might be mentioned besides the principal facts that centuries before the period of baroque art the cultural life of Austria was an integral part of the cultural life of all Germany. All German forces that tended to creative work along the lines of national traditions, met in Vienna.

Consequently Austrian art, literature, and creative intellectual life in general, can be understood only in connection with the history of the German people, past and present. The same thing is true of the much discussed political mission of Austria. There is no doubt but that for long periods of world history there was an Austrian political mission, an historical task with the chief aim of protecting western, occidental, essentially Christian, civilization, from the uncivilized peoples that came surging on from the East again and again. Indeed Austria was founded, as the German "Ostmark", for the very purpose of fulfilling that task — which was not only a European one but in the first place a German cultural mission. Austria showed herself equal to the task when Swatopluk established his panslavic empire, when Asiatic peoples, the Avars, and

later the Magyars, came from their steppes. Finally, her power growing more and more, after the Turks had annihilated the remnants of the Eastern Roman Empire, Austria won her supreme success. It was under her leadership that the greatest danger threatening occidental civilization, was warded off, and Christianity and German culture were rapidly carried into the East of Europe.

And for one more time, Austria, in alliance with Germany, without which she could never have succeeded in fulfilling her political mission, saved German civilization, the individual life of Central Europe, and beyond that the whole of the occident, when Russia brought her Asiatic armies to the Carpathian mountains. In that gigantic struggle, after a last success, the Danubian Monarchy collapsed.

It is a debatable question whether from then on, with the big demarkation line that the year 1918 drew through the world's history, Austria's Eastern political mission had been fulfilled, whether that mission had been eliminated, or was still existing. One thing is certain, if there be such a task left, it cannot be met by mutilated Austria alone. It would be possible only in closest connection with the German Reich. With her political independence the fundamental condition for a great mission in the East has been taken away from Austria. Even her cultural task which had remained as the foremost task of Old Austria, cannot be met by the new petty state, if isolated. Assailed by the waves of overheated nationalism, surrounded by states bitterly

hostile to everything German, this advance guard of the German people is hardly able to hold its own ground, much less to do constructive work outside. There is only one possibility of finding her way from the narrowness of an impeded existence back to the open fields of her great history; that is the reunion with the German Reich. From the soil of all-German civilization New Austria will draw fresh hopes and inspiration strong enough to give her peculiar form to what she receives, as in olden times, so that she can transmit it to those wide spaces of Europe that appear to be the natural field of expansion for the German mind.

If Austria were to be severed from the Reich, to be left alone by itself in that Eastern territory, her German character and with it her culture would die, giving way to a pseudo-civilization. Only when united with the German Reich, can Austria meet her task of being a lifegiving fountainhead for other nations. Only in such union can she give to the German people itself wealth and beauty of intellectual life, helping it thereby in unfolding the very depths of its soul generously for the benefit of all mankind. In this sense Uhland's words, spoken in St. Paul's Church at Frankfurt, in 1848, are true: that Austria had a mission still higher than that of being the bearer of civilization to the East, the mission of being an artery of Germany's heart.

As a matter of fact did the Austrian people, even after the peace treaty that was to shut it off from its own nation, had been forced upon it, continue to work

for a reunion. It did not give up its national ideals, finding moral support throughout the Reich. The Constituting Austrian National Assembly even went so far as to pass a resolution, on October first, 1920, just before it was dissolved, and in opposition to the treaty, that in Austria was to be carried out a plebiscite for the Anschluss within six months. After the new National Council (as the Austrian parliament was called according to the new constitution) had assembled, neither parliament nor government found it possible to put that resolution into practice, the reason being the impending economic and fiscal crisis both in the Reich and in Austria. However, the movement for Anschluss was so strong that various provinces insisted upon holding the plebiscite upon their own responsibility.

There was a plebiscite in Tirol, on April 24, 1921, with 134 000 votes for, and only 1700 votes against the Anschluss; another in Salzburg, on May 29, 1921, with 104 000 votes for, and 800 votes against the Anschluss. Steiermark, too, was about to hold a plebiscite. But this, as all others intended, was prevented because of a serious parliamentary crisis in consequence of political pressure from the outside, threatening, as was said, military occupation. It was only too natural that the Anschluss movement received a temporary setback when, in 1922, the Seipel Cabinet, with the help of the League of Nations, carried out a financial reform in order to save Austria from complete financial ruin. But the policy of financial reorganization never intended anticipating the German question by a different solu-

tion for all time. It had for its purpose merely the task of saving the Austrian branch of the German people from otherwise inevitable destruction. As soon as that task was done, when the League's Commissariat General had been dissolved, on June 30, 1926, and the financial reform was finished, the Anschluss movement started all over again with increased vigor.

Chief stress was laid on working out a consistent plan of mutual adaptation. Public institutions, laws, and organizations of both countries, were to be equalized or combined so as to prepare the way for the final political reunion. As regards education, the public schools have been uniformly organized, while there remain certain differences in the secondary schools. Certificates, however, are interchangeable. Examinations and academic degrees are mutually credited, as are, in some subjects, academic semesters spent in one or the other country. In the archival system an almost complete adaptation was made, and in administration there is the significant fact to be noted that Prussia and Austria annually exchange a number of officials.

There were economic agreements (of September 1, 1920, and supplementary treaties (of March 3, 1925 and January 1, 1926), now replaced by the commercial treaty of April 1930. The new common regulation of railway traffic (October 1, 1928) is of great value, too. In jurisdiction several important adaptations were made. Of the greatest significance are the treaty concerning legal aid, of June 21, 1923; the agreements concerning inheritance and probate courts, according to

which the citizens of either country are practically treated as natives; the organization in Austria of an old age insurance; finally the regulation of juvenile criminal jurisdiction by the law of July 18, 1928.

Most important is the creation of a common code of criminal law now under way and progressing rapidly. When finished, the Reich and Austria will possess an identical criminal law, except for a few paragraphs.

In addition to the work of adaptation in jurisprudence and administration, much has been accomplished by private organizations. There are, e.g., in Vienna a "Delegation for the Austro-German Economic Union" (since 1927), and the "Austro-German Cooperative Society" with a sister organization located in Munich, comprising seven provincial groups, also an "Austro-German National Alliance," corresponding to a similar organization in the Reich.

The Austro-German Cooperative Society whose members are men prominent in public affairs, has for its special work the psychological foundations and material problems of the Anschluss idea. It maintains numerous special committees, for nearly every field of knowledge or economics, in order to go to the very bottom of the subject.

The comprehensively organized Austro-German National Alliance aims to win the entire population for the idea of Anschluss by means of a systematic propaganda that is meeting with a great deal of success. The Alliance has local groups in nearly all of the provincial



capitals of Austria, with a membership of more than a million.

These organizations provide suitable literature, publishing magazines that widely circulate. In such a way it was brought about that the Anschluss remained a live issue. Again and again hostile opposition had to be met; but the faith in a united German Reich is rooted deeply in the people. And whenever an opportunity offers itself, the whole Austrian people, with all its ardent enthusiasm so characteristic of it, jubilantly acclaims that ideal.

Even foreign countries took notice of the festival of German Singing Societies in Vienna, July 1928, when hundreds of thousands from the Reich, and hundreds of thousands from Austria, marching through the streets of Vienna or assembled in the big concert hall demonstrated their will to Anschluss, raising their voices for that great idea. The movement for Anschluss is alive in the heart of the Austrian people, and any one trying to eradicate it would have to falsify a thousand years of German history and would have to keep the Center of Europe permanently under the yoke of foreign domination.

Austria is making a great sacrifice to the cause of peace in using only such possibilities as offered by the treaties, toward the Anschluss. It is for the moment waiting, in the hope that sometime the conditions of article 88 of the treaty of St. Germain might be met, according to which the unanimous consent of all members of the League Council are required for the An-

schluss. Austria is bearing the sacrifice of compulsory "independence" which not only prevents her economic progress by subjecting it to the good will of the Allies, but forbids her to enjoy the privilege of selfdetermination proclaimed by President Wilson, for her union with her own nation.

It is quite evident that the Anschluss is a problem for the whole European continent, urgently calling for a solution, if it is not to remain a source of danger for peace. History has often shown that political frontiers, least of all frontiers imposed by force, are not sufficiently strong fetters to break and to bind the power of a nation. A mountain stream, swelled by rainstorms, rushes down the valley, growing stronger and stronger with every hindrance blocking its course, until it bursts even the most ingeniously devised dikes and levies, if unnaturally constructed. Likewise the German people who became conscious of its power and greatness during the thunderstorm of the world war, even if temporarily vanquished and fettered, will sometime, if not given a free course, burst the dikes and levies, and, a united nation, march on into the joyous morning glow of a free German Reich, the Third Empire.

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## THE REUNION OF GERMANY AND AUSTRIA

BY PAUL LÖBE

President of the Reichstag

It is not merely accidental that the foundation of the German Republic simultaneously brought to life again the problem of Anschluss. Dynasties once had disrupted the unity of the German nation. The Austrian people had been united with the Germans by a common history of a thousand years, and by the identity of language and civilization. The Hapsburg territorial policy started the separation in 1804. The rivalry for hegemony, of Hapsburgs and Hohenzollerns, caused the definite exclusion of the Austrian Germans from the Reich in 1866. The downfall of the dynasties in 1918, the death of Greater Austrian and Prussian-German aspirations, was bound to give birth to new Greater German hopes. After half a century of suppression, the longing for a reunion of the disrupted parts was released with an elemental force. At last the "day of the Germans", as Schiller expressed it, seemed to break.

Ever since the time of Fichte the best men of the nation had confidently hoped for that day. A hundred and fifteen years ago, Fichte, in his political testament, formulated the postulate of Union, with this comment: "It is indeed perfectly clear to me that there will never

be a German nation until the individual princes have abdicated." After him, men like Jahn, Arndt, Schleiermacher, and the university students fought and suffered for German unity in opposition to the police system of the governments. They became martyrs of the Greater German movement. During the pre-March period, and especially in St. Paul's at Frankfurt, the delegates of the democratic-republican Left cooperated in the construction of the ideal Greater Germany for which later on Liebknecht and Bebel, Greater German socialists and implacable opponents of the Prussian German union, tried to win the hearts of the masses of working people.

It is the tragedy of the Germans that, instead of the ideas of the Frankfurt Parliament, the military power of the dynasties prevailed, creating the Little-Germany of Bismarck's making, surrendering ten million Germans to the Hapsburgs, and vitiating the idea of Nation. While the Frankfurt Parliament demanded "One people -- One state", in the spirit of justice and peace, ready to assist other nations in their struggle for independence, the *raison d'état* in the Wilhelmian era of imperialism was military power. No wonder that the victors of 1918 mistook any, even the most justified desires of the German people, for a reawakening of the hated Pan-German ideology. It is certain that this error on the one hand, and the necessity for the peace-loving German revolutionary government to submit to the victors' mentality, on the other hand, prevented the reunion.

It remains an historical fact, all too little known among our contemporaries in Germany, that as early as October 1918 there were Austrian politicians who, clearly foreseeing the evolution of things, especially the dissolution of the Danubian Monarchy, came to such conclusions as only a thorough comprehension of the Greater German movement of the last century could have engendered. On the second of October 1918, i.e., at a time when German generals and politicians were still convinced of the safety even of the Southwest front, the leading Austrian social-democratic parliamentarians, Adler, Seitz, and Seliger, submitted in Vienna a resolution, demanding, besides peace, a separate national assembly, in other words, the dissolution of the Federation of nationalities.

On the fourth of October a resolution, submitted by the Social-Democratic Club of Austria, was passed, demanding that all German provinces of Austria were to be united in a German-Austrian state which was to regulate, at its own discretion, its relations to the other nations in Austria and the German Reich. In the meantime the national revolutions of the Czechs, Yugoslavs, Poles, and Italians, undermining the Danubian Monarchy and finally creating on its debris new successor states, irresistibly progressed, clearly understood by all Germans in Austria, not so, unfortunately, by the ruling caste in the Reich.

The ninth of November was an event which the Austrian Germans took a passionate interest in, and it is worth remembering that the Austrian Senate, con-

sequently including the members of the German-National and of the Christian Socialist parties, took occasion to send the Chancellor, Prince Max of Baden, a telegram congratulating him on the turn of things in Germany, and expressing the desire to cooperate with the Germans in their work of political reconstruction. The twelfth of November 1918 endorsed the dissolution of the Hapsburg Monarchy, by the law of the Provisional National Assembly concerning the reform of state and government, which, unanimously adopted, declared German Austria to be an "integral part of the German Republic."

This fact, as well as the succeeding telegrams of Otto Bauer, who took charge of the Foreign Office in Vienna, to the delegates in Berlin, his journey there, the speeches of Chancellor Renner, and the argumentation of the Austrian ambassador Ludo Hartmann in Berlin, all passionately proposing, demanding, praying for, the Anschluss, remained unnoticed during the crises of the November revolution and the turmoil of collapse and reconstruction. That this should be so was not the fault of the delegates, but of Fate that submerged the Austrian belief in resurrection in the ruins of Germany.

Looking back from calmer days, we may grieve over the fact that the men responsible then did not attempt to fulfill the dream of the Fortyeighters, but we must be fair enough to admit that circumstances were unfavorable. Subjectively speaking, no wrong was committed. But there arises a national duty: side by side with the Weimar Constitution that November day should

be celebrated, when Austria's home journey from the Hapsburg prison to the German republic was resolved.

If at that time a German people proclaimed its return to its father's house, although it was on fire; if 1919 that resolution was solemnly repeated, although the old home was impoverished, endangered, enslaved; if a thousand times since, in periods of inflation, Ruhr invasion, inner and outer crises, Austrian fidelity confessed to the resolution of that November day, steadfast and ready for sacrifices, then that day, more than any other, deserves to be remembered as the "Day of the Germans". That would mean a compensation for the sin of omission of 1918. It remains an open question whether the revolutionary act of removing the boundary posts would, at that time, have brought about the Anschluss or more oppressive ordinances on the part of the victors. However, it is safe to say that a celebration of the Austrian resolution of reunion, dedicated to the principle of national selfdetermination, would be a constructive act for the Greater Germany of the future! Such a confession of political duty toward the Austrian homecomers would do away completely with the aspersion of the chauvinists in the two Western powers, as though the Anschluss were an annexationist manoeuvre. The truth of the matter is that the Austrian desire for Anschluss met with a painful reserve in Germany, not only among the Pan-Germans hitherto eager for annexation — they thought their conservative-protestant-Little German interests endangered! — but also among the ruling powers of the socialdemocrats,

despite the fact that the advocates of Anschluss base their claims upon the Wilsonian principles of selfdetermination, i. e., upon natural rights, not national motives alone. The front of doubt and hesitation extended from Haase to Ebert, from Westarp to Ludendorff. The problem of Anschluss arising, as it did, from the birth of the German republic, did not cause a revival of Pan-German annexationism, but on the contrary painful embarrassment and passive resistance. Only he who heard Ludo Hartmann himself describe his impassioned struggle, in Germany, for an understanding and appreciation of the Austrian desire for Anschluss, is able to fathom the grotesqueness of the error, as though that desire was German imperialism in disguise!

When at last the tide of the German revolution had subsided and the foundations of the Weimar constitution began to appear, the German National Assembly remembered its historical duty toward Austria. In February 1919, Ebert, during one of its sessions, responded in the name of the government, to Austria's November declaration, greeting her with fraternal affection and bidding her a cordial welcome. Scheidemann, Naumann, Preuss, and Delbrück demanded that the delegates of Austria take part in the deliberations of the German National Assembly concerning the constitution of a joint Reich, and in the thirteenth session the Löbe resolution was unanimously adopted and signed by the leaders of all parties, *vz.*, that the German Reich and Austria were to form an inseparable unit.

Then, however, came the obstacle: the peace dictate



of St. Germain and Versailles not only put most severe conditions upon Germany and robbed German Austria of nearly two fifths of her national possessions, but in addition to all that Germany and Austria were not permitted to conclude their desired union.

Without entering into a detailed discussion of the fateful article 88, we wish to point out the fact that it does not directly prohibit the Anschluss, but makes it dependent upon a condition, *vz.*, the consent of the League Council. That condition may eventually be met. At any rate, if the Allies tried to stifle the Anschluss idea, they were bitterly disappointed. The ever increasing public declarations for the Anschluss, by Austrian communities, towns, provinces; the plebiscites in Tirol and Salzburg where more than 98% of the voters gave authentic evidence of an Austrian "Anschluss movement for all that!"; Austria's loyalty — that ought to give food for thought not only abroad. . . .

Today, twelve years after the revolution, this desire still exists unshaken. Whenever German parliamentarians, no matter what party, come to Austria, they witness spontaneous demonstrations for the Anschluss; a federation of artisans, like the German engravers, celebrating an anniversary in Vienna, have the same experience; and when German singing societies join their Austrian brothers in Vienna, the whole world takes notice of Austro-German solidarity. On the other hand, labor federations, political parties, societies of any kind, in the Reich, are always eager to welcome their Austrian friends, whenever they cross the hated frontier, speak-

ing for the Anschluss. There is no diplomatic nor political intrigue from abroad, that could stop such a popular movement! German party leaders of any affiliation, giving expression to the people's feelings at such occasions, may have to bear the odium of undesirable opposition to their government. They can afford to do so, if conscious of their mission for a Greater German future.

Only one danger they must steer clear of, namely the danger of making the cause of the Anschluss, which is the cause of the whole German people on both sides of the boundary line, a mere party matter with the encumbrances of special party principles. There must not be anything like petty party politics in a question so vital for the future of Greater Germany. If parliamentary democracy means responsibility for the people of all social strata, it also means the duty of cooperation with political opponents in a cause common to the whole nation. Men of all constructive parties in Germany and Austria are united in the Austro-German People's League for the purpose of preparing the way toward righting the wrong committed; toward an international recognition of the right of the German people to consolidate and unite, as any other people in the world. Until the time is ripe, they collect evidence, submit resolutions, starting the process of Anschluss and furthering even now the course of assimilation. History will give credit sometime to those who faithfully performed the task of preparation, fulfilling a national duty in the best sense of the word, disregarding party interests and factional particularism!

The work for the Anschluss brings up certain groups of questions recurring again and again. In view of the persistency of the Austrian demand, the once fervid discussion in the international press, as to whether or not Austria's aim was meeting her own interests, has been greatly reduced. The argument of the Austrians that their country was unable to exist economically, in consequence of the untenable frontiers set by the treaties, has been accepted. Likewise it has been universally admitted that propositions such as a reconstruction of the Austrian economic system under the name of a Danubian federation or preferential tariffs, had to be discarded as utterly impracticable. The fact that not only the masses of the people, subject to nationalist impulses, but also the coolly calculating industrialists, chambers of commerce, and bankers, find the Anschluss to be the last possible means of salvation, can no longer be interpreted, in good faith, as German propaganda or Austrian self-deception amounting to a policy of suicide, as was done before.

All those economic calculations on the part of Austria, have, by the way, only secondary importance for the politics of Germany. Whether or not Austria is economically sound, whether she is rich or poor, is of no consequence, if she wishes to return home. Those "Real-Politiker" in the Reich who like to figure whether the Anschluss would pay, may have their attention called to the economic resources of Austria, lumber, water power, ores, Vienna as a commercial center, opening of exports to the South-East, millions of industrious la-

borers, and numerous talents in all fields that may be of value to Germany's civilization. In principle, however, we must maintain that it is not such considerations from which the right of reunion derives, but the unchangeable principle of the selfdetermination of the German people.

The question in which way that right may be realized is of decisive significance. Utopian ideas of fanatics, such as bringing about the Anschluss by force of arms, or in consequence of potential revolutions in France and Italy, have long been discredited, especially after Austria and Germany entered the League of Nations. The peaceful procedure of having the problem solved by the League Council, in accordance with the treaties, is gradually recognized as promising the result desired. At the proper time, which will be determined not only by Austria's pressing need but by the European situation in general, Austria's government, according to article 19 of the pact, will have to propose "a reconsideration of treaties proven to be inapplicable" with reference to the independence of Austria. In this case as well as in another imaginable case, *vz.*, that a third party calls the attention of the Council to the Anschluss movement as "affecting international relations", the League Council will have to decide upon the permissibility of the Anschluss. If the Council does not come to a unanimous decision, if consequently a debated question is before it, it will have to publish a majority report and to submit propositions which it recommends as the most fair and suitable for a solution of the problem.

As emphasized before, the decision will depend upon how far the pacification of Europe, the spirit of understanding and conciliation, will progress, and how well the leading political circles abroad will be informed of the right of Anschluss. If by that time public opinion in the world is convinced that a reunion of Germany and Austria will contribute to the consolidation of Europe and to the support of the idea of peace, the decision of the Council can only be a favorable one. The Anschluss movement is strengthened by such tendencies, too, that gain more and more ground throughout Europe, as make for a Pan-Europa and an All-European understanding. For it is but logical that the dismantling of frontier walls should start at the places of least resistance: the frontiers between Germany and Austria, felt to be inconvenient and unnatural on both sides, and undermined long ago by the process of assimilation.

This is the answer to the question what can really be done for the Anschluss until the time comes for the Council's decision. The peace treaties give no opportunity for preventing practical measures of assimilation that do not interfere with the independence of Austria. The course is outlined: creation of the Greater German economic system by an Austro-German customs union, assimilation of commercial and banking law, of criminal law, of social and civil law, of administration and transportation, in brief, the gradual preparation of the future Anschluss by the establishment of equal conditions in both states. We are still very far away from the final goal. But the road is as clear as the goal — and the duty to make the best use of time!

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## THE GERMANS IN POLISH UPPER SILESIA

BY HANS LUKASCHEK,  
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The ultimate version of the Versailles treaty, article 88, provided for a plebiscite concerning the division of Upper Silesia. By organizing insurrections in Posen the Poles had succeeded in establishing a *fait accompli* so that all of that former Prussian province was awarded to Poland. A similar attempt was made in Upper Silesia by means of two insurrections, the brutalities of which are on record forming one of the darkest pages of the war on the side of the Allies. While both insurrections failed, they were followed by an extreme embitterment of the struggle of the two nationalities in Upper Silesia. In February 1920 representatives of Great Britain, Italy, and France assumed control of the plebiscite territory, supported by military detachments of the three powers, chiefly French. The plebiscite did not take place, however, until one year later, on March 20, 1921.

The form and actual conditions of the plebiscite were certainly unfavorable to the German side, especially in consequence of the strong influence of the French in the plebiscite territory. None the less, the result was a majority of 60% for Germany, i. e., 707 000 as over against 479 000 for Poland. The cities and larger towns

voted prevailingly German; the important industrial section gave a strong German majority, and only in the country east of the Oder river, in the districts of Rybnik and Pless did the Poles show an advantage.

However, contrary to the principle of selfdetermination as promulgated by President Wilson and contrary to the obligations of the peace treaty itself, the Allied Powers refused the German demand that the whole of Upper Silesia remain with the Reich because of the plebiscite and because of the economic indivisibility of the territory. The plebiscite commission for some time could not agree, though, on the manner of partition. As was to be expected, the French representative, the notorious General Le Rond, according to his instructions, favored the most extreme claims of the Poles. The British and Italian representatives, however, considered justified in principle only the two districts of Pless and Rybnik as Poland's share.

The Poles were well informed about those differences within the plebiscite commission. Fearing that the British-Italian point of view would win out, they used for the third time the method of insurrection for the purpose of forcing their demands. The political leader of the insurrection was Korfanty; the military commander was, under the assumed name of Borelowski, Grazynski, the chief of staff of the commander-in-chief Dolina-Mielzynski. Today Grazynski is voyevode, i.e., the highest administrative officer in Polish Upper Silesia. The Polish insurrection affected nearly all of the territory claimed by the Poles. Although finally checked by

the German protective organization it attained its political end.

The Council of Ambassadors, after long deliberations made its decision on the basis of an expression of opinion of the League Council, on October 20, 1921. The partition of Upper Silesia was arranged in such a way as to award to Poland the largest and most valuable section of the industrial district. At the same time the Council of Ambassadors imposed upon Germany and Poland the obligation of making an agreement for the purpose of "insuring the connection of the economic system of Upper Silesia as well as the protection of the minorities." This agreement, signed in Geneva on May 15, 1922, is longer than the Versailles treaty, comprising no fewer than 606 articles. It is valid for the period of fifteen years, i.e., until 1937. Section 111, articles 64 to 158 concern exclusively the protection of minorities.

The agreement itself not only originated through the medium of the League Council, but the Council is permanently the highest authority for complaints with regard to violations of the agreement. A mixed commission residing in Upper Silesia itself, presided over by a neutral, at present Mr. Calonder of Switzerland, supervises the execution of the agreement. Minority offices, established by both countries, submit to the president of the mixed commission petitions of the minorities for action in the first instance.

Such is the legal status. It is characterized by elaborate stipulations for the protection of minorities, and by



providing international authorities for deciding cases of contention.

Before discussing the question in how far the German minorities of Upper Silesia are protected by the agreement, in practice, a few words must be said about the general problem of nationalities.

As in many other places in Eastern Europe, the nationalities, least of all the races, in Upper Silesia are not partitioned off by clearcut boundaries. Upper Silesia, for more than 750 years politically severed from Poland, was organized by Germany economically and culturally. The German influence gave the population a strong German element and a special patois, the so-called "Waterpolish", a scientific designation introduced 200 years ago, without any contemptuous meaning. The country in general bears the stamp of German civilization. Polish-Nationalist ideas were not carried into this territory until the last decades before the war, without, however, affecting materially the German influence. This has been shown by the fact that in the plebiscite of 1921, as statistically proven, 36% of all Upper Silesians speaking a language other than German, i. e., several hundred thousand, voted for Germany.

Nationalist feeling in the narrower sense is even today relatively little developed there. The Upper Silesian feels Upper Silesian in the first place. Economic, religious, and cultural considerations determine his sympathy for either Germany or Poland in the second place. In the plebiscite it was chiefly economic promises held out by the Poles that gave the Poles the votes of a mi-

nority. The impassioned struggle of the "German minority" in present Polish Upper Silesia proves how strong the cultural attachment to Germany still is. Since the economic promises have not realized, we may well doubt whether a new plebiscite today would give the Poles again 40% of the votes.

The basis for all minority rights are the schools and the language. The Geneva agreement recognizes the fact by providing, in articles 97—133, a system of establishing minority schools, on both sides, for private instruction, public schools, and secondary schools. The leading idea of the regulation is this that minority schools or minority classes must be organized whenever an adequate number of applications are submitted.

The applications must come from parents or guardians who make a declaration as to the pupil's language. Such a declaration, so the Geneva agreement says literally, must neither be examined nor disputed. This significant stipulation expresses the fundamental principle of the modern minority law, *vz.*, that membership in a given minority is essentially a matter of personally subjective decision.

Conditions in Upper Silesia, are, to be sure rather complicated inasmuch as the population is not divided into separate linguistic units, but is largely speaking its native dialect and besides more or less German. In practice, therefore, it is often difficult to decide, on purely educational grounds, whether a pupil could take instruction more advantageously in German or in Polish. It is this difficulty, as will be explained, that ena-

bled Polish school authorities to violate openly the spirit of the Geneva agreement in obstructing the way of pupils wishing to attend German minority schools.

As the obnoxious methods of oppressing the Germans in Polish Upper-Silesia have more and more become known to international public opinion, chiefly through the numerous complaints submitted to the League Council, the Poles have been trying to raise counter complaints with regard to the Polish minority in German Upper Silesia. Polish propaganda as a rule offers numerical data comparing the number of minority schools on either side. From the fact, e.g., that about 18 000 children attend German schools in the Polish section as over against less than 800 children attending Polish schools in the German section, the inference has been drawn that Poland was fulfilling her obligations more conscientiously than Germany.

Such inference is entirely erroneous. If the Poles in German Upper Silesia do not possess more minority schools, the reason is that they do not want any more. The Prussian government has carried its policy of good will to such an extent as to maintain Polish minority schools even in cases when the number of pupils has fallen far below the required average, indeed, when there were only from one to three pupils left! In Polish Upper Silesia, however, there has been going on, for years, a hard struggle for the German schools imposing sacrifices and sufferings upon the German population. This struggle is being waged more relentlessly now than ever, the methods of the Polish government being chi-

canery and oppression, while the Anti-German chauvinists resort to terror and brutal force. If the justified claims of the Germans in Polish Upper Silesia were loyally met, there would have to be at least twice as many German minority schools.

A few instances may suffice to demonstrate the way in which the struggle against the German minority in Polish is being waged.

In May and June 1926 almost 9 000 pupils applied for admission to the German minority schools in Polish Upper Silesia. In flagrant violation of the Geneva agreement, the Polish school authorities carried out a test of the applications and declared more than 7 000 of them invalid. Parents who resisted sending their children to Polish schools were fined by police and judicial courts. This case repeatedly was brought before the President of the Mixed Commission in Upper Silesia as well as before the League Council. The illegality of the Polish procedure was clearly established, in spite of the fact that such disputes are apt to end in compromises, when dealt with by an international forum. The pity of it is that even a decision of the League favorable to the German minority does in practice by no means safeguard a removal of the cause of complaint. The Polish authorities find ever new devices for keeping German children away from the minority schools. The large number of complaints submitted to the League Council by the German People's League of Upper Silesia gives interesting illustrations of administrative methods. It appears that, according to Polish school ordinances,

the applications for admission at the beginning of every term must first be made in the Polish schools, then, a few weeks later, in the German schools. In the meantime the parents are influenced by private Polish organizations not to send their children to the minority schools. If the date of application is missed, the pupil is compelled to go to the Polish school. Parents are obliged to register their applications in person, and in so doing they have to give the name of their employer. The meaning of this procedure is that the authorities expect an employer to discharge an employee who sends his child to a minority school. This has happened in many cases as may easily be substantiated. It is but natural that such and other still more obnoxious methods of pressure succeeded in checking considerably the number of applications for the German schools in Polish Upper Silesia. In the year 1927/28 the figure was  $7\frac{1}{2}\%$  of the total number of school children. However, who can help endorsing the words of the German representative Pant spoken in the Upper Silesian Sejm on February 28, 1928, deploring "the brutal methods by which those  $7\frac{1}{2}\%$  were attained, the many tears shed, the great wrong done, the hatred and resentment caused in the people who had to yield to rude force."

The efforts of the Polish authorities go still farther. Not only is the attendance of the German minority schools to be limited, but the schools themselves are to be deprived of their character as minority schools. This is done by greatly reducing the teaching staff as far as it belongs to the German minority, in public schools as

well as in secondary schools. In numerous cases teachers were arbitrarily dismissed and replaced by Poles whose knowledge of German is often very deficient. For instance, in 1928 only 25 out of 82 principals of German elementary schools in Upper Silesia were Germans.

In matters of administration, too, the German minority schools are discriminated against. They are assigned fewer and poorer class rooms than the Polish schools. They frequently must postpone instruction to the afternoon hours.

The many complaints necessarily resulting from such conditions had the effect of causing unbounded anger in the minds of the Poles. The Polish Foreign Minister gave vent to that anger at a meeting of the League Council in December 1928, accusing the German People's League of Polish Upper Silesia of high treason. In reality the Germans had not learned as much of Polish methods turned against them in times of warfare. They are, as is the habit of Germans, loyal citizens of the state to which they belong. The true cause of Polish anger is merely this that the German complaints uncovered so many illegal acts of the Polish authorities.

It needs be emphasized that the German minority not always profits from favorable decisions of the League Council. For, even supposing the Poles would loyally abide by such decisions, the whole procedure is so complicated and takes so much time that the elimination of a German school or the dismissal of German

teachers is apt to be a fait accompli by the time the decision is made. Besides, the Polish authorities are very clever in finding ever new ways and means of coercing the German minority.

The German church suffers as much as does the German school in Upper Silesia. The Germans there are mostly Roman Catholics, and one should think that so distinctly Catholic a country like Poland would be friendly to the German Catholics. However, the reverse is true. In Polish Upper Silesia the Catholic church has been made a battleground against the German Catholics, the reason being the fact that the Polish clergy is politically organized in the sense of a pronounced, even chauvinist, nationalism. German Catholic clergymen and teachers of religion were in many cases ousted. German sermons and devotional exercises were forbidden, and the so-called League of Insurgents with the voevode Grazyński himself as a member, terrorizing the province as usual, does not even respect ecclesiastical conventions of the German Catholics. It was only one, if possibly the worst, of many acts of terror, when in April 1927 the Papal festival, celebrated in Bielschowitz by the German Catholics, was ruthlessly desecrated.

The complaint of the German People's League of Upper Silesia, as submitted to the League Council in the fall of 1928 gives but a faint idea of the Polish terror. The document recorded 75 cases of terror of the gravest kind, largely bombing attacks against members of the German minority. Even representatives of

the German minority in parliament were not spared. Nearly all of the German delegates were exposed to attacks or attentates. The delegate Franz, e.g., was almost beaten to death in November 1927, in Gieraltowitz. Such terror has of course been made possible only by the connivance of government officials, by the negligence of the police, and by the forbearance of the judges in criminal cases. It is evident that the German minority in Polish Upper Silesia does not even enjoy the fundamental rights of a modern state, protection of person, and equality before the law.

It is the purpose of the systematically organized terror to eradicate, as far as possible, the German minority, either by means of emigration or Polonization. The Polish authorities do not hesitate, e.g., to exercise the greatest pressure upon industrial establishments in the sense that German engineers, employees, and laborers are dismissed. There is evidence of many cases when the prolongation of credits, the hire of railroad cars, or the allotment of government orders, were made dependent upon the dismissal of German employees.

Does it not seem a miracle that under such conditions there is anything like a German population left in Polish Upper Silesia? Still, such is the case, as indicated, e.g., by the municipal elections of Nov. 14, 1926. Public terror at that time — just as in the present — practically prevented a German election campaign. For this reason it was impossible, in many communes, to make German election lists. Nonetheless nearly one



half of the votes were German, and in the cities and industrial sections, the German majority was 56%, even according to Polish statistics. The methods of the Polish authorities are sufficiently characterized by the fact that not long after the elections the city magistrate of Kattowitz, having a German majority, was dismissed by government orders and replaced by a commission with a Polish majority.

In view of such facts it appears clear that it is nothing but a stratagem, when the Poles try to represent the situation of the Germans in Polish Upper Silesia to be very favorable, while complaining of the "distress" of the Poles in German Upper Silesia. Complaints from Poles in German Upper Silesia concern trivial matters, as a rule. The League Council had to act upon the case of a ticket agent who asked a woman to speak German in buying her ticket! Besides, the German police and courts, quite in contrast to Polish Upper Silesia, fulfill their duty in cases of justified complaints. As said before, the Prussian government maintains many more Polish minority schools in German Upper Silesia than called for by the Geneva agreement. In Polish Upper Silesia, on the other hand, chicanery and terror were successful in keeping about one half of the German children out of the German schools.

It is economic and cultural considerations that cause the differences in numerical attendance. The same causes prevail in education as do in politics. In Germany the minorities cast their votes, with few exceptions, within the existing German parties, for the reason that

they are satisfied with their situation as minorities. In Poland, however, the minorities have to fight hard for rights denied to them, which is the reason why there is such an extraordinary high percentage of minority delegates in the Polish Sejm, whereas there is not a single minority man in either the German Reichstag or the Prussian legislature. This fact alone shows clearly on which side the minorities feel wronged and restricted in their rights. This is true of both parts of Upper Silesia and likewise of all Germany and all Poland.

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## THE ORIGIN OF THE FREE CITY OF DANZIG

BY Dr. WALTHER RECKE,  
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In Polish literature of the 19. and 20. centuries Danzig is hardly ever mentioned without the comment that it is a Polish city. All Polish writers adopted as a slogan the words spoken by one of the heroes of the Polish poet Mickiewicz: "Danzig once ours will be ours again indeed."

Such opinion is based upon a falsification, partly unconscious, partly conscious, of history. It is a well-known fact that Danzig was founded as a settlement of German merchants at a time when the surrounding country, from the seacoast north to the Netze river south, did not belong to Poland but constituted an independent state called Pomerellia and governed by a native dynasty.

From that time on, i.e., about 1220, to the present day, Danzig has remained a purely German city, no matter whether situated in a Slavic or German territory. After the ruling dynasty had died out, in 1294, Pomerellia became an object of contention among its neighbors, Brandenburg, Poland, and the Teutonic order, until the latter took the city by conquest, in 1308. For nearly 150 years Danzig was a part of the

state of the Teutonic order. In 1454, more by compulsion than by her own will, the city, with other Prussian estates, elected the king of Poland protector. The personal union of West Prussia and Danzig with Poland, solemnly recognized as such by the peace treaty of Thorn in 1466, was changed by the Poles into a political union, by coercion, against the protests of West Prussia and Danzig, in 1569. However, in contrast to West Prussia which in the end was forced to submit to Poland, Danzig, protected by an army of her own and by strong fortifications, successfully defended her independence. Danzig, therefore, in the period between 1466 and 1793, was not a part of the state of Poland, but merely recognized the Polish king as her protector. Indeed she enjoyed privileges such as were never granted to any Polish city, not even to Cracow or Warsaw. She had her own army and an independent foreign policy, exchanging diplomatic representatives with the European courts. Independently Danzig concluded treaties with other governments.

It is a mistake to say that the economic system of Poland used to have a free and unrestricted access to the sea through Danzig. The Danzig seaport never belonged to Poland nor did she ever possess any special privileges there. Throughout the centuries it was the city of Danzig alone that controlled the harbor. She shared one half of the income from harbor taxes with the Polish king as an individual not with the state of Poland.

Subjects of the Polish state, nobles and commoners

alike, had no privileges whatsoever, neither in the city nor in the port of Danzig. They were considered foreigners, being bound by the same regulations as other foreigners, e.g. English, French, or Dutch. Poles were not permitted to acquire real estate property in Danzig, nor to transact commercial business with other foreigners, like Englishmen, Swedes, etc. directly. When, for instance, a Pole wished to sell his grain or lumber to an Englishman, he had first to sell his goods to a German Danzig citizen from whom the Englishman then might buy them. Likewise the Poles could not purchase foreign products from the importers directly but only through the agency of a Danzig merchant.

Contrary to fact, then, Polish political ideology made it one of its principal demands that a future Polish state was not to be thought of without the possession of Danzig, on the ground that otherwise the control of the mouth of the Vistula and the direct access to the sea would be lacking. The first circumstantial formulation of this idea occurs in the writings of the Polish publicist and politician Johannes Poplawski, the real founder of the national democratic party. As early as in 1887 he complains that the Polish politicians "had almost forgotten Danzig". In succeeding articles he demands for the Polish state-to-be the lower Vistula with Danzig for an access to the sea.

His disciple Roman Dmowski, the leader of the national democratic party, expounded these ideas again and again in his memoranda to the statesmen of the Allied and Associated Powers during the war. His ever

recurring leitmotif is the statement: "Poland needs Danzig for a direct access to the sea, and Danzig will once more be a flourishing Polish city as she had been in the past."

It was a keen disappointment to Dmowski when he found out, in an interview with the president in August 1918, that Wilson, in his 13. point, had not thought of surrendering to Poland West Prussia and the Vistula for an access to the sea. On the contrary, Wilson declared that Poland's access to the sea was to be arranged by internationalizing the Vistula and by giving Poland a free harbor zone within Danzig harbor.

All of West Prussia, such was President Wilson's firm resolution, was to remain German. Dmowski was dumbfounded. He finally obtained the permission to submit to Wilson a memorandum on his plan of organizing the future state of Poland. In a memorandum to the British prime minister Balfour, in 1917, Dmowski had said himself: "The present Danzig is German". Now, scarcely a year later, in the memorandum of November 8, 1918, intended for Wilson, he declared: "The official figures concerning Danzig represent the city to be purely German, whereas private investigations from Polish sides prove that nearly one half of the population is Polish, even if superficially Germanized."

Both of these statements, compared to each other, are a telling proof of the absolutely propagandist nature and unreliability of Dmowski's memoranda.

Upon his return from America to Europe Dmowski immediately went to work in an attempt to solve the

Danzig question by force. Behind the French front there had been formed an army of German deserters of Polish descent commanded by General Haller, formerly of the Legion. With the aid of these troops Dmowski now hoped to decide by force of arms the problem of the future German-Polish frontier and with it the question of Danzig's political affiliation. He proposed to the Allied and Associated Powers at once to have the Haller army transported to Poland via Danzig. That proposal was turned down on the ground that the Germans would offer resistance and that in consequence a new war might arise. Dmowski remained obstinate making repeated attempts to carry out his plans. But not only England but even France refused to accede to his demands. The march of the Haller army through West Prussia and Danzig, thus frustrated, probably would have started a movement similar to the one caused by Paderewski's visit in Posen during the last few days of December 1918. Danzig was at that time spared a great danger, for it is a question whether the decision in Paris would have been made in favor of a Free City, had the Haller army created a *fait accompli* before.

Paderewski whose journey to Posen engendered the insurrection there on December 27, 1918, expressed openly the secret thoughts and hopes of Dmowski, when he said: "West Prussia and Danzig would be Polish as soon as Haller's divisions stood on Danzig soil."

But it was not only the politician Dmowski who

fought for the surrender of Danzig to Poland. Several Polish university professors were sent to Paris as experts so as to give special emphasis to Dmowski's labor there. Their joint work is a memorandum published in French, in March 1919: "Questions relatives aux territoires polonais sous la domination prussienne". The learned authors paid close attention to Danzig. According to the assertions of the Polish professors, Danzig has been a Polish city since the year 997 A. D.! They declare: "The Germanization of Danzig is superficial, and as soon as the Poles will have acquired the privilege of settling in the city, it will become Polish again, as Crakow and other cities in Poland. . . . The example of Alsace-Lorraine and the early history of the city itself give sufficient evidence that here, despite the German language, a sincere affection for the Polish state and a real Polish patriotism may arise founded on a community of interests . . . . Danzig will soon become a prevailingly Polish city, without any pressure or irksome regulations on the part of the Polish authorities." It must be expressly emphasized that men of science like professors Konopczyński, Bujak, Romer, and Nitsch, endorsed those statements with their names.

These same professors went even farther, making the following threat to the peace conference: "The unanimity of public opinion in Poland concerning Danzig is so overwhelming that a permanent peace would be impossible as long as the mouth of the national Polish river remains in the hands of the enemies of Poland and humanity."



Such exertions on the Polish side were no longer necessary, for the most important member of the peace conference, President Wilson, had in the meantime been won over completely to the Polish cause. That was accomplished by his history expert, Dr. R. H. Lord, professor of East European history at Harvard University. He is the author of the remark that "the annexation of Danzig by Poland would have been the only careful solution of that problem". Even while still in Paris Wilson had not yet been ready to surrender Danzig to the Poles, and it was not until after prolonged resistance that he was prevailed upon to change his opinion. Colonel House, the wellknown adviser closest to Wilson, one evening informed the pleasantly surprised Dmowski: "Last night the president told me that he had reached the conviction that Danzig must be turned over to you."

Wilson, once having taken that standpoint, defended it stubbornly, when, on March 19, 1919, the Danzig question brought about a sharp encounter among the Big Four. Lloyd George, the British Prime Minister, taking sides with Danzig, subjected the report of the frontier commission, controlled by the French, to such a scathing criticism that, according to American information, the smile disappeared from the faces of the listeners and fear seized their hearts. Lloyd George vigorously stated that it would be a glaring injustice to surrender that German city to the Poles. Literally he continued: "If we give Danzig to the Poles, the Germans will not sign the treaty, and if they do not sign,

our work here is a failure. I assure you that Germany will not sign such a treaty." According to the same American report these words were followed by a deep silence. "Everybody was startled, disquieted, convinced." Wilson and Clemenceau again tried to defend the standpoint of the boundary commission; in vain. Lloyd George remained obdurate and finally succeeded in having the decision of the Danzig question postponed.

In the Polish camp, however, the fight was not given up yet. At the instigation of the Poles there began a regular press campaign of the Paris newspapers against Lloyd George, without affecting him in the least, though. A forlorn hope was finally put on Paderewski who was personally acquainted with Lloyd George. But shortly before Paderewski arrived in Paris, the decisive conference between Wilson and Lloyd George took place. Both statesmen agreed upon making Danzig a Free City.

As Wilson, soon after that important conference, informed his adviser Bowman and the Englishman Headlam Morley, the ethnographic principle had played a decisive part in the resolution not to give Danzig to the Poles. The same Bowman and another Englishman, Mr. Paton, then determined, on the basis of that principle, the future territory of the Free City, receiving the approval of the Council of the Big Four for their propositions.

That removed one of the most dangerous obstacles of the progress of the peace negotiations. For several

days it had seemed as though the whole of the conference would be shipwrecked on that question. It was, we must remember, during those very days of crisis, in April 1919, that Wilson had a statement published to the effect that he would order the steamer *George Washington* to Brest for the purpose of returning to America. But even that demonstration did not help him. Lloyd George proved to be the stronger man and carried the day. This solution was welcomed with satisfaction by Wilson's own immediate advisers. Mr. Bowman, e.g., says in his notes: "It was a feeling of relief when we heard that the matter had been settled in that way."

By articles 100 to 108 of the treaty of Versailles Danzig was severed from the German Reich, as an independent state, and included in the Polish customs system so as to insure to Poland an unrestricted access to the sea. On the part of the Poles that settlement is still regarded as very detrimental to their interests. They consequently started more or less open attempts toward "correcting the error", soon after the treaty had been concluded.

At first they thought that Danzig might yield to the tempting offers of the Warsaw government and voluntarily consent to a revision of the treaty in favor of Poland. For Danzig to stress her political independence and German character in the past and present, was therefore branded in the Polish press, and by members of the government, as meaning unfriendly acts toward Poland. It took nearly ten years to make Poland offi-

cially recognize the German character of Danzig. Not until the spring of 1929 did the Polish prime minister, Professor Bartel, on an official visit in Danzig, declare that the German nationality of Danzig was an established fact not to be disputed by Poland. On the other hand, the Polish minister of foreign affairs caused the publication of an elaborate work "Motifs of Polish architecture" intended to persuade English and French readers that the most important buildings in Danzig were products of Polish civilization, whereas they were, all of them, erected by German or Dutch architects.

Poland finally adopted a more effective method of attack against Danzig than open force: economic pressure. The new harbor of Gdingen, started in 1920, is intended to draw Poland's entire overseas commerce away from Danzig so as to compel the city to join Poland for economic reasons. The state of Poland, being in the possession of the railway lines, is enabled to paralyze Danzig navigation and commercial traffic by means of tariff regulations. This economic war has already had telling effects. Danzig harbor is being neglected in favor of Gdingen, and the official journal of the Polish minister of commerce declares it a Polish aim to exclude Danzig from Poland's overseas transportation.

Danzig is watching this development with ever increasing anxiety. The hope is small that the fathers of the Versailles treaty will not desert a creation of their own. But the fine and promising words by which the

Allied and Associated Powers, in their reply to Germany, tried to justify the separation of Danzig from the Reich and the organization of a Free City, they sound like bitter irony in Danzig's present distress <sup>1</sup>).



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<sup>1</sup>) This paper originally appeared in the monthly *Volk und Reich*, Berlin, 1930, vol. 6, 3. It is here republished in English form, by permission of author and publishers.

# EAST PRUSSIA, DANZIG, AND THE POLISH CORRIDOR, FROM THE POINT OF VIEW OF ECONOMICS,

BY PROFESSOR WILHELM VLEUGELS, Ph. D.

The headline of this article describes a closely interwoven complex of problems which the following pages are intended to discuss from an economic point of view only. Historical investigations lie outside the competence of the author who, incidentally, is of the opinion that historical arguments have often been misused in defense of the Corridor <sup>1)</sup>. I am thoroughly convinced that any serious historical investigation, when unbiased, is bound to give evidence of the fact that the disputed territory (Corridor and Danzig) have always been essentially unchanged in their German character, even during the three centuries of Polish sovereignty (1466—1772) <sup>2)</sup>.

Nevertheless it seems to me advisable to confine the discussion of the economic problems involved, to the period of a fully developed system of modern traffic.

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<sup>1)</sup> Cf., e.g., the refutation of Polish arguments in favor of the Corridor by Fürst, *Der Widersinn des polnischen Corridors*, Berlin 1926, (Engl. transl. *The nonsense of the Corridor*).

<sup>2)</sup> Cf. the collection of documents by K. I. Kaufmann, *Das deutsche Westpreussen* (Engl. transl. *German West-Prussia*), Berlin, Deutsche Rundschau; also W. Recke, *Die polnische Frage als Problem der europäischen Politik*. Berlin 1927, and Sir Rob. Donald, *The Polish Corridor and the Consequences*. London 1929.

For any other method of dealing with things economic is apt to cause misleading analogies and false deductions. Our investigation, then, is directed to the economic effects upon the adjoining territory, as caused by the Polish Corridor and by the separation of Danzig from her mother country.

It is a wellknown fact that East Prussia, economically speaking, is on the verge of ruin. Although that province, handicapped by its geographic position, climate, and lack of natural resources, could not compare in prosperity with more favored parts of Germany, still it enjoyed, before the war, under the special care of the government, a slowly rising progress. It is safe to say that without the separation from its mother country there would never have come about so acute a crisis as to be threatening the very existence of its agriculture, industry, and commerce other troubles notwithstanding.

While natural soil conditions are by no means less favorable than the average throughout the Reich, the period of growth is considerably shorter, the number of winter days larger, than elsewhere. As over against an average of 277.3 days in North Western Germany, and 251.3 days in Central Germany, East Prussia has only 185.7 days of vegetation a year <sup>1)</sup>. It stands to reason that killing frosts and the severe changes in temperature cause a correspondingly large number of crop

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<sup>1)</sup> Cf. *Die Lage der Landwirtschaft in Ostpreussen*, Berlin 1929, p. 4 ff. in "Publications of the committee for the conditions of productions and export in the German economic system", vol. 8.

failures or shortages in grain production. On the other hand, the brief period of vegetation demands a larger amount of animal and human labor, and of machines and implements, than is needed in the rest of the country. Added to these disadvantages is the long distance from the centres of business in Germany, aggravated by the creation of the Corridor after the war.

East Prussia lost her most convenient freight routes for export and import by the almost complete annexation by Poland of Posen and West Prussia. Of the total area of the old province of Posen there remained with Prussia only about one tenth, and of West Prussia only about one third <sup>1)</sup>. These remnants were either joined to the province of East Prussia, or to the present "Grenzmark" (frontier district) Posen- West Prussia, now situated beyond the new Polish territory. By Corridor, consequently, must be understood the ceded territory of the former province West Prussia and the Netze district south of it, formerly part of Posen, with Bromberg as its principal city.

In our age of modern principles of traffic the disruption of an organic economic unit by severing a whole province from its mother country, is a sheer monstrosity. No longer is East Prussia an integral part of the Reich, but, as it were, a colony within a foreign and, it must be added, unfriendly country. It is impossible to express in statistical figures the full extent of evil result-

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<sup>1)</sup> Cf. Memorandum of the six Eastern provinces of Germany submitted to the governments of the Reich and state, published in 1930, Gräfe & Unzer, Königsberg.



ing for both East Prussia and the mother country, from an amputation that severed so many arteries of their economic life.

The disadvantages for both parts, caused by the Corridor, as affecting communication, may briefly be described as follows:

The railways connecting East Prussia with the Reich used to carry four fifths of the total traffic, while one fifth of it was executed by navigation <sup>1)</sup>. The through lines are now in the hands of Poland upon whose good will all traffic depends. The number of lines and trains was considerably diminished, while any potential improvement of the service was made dependent upon the consent of Poland, with stipulations and restrictions such as to block any attempts toward stimulating traffic. The so-called "privileged" trains, or sections of trains, must be taken through the Corridor closed a regulation very irksome for the passengers and in itself intended to exclude all intermediate connections. Great loss of time is caused by the decrease in the number of trains and by abolishing entire lines, e.g. Marienwerder-Münsterwalde-Czersk-Konitz-Neu-Stettin. The loss of time is further aggravated by a repeated change of crews and an elaborate system of surrendering the trains from one administration to the other, German and Polish, respectively. Other hindrances are in the nature of passport and customs regula-

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<sup>1)</sup> Cf. Fürst, l. c., p. 99, ff. This statement leaves out of consideration the inland waterways which had been of especial importance to the West Prussian districts now joined to East Prussia.

tions, of differences between Polish and German rules for shipping, etc.

A great sufferer, financially, is of course the German railway administration. The Reichsbahn must apply its own zone tariff to the Polish as well as to the German sections, while being compelled to make payments to Poland according to the regular Polish tariff. It must pay one half of the wages of the Polish personnel of train escort (through the Corridor). It is responsible for the expenses of construction and maintenance of new frontier stations, etc. On the other hand the Reichsbahn suffered a decrease of its revenues by a general reduction of traffic and by the abolishment of intermediate traffic.

Similar or even worse conditions prevail in the system of waterways. Either have the waterways been allowed to deteriorate, or has intermediate traffic been stopped altogether. No wonder that transit by water has almost entirely ceased <sup>1)</sup>. We can hardly estimate the amount of damage inflicted upon East Prussia in consequence of such difficulties which in many cases mean a complete cessation of traffic.

How much East Prussia lost by the interruption of her westbound commerce can only in part be demonstrated by figures. But such figures as are presented speak an eloquent language.

The following lists show trade conditions between

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<sup>1)</sup> Cf. Fürst, l. c., p. 106, also A. v. Mühlentfels, *Ostpreussen, Danzig und der polnische Korridor*, etc., Berlin 1930.

East Prussia on the one hand and West Prussia and Posen on the other hand, before the war :

I. Transportation of freight ; II. Transportation of live stock.

I. In 1913 East Prussia shipped to West Prussia 349 025 tons, to Posen 48 256 tons. Shipments in the opposite direction amounted to 300 241 tons from West Prussia. 117 461 tons from Posen. The total freight traffic between East Prussia and the two lost provinces, then, amounted to more than one third of the freight traffic between East Prussia and the whole of the Reich. The East Prussian Chamber of Agriculture calculated the interchange of agricultural products between East and West Prussia alone to have amounted to 220 000 ts before the war (chiefly grain, flour, fodder, legumes, and lumber), while the figure for the same products was only 17000 ts. in 1925.

II. A. The shipments of live stock from East Prussia to the lost provinces amounted to 85 883 heads of cattle and horses, 93 731 heads of calves, sheep, and hogs, 17 253 pieces of poultry. (1913).

B. East Prussia imported in 1913 6 678 heads of cattle and horses, 7 241 heads of young and small animals, 4 503 pieces of poultry.

When we compare the above figures with those of 1928 we get an idea of the radical change of affairs :

1. Cattle and horses — 4 259 heads
2. Small and young animals — 5 278 heads
3. Poultry — 667 pieces.

It is true that conditions were influenced by the Zoll-

krieg between Germany and Poland, but this customs war itself is in part an expression of the effects caused by the Corridor. The whole tragedy is best symbolized by the dismantling of the Münsterwald bridge that used to connect the districts east and west of the Vistula.

It is evident that with the reduction in traffic trade and industry in East Prussia were bound to decline more and more. Next to agricultural products, trade in the following industrial products suffered most intensely: hard ware, textiles, leather goods, agricultural machines, machines for sugar refineries and for tile factories, and various products of the chemical industry. The East Prussian lumber industry, too, has been a heavy loser, first of all in consequence of the elimination of the inexpensive waterways within the Corridor.

The difficulties enumerated practically exclude the profitable investment of capital in East Prussia. The risks are so great — in view of the province's precarious situation — that credit can be had, if at all, only at very high rates of interest. It remains to be seen whether or not the newly proclaimed program of subsidies from the Reich will be able to save the unfortunate province.

A French scholar, a friend of the great idea of international co-operation, once said to me that there must be possible a reasonable arrangement for agrarian co-operation between Poland and East Prussia. He show-

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<sup>1)</sup> Calculated upon the basis of "Statistics of transportation of freight on the German railways" (Statistics of the German Reich).

ed much confidence in the classical doctrine of free trade, which I have no reason to oppose — if the conditions be met upon which alone the doctrine can work. However, these conditions are unhappily eliminated by “a disturbing interference with trade” of gigantic dimensions: the Corridor.

## II

As said before, the commercial war between Poland and Germany is the expression, to a certain extent, of the situation created by the Corridor. The Corridor inserts between Reich and East Prussia a foreign economic system which employs with great energy all available means of economic and political pressure in the service of maintaining and expanding its national power. And this foreign power has been moved nearer the centers of Germany's economic life to the same degree as East Prussia was artificially removed from her market by the unique phenomenon of the Corridor! While the western frontier of East Prussia lies 448 km from Berlin (via Marienburg), and 471 km via Deutsch Eylau, the distance of the Polish frontier (Bentschen) from Berlin is merely 184 km. That does not only mean a considerable advantage in transportation rates to the Polish competitor at the expense of East Prussia in the markets of her own country, it also means additional difficulties and costs in the traffic between East Prus-

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<sup>1)</sup> The losses incurred in consequence of these conditions were estimated at 19 million gold marks, by the Königsberg chambers of agriculture, industry, and commerce.

sia and the rest of Germany, augmenting the privileges so artificially given to Poland.

Needless to say that distance plays an especially important part in the shipment of agricultural products and of live stock, East Prussia's chief asset. Owing to her more favorable location Poland has the additional advantage of first choice in the market and of easy adjustments to price variations.

All that is the more fatal as Poland can compete in the very products to the sale of which the isolated agrarian province is necessarily restricted: rye, potatoes, and hogs. Furthermore Poland has a natural advantage in conditions of soil and climate and in cheap labor. Finally she is favored by lower taxation and lighter social incumbrances.

One of the most prominent experts, Professor Beckmann of Bonn, who made a thorough examination of the inevitable consequences of opening the Polish-German frontiers, says on this point: "At no other place in the world's commerce are the advantages of international cooperation so completely lacking as in the agrarian relations of Germany and Poland."

The problem of importing rye, potatoes, and hogs from Poland is of decisive significance, not only for the East Prussian settlers, but also for an international division of labor, as well as for the agrarian equilibrium between East German commercial farming and the small-scale West German peasant methods.

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<sup>1)</sup> F. Beckmann, *Ostpreussen und Polen. Ein Beitrag zum deutsch-polnischen Handelsvertrag*, Berlin 1927.

In view of the tragic situation the question may well be raised, if a readjustment to changed conditions, in some way or another, could not at least be attempted. East Prussia has, e. g., a long and honorable record in successful animal husbandry — thoroughbred horses and highclass cattle. Would it not seem feasible to concentrate on an organization known to be one of the best in all Europe? But, alas, in this case too the same causes that spelled ruin elsewhere have had the same effect.

Let figures speak again: In 1913 East Prussia exported to the markets of the present Corridor 76 495 heads of cattle, as over against 2 132 in 1928. The corresponding import was: 2 520 in 1913; 529 all told, in 1928. Similarly the export and import of horses compares: 11 145 horses sold, 4 635 bought, in 1913; against 1 533 and 166 respectively, in 1928.

The advantages for Polish competition are so great, the economic power of Poland is so overwhelming that the former Polish consul in Königsberg, Srokowski, was right in describing the ultimate economic ruin of East Prussia as inevitably coming. The Polish author hopes that East Prussia, cut off from her mother country will of necessity go to Poland, because she could not otherwise exist <sup>1)</sup>.

Beckmann's arguments clearly show that the recuperation of agriculture and therefore the existence of the settlers in East Prussia will be made impossible as soon

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<sup>1)</sup> Cf. St. Srokowski, *Z krainy czarnego kryza*, Poznan 1925, quoted from E. Siehr, *Ostdeutsche Wirtschaftsprobleme*, Zeitschrift für die gesamte Staatswissenschaft, 86. Bd., 1929, p. 464 f.

as Polish competition is given full sway. That being the case — the new commercial treaty needs close observation — the movement for building up a more dense population especially for the agricultural districts would definitely end. On the contrary, the tendency toward depopulation, caused by the general depression, would necessarily be increased. While the average density of population in the Reich is 134 inhabitants per sqkm, it is only 61 in East Prussia. To stop emigration is the most vital problem for this province.

All serious publications that deal with East Prussia call attention to the necessity of populating the province more densely. Various means to that end were discussed — an industrialization of East Prussia, among others. I do not believe that much could be gained in that direction, in a country lacking both coal and ores. Besides, recent developments within the present industrial enterprises are not very encouraging. For instance, three of the largest establishments using iron for manufacturing purposes could be saved from total collapse only by government action. Nor would the erection of a few more factories result in more than a very slight alleviation. To discuss and try such expedients is, however, characteristic of the heroism of East Prussian business in its struggle for existence. With an improvement in the agricultural situation, industry, small as it is, would automatically gain and develop to the relatively narrow limits set by external conditions. The decisive factor will always be agriculture.

Criticism has been raised, notably from Polish quar-

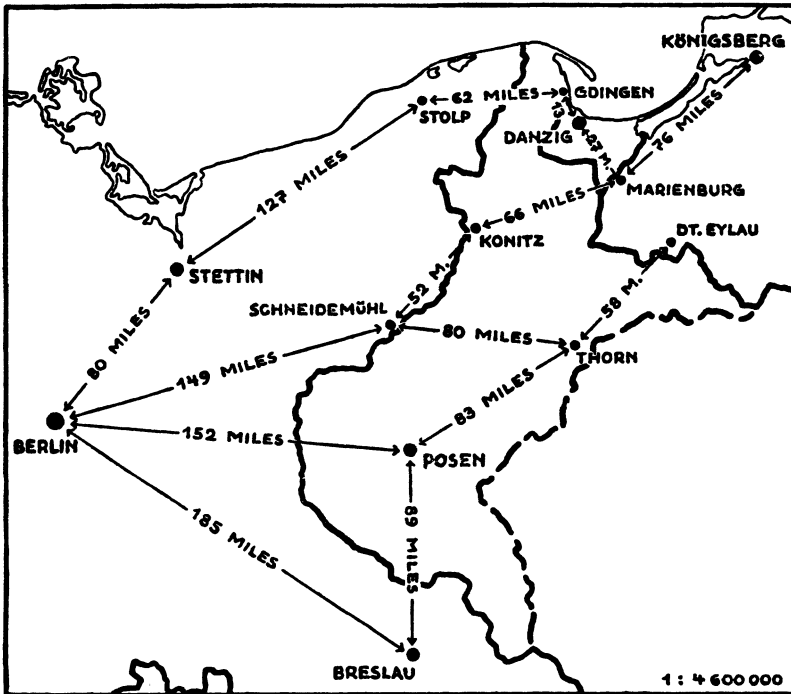


ters, against the government policy of subsidies to the stricken province. It must indeed be admitted that a few of the experiments made for relief, proved unsuccessful. But experimenting is the result of dire necessity, and no one could reasonably expect the East Prussian farmer to submit to his fate without resistance. The policy of *laissez faire* would in this case be unjustifiable both from the economic and from the moral point of view. It is chiefly political events that have caused the economic situation from which East Prussia is suffering, not any fault of her own. For this reason the province is perfectly right in demanding support from the state and the Reich. On the other hand, not nearly enough support can possibly come from agencies themselves in distress.

### III

The problem of Danzig is closely related to the problem of East Prussia. Danzig's plight has been caused by her separation from the Reich and consequent incorporation in the economic system of Poland, although nominally a "Free City". The construction by the Polish government of the harbor of Gdingen near Danzig made the situation practically hopeless.

The area of the Free City of Danzig is no larger than about 1888 sqkm. This bit of land, encircled by the Corridor, is cut off from its original mainland by a high tariff wall in spite of the fact that its population is largely dependent upon Germany for its supplies. Danzig



1. The Corridor.

industry suffered a severe setback from the day it was shut off from its former customers in the Reich; especially was this the case in the shipbuilding industry that used to profit from government orders. On the other hand, Danzig cannot very well be benefited by Poland's system of protective tariffs for the reason that her area does not allow any considerable degree of industrialization. Nor have the people of Danzig much to say with regard to Poland's ever fluctuating policy of commerce and customs <sup>1)</sup>).

<sup>1)</sup> Cf. A. Proeller, *Wirtschaftsprobleme der Freien Stadt Danzig*, 1929, p. 8 f.

Repeated attempts on the part of Danzig industry to find a market in Poland met with failure for lack of demand and because of nationalist counterpropaganda against Danzig competition! As regards agriculture, too, the customs union with Poland proved detrimental. Poland did not offer a market for the highclass products of Danzig's German system of intensive farming, while she underbid the Danzig market prices, owing to her cheap labor <sup>1)</sup>).

Poland's protective tariff policy has a paralyzing effect upon Danzig business, because of many unforeseen changes, not only in customs rates but throughout Poland's economic organization. Danzig is, after all, a trade center, and consequently averse to a high tariff policy. Furthermore, now as before the war, her economic position is based chiefly upon her importance as a transit station.

According to the Polish writer Slawski <sup>2)</sup>, Danzig, before the war "was a small commercial harbor of local or at the most provincial character." The Germans, to be sure, had always held the opinion that Danzig harbor played a very great part as a mediator between the highly industrialized West and the agrarian East of Europe. The figures usually given in support of the hypothesis that Poland made Danzig one of the greatest European seaports, are misleading. In the first

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<sup>1)</sup> Cf. G. Flakowski, *Der ökonomische Aspekt des Danzig-Problems*, Heidelberg dissertation, 1927, p. 157 ff.

<sup>2)</sup> St. Slawski, *Polens Zugang zum Meer und die Interessen Ostpreussens*, 1925. Slawski's arguments are refuted by Fürst, cf. above.

place, the bulk of freight carried was coal and coke, while other freight decreased by 856 500 ts., from 1927 to 1928. In the second place, the three chief classes of goods passing through Danzig, coal, scrap iron, and ore, do so without practical benefit to the Danzig merchants and express companies. This, as well as the fact that other kinds of goods have been steadily decreasing in the importing and exporting transit, is clearly demonstrated in the annual report of the Danzig chamber of commerce. Danzig's own trade, including the shipping business, is losing more and more ground <sup>1)</sup>. Thus the figures for the turnover of Danzig harbor must be understood: 1913, 2.1 million ts., 1929, 8.6 million ts.

In a large measure the reduction in the export and import business is due to the transfer of traffic to the new harbor of Gdingen. The treaty of Versailles created the Free City, including her in the Polish customs system in order to give Poland an access to the sea. Poland, consequently, was in honor bound to provide for the greatest possible development of Danzig harbor as a partial compensation for Danzig's separation from her mother country. However: Poland avoids her obligations by the creation of a new seaport, only a few miles distant from Danzig, the explanation being that Danzig alone was not able to take care of the increasing traffic! How absurd that argument is may be judged by the fact

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<sup>1)</sup> Cf. K. Peiser, *Strukturwandlungen des Danziger Aussenhandels*, Danzig 1929; also Th. Johannsen, Gdingen. Danzig 1928.

<sup>2)</sup> Cf. Proeller, l. c., p. 36 f.

that there are still available about 20 km of shoreline joining Danzig harbor itself, the expansion of which would have cost infinitely less than the construction of an entirely new harbor. It means nothing, when Poles argue that Gdingen was not intended to compete with Danzig. Competition is of course inevitable. A new harbor, built at enormous costs, must be utilized. Figures will demonstrate the new state of affairs: in 1927 the shipping total from Gdingen amounted to 896 100 tons, in 1928 to 1 956 000 tons, of which 1 765 058 tons were exported. The total turnover was 2.8 mill. ts. in 1929.

With a harbor of her own, Poland is bent upon the creation and development of a merchant marine. If Poland, as has been said, is lacking experience and tradition in navigation, such difficulties do not, in our age of capitalism, seem insurmountable. At any rate, Poland, ever ready to subordinate economic considerations to her national imperialism, will not be deterred by expenses, however great.

Many are the means in Poland's hands by which traffic is shifted from Danzig to Gdingen. Next to her policy of subsidies and special privileges, the most drastic illustration of her methods is her neglect of the Vistula. The frontier was set in such a way as to make the Vistula a Polish inland river. Whereas, according to the principles of international law, ordinarily the middle of riverbeds marks the frontier between two neighboring countries, Poland was given enough territory on the Eastern bank to include the dikes that protect the German hinterland from inundation.

The peace treaty guaranteed to the people of East Prussia a free access to the Vistula. Our illustration shows the way in which that promise was kept. At Kurzebrack there is, on Polish territory, a road scarcely 4 metres wide, blocked by a Polish toll gate and a Polish guard. A sign, in Polish only, says that an East Prussian who wishes to use this access, must apply for a permit to the Polish authorities at Dirschau, many miles away! Such is the free access to the Vistula, as guaranteed to East Prussia by article 97, 5 of the treaty of Versailles!

While the Prussian government used to spend large sums of money on regulating that river which is the natural connection between Danzig and the hinterland, the river may be said now to be systematically neglected. Instead of increasing appropriations for regulation and its extension to the formerly Russian part of the river, the opposite happened: Poland is spending on the whole river only a fraction of what Prussia used to spend on her own shorter section <sup>1)</sup>. No wonder that navigation has fallen to one half or one third of the pre-war average.

As in navigation, Danzig depends entirely on Poland for railroad traffic. It was only slowly, after constant struggles and by sacrificing "economically important" rights, that Danzig was able to establish, approximately at least, her right of parity with Polish stations, in

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<sup>1)</sup> Cf. C. Budding, *Der Polnische Korridor*, in the *Görres Staatslexikon*, re-print, Freiburg, 1929. René Martel, *Les Frontières Orientales de l'Allemagne*, p. 147 f. Paris 1930.

railway rates. The report of the Danzig Chamber of Commerce shows to what extent the long period of preferential tariffs hurt Danzig's interests. The competing harbor of Gdingen developed rapidly in proportion to the decline of the trade of Danzig <sup>1)</sup>).

It need hardly be said that Poland makes full use of her access to the sea by inflicting further damage on the trade of East Prussia, especially Königsberg, by means of her tariff policy. This end is accomplished, for instance, by preferential rates. "Differentiation goes so far that, e.g., lumber from the districts of Vilna, Grodno, Bialowiez, receives favorable rates only when shipped to Danzig and Gdingen, although the route to Königsberg and Memel would be much the shorter for overseas transportation" <sup>2)</sup>).

When the Polish project of a railroad parallel to the southern border of East Prussia (Bialystok—Ostrolenka—Mława—Thorn) is carried out, a double purpose will be attained: East Prussia will be weakened still more by further reduction of her traffic, while Poland's economic armament for the expansion of her political power will be strengthened in proportion.

As to Danzig, the economic advantages promised to her in consequence of the new order of things, have either been upset by disadvantages, or have not materialized at all. Think, for instance, of the Polish ammunition storeground on the Westerplatte, the extritoriality of which was expressly denied by experts of

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<sup>1)</sup> Report of 1928, p. 32.

<sup>2)</sup> Cf. Proeller, l. c., p. 13.

the League of Nations. First of all, think of Gdingen harbor as a weapon in Poland's hands for subjugating completely the so-called "Free City" by strangling her main artery of trade.

Different means could have been found to give Poland the advantages she claims as a nation and as an economic unit, without creating a hotbed of conflicts as has been done by the Corridor and the isolation of Danzig. East Prussia, deprived of her natural markets, discriminated against in the economic markets of her own mother country, in favor of Poland, can be saved only by the restoration to her of the Corridor territory. From the political, no less than from the economic point of view, the erection of a barrier between East Prussia and the Reich must be condemned as a monstrosity. It was a step toward balkanizing Europe <sup>1</sup>).

On the Polish side it is sometimes said that the Germans, for reasons of strategy, discuss the Corridor problem only from the point of view of East Prussia, without coming out frankly with the statement: "Poland does not need an access to the sea". Slawski, one of those who use this argument, circumvents the principal issue by persuasively pointing out the fact that Germany's coastline is long enough to do without the 76 km. needed by Poland: a very misleading statement. If it were possible to give up 76 km of coastline without losing at the same time much more than the 76 km of land — as you cut a piece from a cake to give it to a

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<sup>1</sup>) Cf. R. Tourly, *Le conflit de demain*. Berlin-Varsovie-Dantzig. Paris 1928.



neighbor hungry for it — the solution would be very simple indeed. But the impossibility of the present situation is this that the Corridor exposes to ruin a whole province by dissecting a living body and by severing the natural connection of the East Prussian economic system from that of the Reich.

How can, under such conditions, normal business relations between Germany and Poland be established for the benefit of both parties? There is no doubt but that a solution can be found giving both parties what they need. Without disrupting Germany, Poland could find an access to the sea by a proper regulation of the Vistula under international control, and by an exterritorialized Polish railroad through German territory.

Polish literature in defense of the Corridor frequently uses the argument that the Corridor had to be created, because the national and economic interests of 30 million people superseded the interests of the two and a half million East Prussians. This thesis seems alluring at first sight. If in reality the interests of 30 millions were opposed to the interests of only two and a half, the Corridor might be called a solution hard to bear by a minority, but justifiable from a superpartial point of view, for the sake of the vast majority. But that argument distorts the facts. It is far from the truth that the whole territory of Poland with its 30 million inhabitants has the Danzig bay, i.e., the Corridor, for its natural economic outlet. Poland's claim on the Corridor is in reality no better founded than if she claimed a Polish

Corridor to the Black Sea for her Ukrainian and Galician provinces!

The very use of such arguments seems an indication to me of the fact that the Poles themselves do not seriously believe that the present condition can be indefinitely maintained, a condition detrimental to both parties, in the long run. Cooperation, based upon mutual confidence, is necessary, if a solution of the difficult problem is ever to be found for the satisfaction of both parties <sup>1</sup>).




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<sup>1</sup>) Additional literature that appeared after this paper was written: Hesse, Albert *Die Wirkungen des Friedens von Versailles*, etc., Jena 1930. Rogmann, Heinz *Ostdeutschlands grosse Not*. Berlin 1930. Krull, Cristian *Die ostpreussische Landwirtschaft*. Berlin 1930. Martel, René *Deutschlands blutende Grenzen*. Oldenburg 1930. Dombrowski, H. *Fort mit dem Weichselkorridor!*, etc., Marienwerder 1930. Keyser, Erich *Der Weichselkorridor im Urteil des Auslandes*. Berlin 1931. Fischer, Otto Chr., *Der deutsche Osten. Rettung oder Verzicht?*. Berlin 1931. Tourly, Robert *Derrière les brumes de la Vistule*. Paris 1931. Rothfels, *The Rent in the East*, Wirtschaftspolitische Gesellschaft, Berlin 1930



2. The Münsterwalde Bridge in 1909, *a*.



3. The Münsterwalde Bridge in 1909, *b*.



4. The Münsterwalde Bridge being dismantled by the Poles.



5. East Prussia's „Free access to the Vistula”, *a.*



6. East Prussia's „Free access to the Vistula” *b.*

## MINORITIES AND INTERNATIONAL LAW

BY RUDOLF LEVY, J. D.

The allied and associated powers conducted the world war under the flag of the "selfdetermination of peoples". This principle was said to guarantee the political independence and liberty of the nations big and small. This principle of selfdetermination, as we all know, was put into practice by the Paris treaties only to a limited extent. With the several nationalities of the German, Austro-Hungarian, Russian, and Turkish monarchies, a number of new states were formed and already existing states enlarged. In this way Poland, Czechoslovakia, Yugoslavia, Greater Roumania, Lettonia, Lithuania, and Esthonia originated. All this was done on the hypothesis of the selfdetermination of peoples. However, it became apparent that all those new states by no means possessed populations of uniform nationality, but that they contained very considerable elements of foreign nationality. It was discovered, too, that a perfect identity of national and political boundaries could not have been brought about, even if the setting of frontiers by the treaties had given more consideration to the nature of nationality and especially to the national feeling of solidarity among the populations. For the settlements of nationalities, particular-

ly those in the most affected countries, viz. Eastern Europe, are dovetailed in such a way as to preclude a complete territorial division.

It was consequently the task of International Law to find a legal form for that state of affairs, protecting the existence and cultural development, of national minorities, without imperilling the political life of the states to which they belonged.

As early as the beginning of the Modern Age we find in international treaties regulations intended to safeguard, first, religious, then also national, minorities. Attention may be called to the Westfalian Peace ending the Thirty Years War, guaranteeing the religious liberty of the German Protestants, likewise to the great treaties of the Nineteenth Century (Vienna 1815, Paris 1856, Berlin 1878) in which an attempt was made toward a legal protection of national minorities.

But it was not until the World War that a solution of the problem of nationality in Europe was generally recognized to be of fundamental importance for a reasonably well stabilized political system. Projects of treaties for international protection of minorities were worked out by different parties. The "Organisation Centrale pour une Paix durable", founded as early as April 1915, developed an intensive activity in that direction. Its labors were consolidated in a project, valuable even today, written by Professor Rudolf Laun. The work of the committee of Jewish delegations at the peace conference had the greatest influence upon the development of the existing minority law. Their memorandum

became the nearly exclusive basis of the minority treaties and of the protective stipulations of the peace treaties. In addition to that there are propositions for the protection of minorities, in numerous projects for a League of Nations. In President Wilson's plan, too, as well as in the propositions of the German government there were special provisions for the protection of minorities. No such provisions, it will be remembered, were included in the final League pact.

Legal sources for an international protection of minorities are, in the first place, the minority treaties between the Great Powers and the several newly organized or enlarged states; second, the peace treaties; then, the minority treaties between individual states, the declarations of a few states before the League, and finally, the decisions of the council and assembly of the League.

In articles 86 and 93 of the Versailles treaty, Poland and Czechoslovakia pledged themselves to accept the regulations deemed necessary by the Great Powers, for the protection of the minorities in their states. Similar stipulations were contained in the peace treaty with Austria, with reference to Czechoslovakia, Yugoslavia, and Roumania; also in the peace treaty with Bulgaria with reference to Greece.

On the basis of those obligations the first minority treaty was concluded on June 28, 1919, *vz.*, between the Great Powers and Poland. This treaty was followed by practically identical treaties with Czechoslovakia, Yugoslavia, Roumania, and Greece.

It is a serious deficiency of the minority treaties that they do not contain a definition of what are the criteria of membership in a minority. We shall see that this question has been playing a part in the practical treatment of minorities. The establishment of objective criteria, like language, religion, etc., especially when defined by the governments of majority states, makes possible everywhere an arbitrary denationalizing of the minorities. Only the personal wishes and declarations of minority members themselves are the real test. It would be going too far, in this connection, to explain the philosophical and historical reasons why only a subjective declaration may be considered decisive.

“The Minority Treaties assure full and complete protection of life and liberty and free exercise of any creed, religion or belief, to all inhabitants without distinction of birth, nationality, language, race, or religion. All nationals without distinction as to race, language or religion shall be equal before the law and shall enjoy the same civil and political rights; no restriction shall be imposed on the free use of any language by any of them.

There are some rights of the nationals, especially assured to the nationals who belong to racial, religious, or linguistic minorities: the same treatment as to security in law and in fact, as the other nationals; in particular an equal right to establish, manage, and control, at their own expense, charitable, religious, and social institutions, schools and other educational establishments, with the right to use their own language and to



exercise their religion freely therein; adequate facilities for the use of their language before the courts.

In towns and districts where there is a considerable proportion of nationals belonging to minorities, adequate facilities are to be provided so that in the primary schools instruction be given to the children of such nationals through the medium of their own language. These minorities shall also be assured an equitable share in the enjoyment and application of the sums that may be provided out of public funds under state, municipal, or other budgets, for educational, religious, or charitable purposes.

There are, moreover, such rights as belong only to certain religious minorities, as e.g., to the Jews in Poland, Greece, and Roumania, and to the Moslems of Yugoslavia and Greece.

Finally, there are rights belonging only to certain ethnic or linguistic minorities: rights of local autonomy of the Czecklers and Saxons in Roumania, of the Ruthene territory south of the Carpathians in Czechoslovakia, of the Valachs of Pindus in Greece."

The international guarantee of all those regulations is found in the last article of the minority treaties. There the respective governments agree that those stipulations constitute obligations of international concern and that they shall be placed under the guarantee of the League of Nations. This article gives the basis for the procedure before the Council of the League, and before the Permanent Court of International Justice.

The same stipulations we find in the peace treaties

with Austria (Art. 62—69), Hungary (Art. 54—60), Bulgaria (Art. 49—57), and Turkey (Art. 37—44).

In compliance with a resolution submitted by Lord Robert Cecil and passed by the first League Assembly, Albania, Esthonia, Finland, Letvonia, and Lithuania, made declarations to the League Council pledging themselves to the stipulations for the protection of minorities, as contained in the minority treaties.

Finally, a number of individual states made reciprocal treaties for the regulation of the legal status of their minorities.

The German-Polish Convention of May 15, 1922, concerning Upper Silesia, is exemplary. In its third part (art. 64—158), it contains a detailed regulation of the civil and political rights, religion, instruction, language in administration and jurisdiction as well as comprehensive stipulations of procedure in case of minority complaints.

Furthermore, there were reciprocal minority treaties concluded between Austria and Czechoslovakia, Czechoslovakia and Poland, Danzig and Poland, Greece and Italy, Roumania and Yugoslavia.

So much for an outline of the group of governments that assumed obligations for the protection of minorities, and of the substance of rights granted to the minorities under those international guarantees.

It is of the greatest importance to know what sort of procedure was organized for the security and enforcement of those rights, and to what degree a really ade-

quate international legal protection of the minorities exists.

The basis of the procedure is article 12, section 2, of the minority treaty with Poland and the respective articles of the other treaties. Poland agreed "that any member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or any danger of infraction, of any of those obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances".

In principle, therefore, the procedure is started by a member of the League Council. According to a decision of the Council this does not mean that the right of petition on the part of other members of the League, not represented in the Council, or on the part of the minorities themselves be excluded. However, information from those sides does not put the Council under any obligation. The petitions of minorities are subject, in the first place, to an examination by the secretary-general as to their receivability. "It is not the truth or falsehood of the allegations contained in the petition which should be examined, but only the manner of their presentation and their pertinence." When they meet the Council's conditions they are transmitted for action to the respective governments. Upon receipt of the governments, the petitions are presented to the members of the Council for information.

After that the Minorities Committee, consisting of the chairman of the Council and two or four other mem-

bers, is set in motion. Its work is the examination, in closed session, of the material and legal aspects of the case. If the committee comes to the conclusion that the complaint is unfounded, it does not submit it to the Council but merely informs the rest of the members and the respective governments, of the negative result of the examination. The petitioners themselves are not informed. If, however, the committee finds an infraction or danger of infraction, of a protective regulation, it makes the motion of making the case the business of the Council. The petition, then, is before the Council. (In case a member of the Council takes the initiative the above procedure is not followed). Parties are the League Council and the government involved. The governments opposing or presenting the petition are invited to the meetings of the Council, not so, however, the complaining minorities. In case of differences of opinion between a member of the Council and a government pledged to the protection of minorities, the complaint must be submitted to the Permanent Court of International Justice, for decision or expression of opinion. The decisions of the Council are made unanimously, according to article 5, section 1, of the League's constitution.

In the German-Polish Convention concerning Upper Silesia, articles 147—158, the official protection of minorities has a special organization. The members of a minority have the right of presenting complaints on application and interpretation, by administrative authorities, of stipulations of the treaty, to the so-called

Minorities Office, established in both the German part (Oppeln), and the Polish part of Upper Silesia (Katowitz), provided the complaint has already been submitted to the competent highest authority. If the Minorities Office is unable to satisfy the complainants, it transmits, with its observations, the petition to the president of the "Mixed Commission for Upper Silesia", for action. That again is sent on, by the Minorities Office, to the competent administrative authority. If the result does not give satisfaction to the complainants, the case may be brought to the League Council through the mediums of the Minorities Office and government (article 149, no. 3, 157).

If, however, the government does not present the petitions to the Council within a period of two weeks, the petitioners may turn to the League Council directly (article 147). Finally in cases of disputes arising from the Convention, the Permanent Court of International Justice may be called upon.

Among the minority matters that have influenced the development of International Law, the cases of the German minority in Poland take first place. The Upper Silesian school dispute, terminated by a decision of the Permanent Court, of April 26, 1928, is especially well known. The Polish authorities declared 7114 applications for admission, out of 8649, invalid, shutting out the children from the minority schools. Upon complaint of the German People's League for Polish Upper Silesia, President Calonder of the Mixed Commission, declared unjustified a part of the refusals of applications.

Since the answer of the Silesian voyvode Grazinsky did not satisfy the German People's League, they went before the Council which ordered, to begin with, a special procedure of examination. Upon complaint of the German government against the Polish government, the Permanent Court, then, made a decision essentially in the sense of the German proposition, *vz.*, that a declaration of membership in a linguistic minority depended on the free will of the person entitled to an education, without being subject to examination. The privilege of declaration, however, was limited to the extent that objective facts proved membership in a minority or majority.

The Permanent Court likewise decided the problem of settlers of German descent who were to be driven from their homesteads by Polish measures, in the sense that the attitude of the Polish government was not in keeping with its international obligations.

In a judicial definition, the Permanent Court interpreted the meaning of minority as including all inhabitants who differ from the majority of the population in race, language, or religion, regardless of Polish citizenship.

The Permanent Court also interfered in the attempt, both radical and inhuman, of solving the Greco-Turkish minority problem by an exchange of the population.

Other cases did not come before the Permanent Court but occupied the League Council alone. One of those is the well known dispute between Hungary and Roumania with regard to the losses inflicted upon Hunga-

rian optants by the Roumanian agrarian reform. After occupying the Council for a long time, it was finally decided by the Haag agreement on reparations.

Mention may be made also of the petitions of the farmers of Letvonia and Esthonia who considered the agrarian reforms in those countries not merely sociopolitical but national-political measures, inimical to the minorities; and finally the petitions of Jewish organizations against the antijewish numerus clausus in the Hungarian universities, and the complaint of the Ruthenians for not being given the promised autonomy in Carpatho-Russia.

In order to realize the practical effect of the procedure described, we must remember that in the first decade of the League of Nations (1920 —1930) 404 petitions by 19 peoples in 13 states were submitted, not counting 40 German and 20 Polish petitions in Upper Silesia, subject to a special procedure.

Of those 404 there were 228 cases pertaining to matters under the jurisdiction of the League as the guarantor. Only 20 of them, again, came before the Council, all the other 208 cases being decided in the negative by the secretary-general or the committees.

To get a complete idea of the importance of the minority law, it would be necessary to study at the same time the legal and political situation of the minorities in the several states. That, however, is impossible in this connection. Only so much may be said that the situation does not seem fully satisfactory in any country, while the minorities are systematically suppressed

and assimilated in many states. The minorities in Esthonia enjoy an extended cultural autonomy; the minorities in Letvonia have an educational autonomy, and the few minorities in Germany special educational institutions, so that all of them are in a relatively favorable position. On the other hand, the minorities in countries like Italy, Yugoslavia, Lithuania, are subjected to an intensive policy of denationalization.

Small wonder that soon after its creation criticism was turned upon the international protection of minorities. In opposition to the majorities, propositions toward improvements were submitted at the meetings of the League of Nations and of the Council. We mention such names as Gilbert Murray, Count Apponyi, Dandurand, and Dr. Stresemann. The problem constantly occupies the big international organizations like the Union of the League of Nations, the Interparliamentarian Union, the International Law Association, the Institut de Droit International, the conventions of the organized national groups in the European states, et al.

A climax in positive critical work was reached in 1929, "the year of the minorities." Upon the initiative of the Canadian representative Dandurand and the German foreign minister, Dr. Stresemann, the League Council, in a resolution of March 7, 1929, decided to appoint a committee, the members being the Japanese Adatci, the Englishman Chamberlain, and the Spaniard Quinones de Léon, for the purpose of examining the international protection of minorities. From various governments and free organizations the committee



received a large number of memoranda, some of them with valuable suggestions the content of which has not been fully utilized as yet. The demand for a real reform stands undiminished, for the reason that the improvements of the procedure, as decided upon by the Council, in a resolution of June 13, 1929, were limited to regulations of relatively subordinate importance.

Even if the substantial content of the international minority obligations leaves much to be desired, the protection of the minorities could be considerably better than it is today, if the procedure, at least, offered adequate guarantees. This, however, is not the case yet.

Compared to the continuous control of the Permanent Mandatory Commission and to the comprehensive activity of the International Labor Office, the preliminary procedure in minority matters, as described above, seems very unsatisfactory. Independence, expert opinion, and directness in the procedure that is to prepare the Council's decisions, can adequately be secured only, if a permanent commission has been created for minority affairs as well, a commission where special experts would have to examine complaints submitted and, besides, would have to exercise the League's function of guarantee. As a matter of the greatest importance it must be demanded that the minorities themselves be given a hearing, in some form or another. As long as the minorities have no standing before the International Law, consequently no standing as parties in the procedure, there should at least be the possibility of an informatory hearing. Of importance is also

a wider publicity of that procedure. Another obstacle to justice in minority matters is the fact that decisions are made by a political office, the League Council, instead of a court. This means that all too often reasons of political expediency take the place of legal considerations. In order to do away with this fundamental deficiency it would be necessary to appeal to the Permanent Court of International Justice much more frequently than hitherto. The international authority of that court offers a guarantee for an effective legal protection of the minorities. Finally, another demand must be raised: the generalization and unification of minority protection. As long as the Great Powers are under no obligation, and as long as the obligations of the smaller states are not uniform, the minority law lacks that general validity which would make it a permanent element of International Law.

Not until those demands have been met, it will be possible to speak of a real protection of the minorities by International Law. "If the League of Nations devotes itself to this its great mission with the necessary energy, it will thereby create an important force for the preservation of peace. For peace among nations will be secured in proportion as man's inalienable right to mothertongue, culture, and religion, is respected and appreciated, regardless of political boundaries." (Dr. Stresemann before the tenth assembly of the League of Nations in Geneva, November 9, 1929).

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