

**OCCUPYING NATURE:
POLITICS, POWER, AND SOVEREIGNTY IN AMERICAN OCCUPIED GERMANY,
1945-1955**

A Dissertation

by

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ABSTRACT

With Nazi Germany's unconditional surrender in May 1945, the Allied powers assumed sovereignty over Germany, but this was not absolute sovereignty as the authority of the occupiers coexisted, overlapped, and competed with Germans' own legitimacy. Using the concept of sovereignty regimes, a term that acknowledges that sovereignty can and does coexist on different levels of authority, this dissertation focuses on the environment and issues of land management to explore the interactions among the different sovereign regimes of the occupation, including democratically elected German governments, the Stuttgart *Länderrat*, the Bizonal Administration, the Military Government, the Allied High Commission, and the West German government.

To investigate the German challenges and assertions of sovereignty, "Occupying Nature" examines forestry, hunting, and agriculture in American-occupied Bavaria from 1945 to 1955 and argues that environmental and land management issues provided a space where Germans could and did assert sovereignty long before they held any real power. The environment proved to be a site where the German people could contest the occupation because American occupiers did not consider the environment particularly political and because occupation policies significantly affected the environment and disregarded the Germans' own ideas, laws, and traditions concerning land use and land management. Witnessing these interventions, German politicians and civil society associations drew on German law, international law, conservation practices, and cultural traditions to contest the sovereignty of the occupiers and to demand that the Germans control and oversee German land and natural resources.

By engaging and challenging the occupiers over questions of land use, natural resources, and food production, the German people actively participated in the renewal of German political culture. In their efforts to mitigate American policies, the Germans revived and expanded numerous civil society associations that then pressed the German authorities, state governments, and the occupiers themselves to alter the policies of the occupiers. To challenge the sovereignty and policies of the occupiers, Germans reframed pre-war laws and traditions within the democratic rhetoric used by the occupiers. In this way, Germans not only sought to demonstrate the democratic nature of their laws and traditions, but they also reoriented German society and laws towards a more democratic basis, a practice that contributed to the recivilization of German society.

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NOMENCLATURE

ACC – Allied Control Council

AHC – Allied High Commission

BBV – Bavarian Farmers’ Association

BICO – Allied Bipartite Control Office

BJV – Bavarian Hunting Protection and Hunters Association

CCG – Control Commission for Germany

CDU – Christian Democratic Union

CSU – Christian Social Union

DBV – German Farmers’ Association

DJV – German Hunting Association

DM – Deutsche Mark

DPs – Displaced Persons

EUCOM – U.S. Army European Command

FDP – Free Democratic Party of Germany

KPD – Communist Party of Germany

NGTC – North German Timber Control

OMGUS – Office of Military Government, USA

OMGB – Office of Military Government, Bavaria

MSB – Military Security Board

SDW - Society for the Protection of the German Forest

SHAEF – Supreme Headquarters Allied Expeditionary Force

SMAD – Soviet Military Administration Germany

SPD – Social Democratic Party of Germany

SED – Social Unity Party of Germany

UNRRA – United Nations Relief and Rehabilitation Agency

USFET – United States Forces European Theater

USAREUR – U.S. Army, Europe

VdgB – Peasants Mutual Aid Association

VELF – Bizonal Office for Food, Agriculture and Forestry

WAV - Wirtschaftliche Aufbau-Vereinigung

ZSC – Zonal Shooting Committee

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CHAPTER I

INTRODUCTION

In June 1947, the German Minister-Presidents of the western occupation zones attended a conference in Munich to discuss the economic problems crippling Germany. When Bavarian Minister of Agriculture Joseph Baumgartner of the Christian Social Union (*Christlich-Soziale Union*, CSU) addressed the audience, he delivered a speech describing the “slaughter” of German forests under the occupying powers and cited statistics indicating that the Americans were cutting the forest in Bavaria at 240% of annual growth. American forestry policy, he argued, violated the 1907 Hague Convention. Pointing out article fifty-two specifically, Baumgartner asserted that the materials demanded by an occupying power must be in proportion to the resources of the country. According to Baumgartner, the overcutting of German forests vastly exceeded what Germany could provide, was illegal under the Hague Convention, and would ultimately transform Germany into a desert resembling “Mesopotamia, Palestine, and North Africa.” Linking the death of the forest to the German nation, he claimed, “[w]hen the forests die, the people must perish.”¹ As Baumgartner’s comments indicate, issues of environmental management were not only a regular point of contention between American occupiers and German officials, but also provided a space for Germans to contest the sovereignty of the occupation and articulate a distinct political vision.

¹ Joseph Baumgartner, “Diskussion über die Referate zur deutschen Wirtschaftsnot, Wald- und Holzfrage,” in *Akten zur Vorgeschichte der Bundesrepublik Deutschland 1945-1949*, ed. Bundesarchiv und Institut für Zeitgeschichte, vol. 2, *Januar 1947 – Juni 1947*, ed. Wolfram Weiner (Munich: R. Oldenbourg Verlag, 1979), 544-548.

This dissertation examines the American occupation of Germany after the Second World War from an environmental perspective and argues that issues of environmental management provided Germans with a space where they could contest the occupation and assert sovereignty long before they held any real power. Witnessing the implementation of American occupation policies that disregarded the German's own laws and traditions, German politicians and civil society organizations drew on German law, international law, conservation practices, and cultural traditions to challenge the legitimacy of the occupation and the policies of the occupiers. Although these challenges often proved unsuccessful, by engaging with the occupiers over questions of the environment, land management, and food production, Germans actively participated in politics and revitalized German political culture.

To investigate the role of the environment during the occupation, this dissertation focuses on American-occupied Bavaria from 1945 to 1955, the largest and most rural German state (*Land*) in the American Zone. With its long history as an independent electorate and kingdom, Bavaria had developed a strong sense of identity and sovereignty (*Eigenstaatlichkeit*) within the German lands that was deeply interwoven with its staunch Catholicism. This history of independence remained evident during the German Confederation, the German Empire, and the Weimar Republic, and made Bavarians suspicious of centralized government, which they associated with Prussian authoritarianism. With this mindset, the state remained dedicated to a decentralized Germany that granted significant authority to the German states, or *Länder*. The autonomy asserted by the Bavarian state within the empire and the republic survived the war and became particularly salient during the occupation, especially following the centralization of the occupation within the formation of the Bizone in 1947.

In the aftermath of the Second World War, Bavarian politicians who formerly belonged to the prewar Bavarian People's Party (*Bayerische Volkspartei*, BVP), a party that emphasized federalism and even the restoration of the Bavarian monarch, and the Catholic Center Party (*Deutsche Zentrumspartei*) came together and formed a new political party called the Christian Social Union (CSU). This party, like the Christian Democratic Union (*Christlich Demokratische Union Deutschlands*, CDU) in the British Zone, worked to unite Catholic and Protestant voters in Bavaria, but the CSU, as its name indicates, sought to maintain its political independence from CDU. This reflected the inherited traditions of the BVP, and the CSU's strong federalist position and assertions of Bavarian autonomy ensured strong political support from rural conservatives.² These assertions of Bavarian sovereignty reflected traditional Bavarian politics, but during the occupation, American occupiers, seeking to take advantage of Bavaria's natural resources, frequently found themselves in conflict with Bavarian politicians and civil society associations who challenged the American occupiers environmental management policies..

In addition to Bavaria's history of autonomy, a focus on German states rather than occupation zones proves to be more fruitful in understanding the American occupation. In the American Zone, the Military Government did not truly start functioning until the autumn of 1945, months after the war ended, and, by the end of 1946, the American Zone had held local and state elections, empowering and legitimizing German politicians at the regional and state level – less than two years after Germany's surrender. This return to German governance within defined German states makes the examination of states rather than the entirety of the American Zone a more productive approach to understand the functioning of the occupation, German

² For an early history of the CSU see, Thomas Schlemmer, *Aufbruch, Krise, und Erneuerung: Die Christlich-Soziale Union, 1945-1955* (Munich, R. Oldenbourg Verlag, 1998).

assertions of sovereignty, and the transition from the Allied occupation to the semi-sovereign Federal Republic.

The interactions and contests between American occupiers and Bavarians over issues related to environmental management demonstrate that Bavarians consistently denounced and challenged the sovereignty regimes of the occupation. Unlike absolute sovereignty, a concept defined by the ability of a state to assert authority over a legally finite and bounded territory, this dissertation adopts John Agnew's concept of sovereignty regimes and acknowledges that sovereignty can and does coexist between different levels of authority.³ In occupied Germany, this power was diffused across multiple levels and embodied in the democratically elected German governments, the Stuttgart *Länderrat*, the Bizonal Administration, the Military Government, the Allied High Commission, and the West German government. These multiple levels of power, often with competing objectives, frequently clashed over objectives, policies, and laws and these interactions reveal how power and sovereignty were wielded and negotiated in occupied Germany.

The Office of the Military Government, United States (OMGUS) proved the most visible outside form of authority during the occupation. Formed by Deputy Military Governor General Lucius D. Clay in the autumn of 1945, this organization would exist until September 1949. Clay, with his hawk-like features and neatly parted hair, was a West Point graduate who was involved with numerous civilian and military engineering projects. As a General in 1944, he helped bring order to the French Harbor of Cherbourg, the Allies' main port for the European Theater. In 1947, following the departure of General Dwight D. Eisenhower, who served as the head of both

³ John Agnew, "Sovereignty Regimes: Territoriality and State Authority in Contemporary World Politics," *Annals of the Association of American Geographers* 95, no. 2 (June 2005): 437-461.

the U.S. Forces, European Theater (USFET) and the American Military Governor of Germany, Clay became the American Military Governor and, from his position in Frankfurt, oversaw five independent Military Government Offices that mirrored the German *Länder*, including the Occupied Military Government of Bavaria (OMGB).⁴

In combination with U.S. Army units stationed in Germany, the American Military Government held sovereignty across the entirety of the American Zone. While the potential violence of the U.S. Army gave the Military Government its authority, U.S. Army tactical units and the American Military Government detachments, units located in towns and villages throughout the American Zone that sought to implement policy at the local level, often came into conflict over differing priorities. Nevertheless, from September 1945 to January 1947, the American Military Government directed the American Zone through the Stuttgart *Länderrat*, a body where leading German politicians in the American Zone and the Military Government sought to address problems and coordinate occupation policy. With the merger of the American and British Zones on 1 January 1947, coordination shifted from Stuttgart to Frankfurt where American and British Military Government officials developed policy with the unelected German bureaucracy that composed the Bizonal Administration. Until the occupation ended in September 1949, the Bizonal Administration would serve to implement the policy formed between the occupiers and leading German politicians.

Although the structure of the occupation changed over time, the American Military Government maintained supreme authority within the American Zone and worked to implement the political objectives the U.S. government agreed to at the Potsdam Conference in the summer of 1945, specifically demilitarization, denazification, deindustrialization, and democratization. In

⁴ Jean Edward Smith, *Lucius D. Clay: An American Life* (New York: Henry Holt & Company, 1990).

addition to these broad political objectives, the Military Government also undertook a re-education program that aimed to convince Germans of their past guilt and to reorient German society along a more democratic pathway. To carrying out these goals, the American Military Government issued directives to Military Government detachment units that sought to implement the policies of the occupation.

When the military occupation ended in September 1949, the West Germans did not regain sovereignty over the Federal Republic, as a new sovereignty regime in the form of the Allied High Commission (AHC) replaced the military occupation. Empowered by the Occupation Statute, the AHC retained partial sovereignty over West Germany, including the authority to enact laws over West Germany and to oversee and intervene in the areas of military, economic, and foreign policy. Additionally, the AHC held the power to approve or disapprove of West German legislation, placing the Federal Republic in a state of semi-sovereignty until May 1955, when West Germans finally regained sovereignty over the Federal Republic even as foreign armies remained based in the country.

As the authorities overseeing defeated Germany, the Military Government and the High Commission served as placeholders for an indigenous German government and exercised a form of sovereign power, as no sovereign power existed in Germany at the end of the war, a point the Allies made clear in the Berlin Declaration of June 1945. As the sovereigns over defeated Germany, the American occupiers held the power to exercise government functions and to use the threat of force to implement their laws and directives within the American Zone. Yet, while exerting a form of sovereignty, the authority of the Military Government coexisted, overlapped, and competed with the Germans' own democratic legitimacy.⁵

⁵ Peter M.R. Stirk, *The Politics of Military Occupation* (Edinburgh: Edinburgh University Press, 2009), 161-164.

In Bavaria, the multiple sovereignty regimes represented outside powers with varying degrees of legitimacy, and the Bavarian government, especially following the 1946 democratic state elections, used its own democratic legitimacy to contest the authority of the occupiers and to demand the ability to control its land, natural resources, and agricultural production, all of which were intimately linked with life and death issues during the occupation. Moreover, the language of self-government and demand for Bavarian control over Bavarian land and natural resources was frequently framed in the language of federalism, a rhetoric that, according to Mark Milosh, reflected conservative causes, defended Catholicism, personal networks, and parochial and agrarian interests, and was employed in opposition to the centralist nature of the occupation and especially the Bizone.⁶

By using the language of federalism versus centralism to defend their environment and to assert sovereignty, Bavarians clearly saw themselves aligning with the stated goal of the Allied occupation to decentralize Germany; however, while clearly committed to forming a national government with powerful states, the American Military Government, with its objectives to govern, maintain order, and prevent starvation, increasingly centralized the administration of the occupation, first in Stuttgart under the *Länderrat* and then in Frankfurt following the formation of the Bizone. From the Bavarians' perspective, the unelected Bizonal Administration only seemed to grow in power and increasingly violated the state's sense of sovereignty and desire for autonomy. While the Bavarians complained loudly, the American occupiers demanded that the German *Länder* submit to the authority of the unelected bureaucracies in Stuttgart and later in Frankfurt because they served to implement Military Government policies and directives.

⁶ Mark Milosh, *Modernizing Bavaria: The Politics of Franz Josef Strauß and the CSU: 1949-1969* (New York: Berghahn Books, 2006), 6-7.

In examining sovereignty regimes, power relations, and land management and use in occupied Bavaria, this study focuses on three themes: forestry, hunting, and agriculture. Each of these three topics held and holds a strong place in German culture and law, often dating back hundreds of years, and they provided Germans with pre-war traditions, laws, and ideas that they could reinvent to fit within the rhetoric of the occupation and use to challenge the occupiers' own policies. Tracing each of these themes over the duration of the occupation provides insights into the implementation and evolution of American occupation policy on the ground, demonstrate that the reorientation of Germany was a process of negotiation, and reveal how Germans ensured that their laws and traditions survived the transitions from occupation to semi-sovereignty.

To investigate these three topics, this dissertation explores the entangled interactions, negotiations, and conflicts between American Military Government officials, German politicians and government officials, and German civil society organizations. It specifically examines the relationship and exchanges between the American Food, Agricultural and Forestry Division in Bavaria and its analog in the Bavarian government: the Bavarian State Ministry for Food, Agriculture and Forestry (*Bayerisches Staatsministerium für Ernährung, Landwirtschaft und Forsten*). An examination of the interactions between these two administrations reveals the friction between the implementation of the occupation's broader objectives, such as demilitarization and denazification, and the Bavarian government's efforts to contest and mitigate these policies with legal, political, and culture traditions. Many of the Bavarian government's positions were supported and reinforced by German civil society associations who also played an important role in challenging the occupation's authority. These associations frequently engaged with the occupiers personally to assert their viewpoints and influenced the positions of the Bavarian government. An examination of the interactions and debates between

these groups over forestry, hunting, and agriculture highlights the dynamic power relations of the occupation and the practices used by Germans at the ground level to assert sovereignty and practice democracy.

As Germans engaged with the occupiers over issues of the environment and land management, they actively participated in the recivilization of German political culture. Witnessing the occupiers purposefully abolishing German laws and traditions in an effort to carry out the provisions outlined in the Potsdam Agreement, Germans sought to challenge the authority of the occupation and mitigate the effects of American policy, especially in areas the occupiers viewed as apolitical, like the environment. Using these spaces, Germans contested the authority of the occupiers and sought to temper the eradication of German traditions and laws by reinventing them and shrouding them in the rhetoric of democracy. This dialectic between the occupiers and occupied over the use, control, and future of the environment and natural resources played a central role in reorienting German society and starting the recivilization process.

Forestry and hunting proved especially conducive to political challenges from Germans because, unlike issues related to deindustrialization, Displaced Persons (DPs), or denazification, they appeared as relatively safe places for Germans to engage with and contest the American occupiers. As Germans watched the occupiers' implement demilitarization plans that significantly overcut the German forests, a symbol of the German nation, for firewood and export lumber, Germans vocally denounced these programs and mourned over the large clear cuts appearing throughout the forests. Witnessing occupation soldiers hunt across the American Zone without respecting private property laws, German hunters were incensed at American hunting regulations, the abolition of the Reich Hunting Law (*Reichsjagdgesetz*), and American

efforts to draft new hunting laws based on American hunting practices that mostly did and do not recognize game animals as private property.

Unlike forestry and hunting, the American occupiers clearly recognized that there was a long tradition of agricultural politics and agrarian interests, evident in the occupiers' stated objective to break-up large farms, but they also cultivated German farming associations, believing that farmers make good democracies. Nevertheless, as Americans set out to create and cultivate democracy, the Military Government also closely monitored agricultural production and forcefully collected agricultural products in the midst of a food crisis. This situation, combined with fines and seizures, caused much consternation and outrage among Bavarian farmers who saw these actions not only as a violation of private property, but also as an effort to build a democracy through centralization and "police state" policies. As a large politically influential constituency, Bavarian farmers pressured the Bavarian government to criticize and challenge American collection programs and to protect farmers from fines and food seizures.

In all three cases, the American occupiers' intervention into these spaces became an early site for the revival of German political life. In seeking to mitigate American policies that overcut the forests, permitted seemingly unregulated hunting on private property, and strictly controlled agricultural products, Germans revived and expanded associations and civil society organizations. These organizations then pressured the German authorities, *Land* governments, and the occupiers to alter and moderate the policies of the occupiers by drawing on pre-war laws and traditions that they placed within the language of the occupation. These efforts demonstrate how issues related to the environment and land use contributed to the renewal of German political culture.

By examining the occupation of Germany from the perspective of environmental management, this work takes the occupation of Germany as a serious subject and an important part of German history, not as a unique or exceptional case in Germany's postwar transition. The occupation, while a form of indirect rule, was government by a foreign military power, a power with broad ranging objectives that influenced and impacted every aspect of German life across all social strata. In this regard, the occupation was often perceived, after the initial trauma of war and defeat subsided, as a powerful intervention into all aspects of life, an intervention that frequently brought about protests and challenges from Germans who contested the authority of the occupation as it violated German traditions and laws. In seeking to preserve and defend pre-war German practices against the occupiers, Germans engaged in politics and practiced democracy, demonstrating that the presence of the occupiers played a crucial role in the renewal of German political culture and the recivilization of Germany society.

Historiography

In examining the role of the environment during the American occupation of Germany, this dissertation seeks to engage with three main scholarly fields: occupation history, German environmental history, and debates about the transformation of German society after the Second World War. The earliest studies examining the occupation period were memoirs and studies written by contemporaries who participated in the occupation and they focus on the political developments of the occupation.⁷ These works, like Military Governor Lucius D. Clay's

⁷ Lucius D. Clay, *Decisions in Germany* (Garden City: Doubleday & Company, 1950); Oliver J. Frederiksen, *The American Military Occupation of Germany, 1945-1953* (Darmstadt: Historical Division U.S. Army Europe, 1953); Carl Friedrich, *American Experiences in Military Government in World War II* (New York: Rinehart, 1948); Hajo Holborn, *American Military Government: Its Organization and Policies* (Washington, D.C.: Infantry Journal Press, 1947); Edward H. Litchfield, *Governing Postwar Germany* (Ithaca: Cornell University Press, 1953); Drew Middleton, *The Struggle for Germany* (New York: Bobbs-Merrill Company, 1949); Harold Zink, *American Military Government in Germany* (New York: Macmillan, 1947); Harold Zink, *The United States in Germany, 1944-1955* (Princeton: Van Nostrand, 1957).

Decisions in Germany, detail high-level policy debates within the U.S. government, explore the planning phases of the occupation, discuss the implementation of American occupation policy, and highlight interactions with German authorities. With the declassification of military documents in the 1960s and 1970s, scholars began writing revised studies on the occupation, producing a large body of scholarship reevaluating the four D's of the Allied reform project, demilitarization, denazification, deindustrialization, and democratization.⁸ These studies, colored by contemporary Cold War debates, often placed the occupation period within a broader framework of geopolitical rivalry, examining the interactions between Allied policymakers and the German political leadership. A result of this focus is that some historians tend to treat the occupation as a prehistory of the division of Germany and the Cold War.⁹

In the last three decades, a growing scholarship on the social and cultural interactions of the American occupation have moved away from the study of policy to explore the entangled histories of Americans, Germans, DPs, and expellees. These studies examine the ground-level interactions between Americans and Germans in their efforts to reconstruct a functioning society and demonstrate how soldiers and German civilians sought to establish order, provide basic

⁸ Franklin Davis, *Come as Conqueror: The United States Army's Occupation of Germany, 1945-1949* (New York: MacMillan, 1967); Jeffrey M. Diefendorf, Axel Frohn, and Hermann-Josef Rupierer, eds., *American Policy and the Reconstruction of West Germany, 1945-1955* (New York: Cambridge University Press, 1993); John Gimbel, *The American Occupation of Germany: Politics and the Military, 1945-1949* (Stanford: Stanford University Press, 1968); Edward Peterson, *The American Occupation of Germany: Retreat to Victory* (Detroit: Wayne State University Press, 1977); Hans-Peter Schwarz, *Vom Reich zur Bundesrepublik: Deutschland im Wiederstreit der außenpolitischen Konzeptionen in den Jahren der Besatzungsherrschaft 1945-1949*, 2nd edition, (Stuttgart: Klett-Cotta, 1980); James F. Trent, *Mission on the Rhine: Reeducation and Denazification in American-Occupied Germany* (Chicago: University of Chicago Press, 1982); Earl Ziemke, *The U.S. Army in the Occupation of Germany, 1944-1946* (Washington D.C.: U.S. G.P.O., 1975).

⁹ Noel Annan, *Changing Enemies: The Defeat and Regeneration of Germany* (Ithaca: Cornell University Press, 1996); Anne Deighton, *The Impossible Peace: Britain, the Division of Germany and the Origins of the Cold War* (New York: Clarendon Press, 1990); Carolyn Eisenburg, *Drawing the Line: The American Decision to Divide Germany* (New York: Cambridge University Press, 1996); Hermann Graml, *Die Alliierten und die Teilung Deutschlands: Konflikt und Entscheidungen, 1941-1948* (Frankfurt am Main: Fischer, 1988); Melvyn P. Lefler, *For the Soul of Mankind: The United States, the Soviet Union, and the Cold War* (New York: Hill and Wang, 2007).

needs, and form an effective governing system on the ruins of war.¹⁰ Moreover, historians have analyzed the American occupation through the lenses of race and gender and focused on the functioning of power relations between the occupiers and the occupied and the transformation of these relations over time.¹¹ Most recently, Sara Carruthers has examined the impact of the U.S. Army's postwar occupations in Germany and Japan on the occupiers themselves and shown that the occupiers recognized the shortcomings of their efforts to transform German and Japanese

¹⁰ Anni P. Baker, *Wiesbaden and the Americans 1945-2003* (Wiesbaden: Druckerei Zeidler, 2004); Rebecca Boehling, *A Question of Priorities: Democratic Reforms and Recovery in Postwar Germany* (New York: Berghahn, 1996); Martin Broszat, Klaus-Dietmar Henke, and Hans Woller, eds., *Von Stalingrad zur Währungsreform: zur Sozialgeschichte des Umbruchs in Deutschland* (Munich: R. Oldenbourg, 1988); Camilo Erlichman and Christopher Knowles, eds., *Transforming Occupation in the Western Zones of Germany: Politics, Everyday Live and Social Interactions, 1945-1955* (London: Bloomsbury, 2018); John Hess, "Coping with Crisis: Military Government Officials, U.S. Policy, and the Occupation of Bavaria, 1945-1949" (PhD., diss., University of Kansas, 2017); Laura Hilton, "Prisoners of Peace: Rebuilding Community, Identity, and Nationality in Displaced Persons Camps in Germany, 1945-1952" (PhD diss., Ohio State University, 2001); Anna Holian, *Between National Socialism and Soviet Communism: Displaced Persons in Postwar Germany* (Ann Arbor: University of Michigan Press, 2011); Wolfgang Jacobmeyer, *Vom Zwangsarbeiter zum heimatlosen Ausländer: die Displaced Persons in Westdeutschland, 1945-1951* (Göttingen: Vandenhoeck & Ruprecht, 1985); Detlef Junker, et. al., *The United States and Germany in the Era of the Cold War, 1945-1968: A Handbook, Volume 1* (New York: Cambridge University Press, 2011); Thomas W. Maulucci and Detlef Junker, eds., *GIs in Germany: The Social, Economic, Cultural, and Political History of the American Military Presence* (New York: Cambridge University Press, 2013); Kathleen Nawyn, "Striking at the Roots of German Militarism: Efforts to Demilitarize German Society and Culture in American-occupied Württemberg-Baden, 1945-1949" (PhD diss., University of North Carolina Chapel Hill, 2008); Adam R. Seipp, *Strangers in the Wild Place: Refugees, Americans, and a German Town, 1945-1952* (Bloomington: Indiana University Press, 2013); Paul Steege, *Black Market, Cold War: Everyday Life in Berlin, 1946-49* (New York: Cambridge University Press, 2007); Hans Woller, *Gesellschaft und Politik in der amerikanischen Besatzungszone: Die Region Ansbach und Fürth* (Munich: Oldenbourg, 1986); Mark Wyman, *DPs: Europe's Displaced Persons, 1945-1951* (Philadelphia: Associated University Press, 1998); Malte Zierenberg, *Stadt der Schieber* (Göttingen: Vandenhoeck & Ruprecht, 2008). A notable early work is John Gimbel's study of Marburg, John Gimbel, *A German Community under American Occupation* (Stanford: Stanford University Press, 1961).

¹¹ Heide Fehrenbach, *Race after Hitler: Black Occupation Children in Postwar Germany and American* (Princeton: Princeton University Press, 2007); Petra Goedde, *GIs and Germans: Culture, Gender, and Foreign Relations, 1945-1949* (New Haven: Yale University Press, 2002); Atina Grossman, *Jews, Germans, and Allies: Close Encounters in Occupied Germany* (Princeton: Princeton University Press, 2007); Karen Hagemann and Sonya Michel, eds., *Gender and the Long Post War: The United States and the Two Germanies, 1945-1989* (Baltimore: John Hopkins, 2014); Elizabeth D. Heineman, *What Difference does a Husband Make? Woman and Martial Status in Nazi and Postwar Germany* (Berkeley: University of California Press, 1999); Maria Höhn, *GIs and Fräuleins: The German-American Encounter in 1950s West Germany* (Chapel Hill: University of North Carolina Press, 2002); Timothy L. Schroer, *Recasting Race after World War II: Germans and African Americans in American-Occupied Germany* (Boulder: University of Colorado Press, 2007).

society even as American politicians and government officials later used the occupations to represent successful case studies in democratization.¹²

While the historiography of the occupation has grown in size and specialization since the late 1980s, historians have yet to examine the American occupation of Germany from an environmental perspective. While Thomas Arnold's dissertation provides an urban environmental history of the city of Munich from 1945 to 1948, his narrow timeframe and focus on food and energy neglects the broader significance of the environment and its role in the re-emergence of German political life.¹³ Arnold's study of Munich, like other works, emphasizes the striking images of bombed out cities and starving civilians huddled in ruins, but these images impel scholars to focus their energies on urban histories and the immediate realities of the war's aftermath. With this emphasis, historians have devoted their efforts to understanding and explaining how armies governed and ordered postwar Germany and how individuals and groups uprooted from their lives interacted and survived.

A second factor explaining scholarly neglect of environmental issues during the American occupation arises from the occupation's brevity. Lasting only four years, the occupation has only received superficial treatment from scholars writing environmental histories that cover hundreds of years.¹⁴ From this perspective, the occupation appears as a minor event that aided in Germany's reorientation, but it was hardly long enough to significantly impact the

¹² Susan Carruthers, *The Good Occupation: American Soldiers and the Hazards of Peace* (Cambridge, MA: Harvard University Press, 2016).

¹³ Thomas J. Arnold, "A City Amputated, A Community Regenerated: Munich During and After the Allied Air War, 1939 to 1948" (PhD diss., University of Kansas, 2012).

¹⁴ See David Blackbourn, *The Conquest of Nature: Water, Landscape, and the Making of Modern Germany* (New York: Norton, 2007); Mark Cioc, *The Rhine: An Eco-biography, 1815-2000* (Seattle: University of Washington Press, 2002); Frank Uekötter, *The Age of Smoke: Environmental Policy in Germany and the United States, 1880-1970* (Pittsburgh: University of Pittsburgh Press, 2009).

German environment. The fact that environmental histories usually take a long-term perspective, even when focusing on politics and policy, has likely discouraged scholars from considering the importance of the environment during the occupation. Yet, while the occupation did not last long enough to permanently alter the German environment, this dissertation shows that Germans believed that the occupation would have a long-lasting impact on their environment and they used this fear to reenter the political sphere and contest the sovereignty of the occupiers.

Environmental history, according to historian J.R. McNeill, is “the history of the mutual relations between humankind and the rest of nature.”¹⁵ Although human societies have always interacted with nature, the field of environmental history first emerged with the convergence of several factors in western society during the 1960s and 1970s, including Three Mile Island, Love Canal, DDT, and Earth Day. Drawing on the historiographies of the Annales school, the American frontier, historical geography, and cultural ecology, a generation of politically committed scholars sought to identify the origins of growing environmental problems and to provide perspective on how to solve them.¹⁶ Politically charged, much of this early scholarship focused on two narratives: first, that humans progressively learned more about the natural environment and how to protect it, and second, that humans transformed and destroyed the environment through expanding settlement and industrial capitalism.¹⁷ These narratives resulted

¹⁵ J.R. McNeill, “Observations on the Nature and Culture of Environmental History,” *History and Theory* 42, no. 4 (2003): 6.

¹⁶ Paul S. Sutter, “The World and Us: The State of American Environmental History,” *Journal of American History* 100, no. 1 (2013): 94.

¹⁷ Sutter, 118.

in biographies of “enlightened” environmental thinkers such as John Muir and Gifford Pinchot and environmental disasters caused by industrialization such as the Dust Bowl.¹⁸

Paul Sutter asserts that the second generation of environmental historians not only expanded the field into the realms of public health, race, ethnicity, gender, and class, but they also complicated the field’s central narratives. First, social and cultural historians have shown that more knowledge did not improve environmental thought or better human stewardship of the planet. Second, they have analyzed the very idea of nature and challenged the belief in a pure pristine nature untouched by humans.¹⁹ These scholars seriously consider the human built environment and blur the lines between humans and the environment, developing analytical concepts such as “second natures” or “hybrid landscapes” to demonstrate and discuss the complexity of environmental history.²⁰ Most recently, in scholarly efforts to break down the boundaries between humans and nature, a growing number have adopted the concept of the “Anthropocene,” a term used to redefine the present geological age to account for human’s deep impact on the planet’s environment and geology.²¹ Nevertheless, Sutter and other scholars contended that these concepts, while conceptually useful, lack environmental advocacy.²²

¹⁸ Linnie Marsh Wolfe, *Son of the Wilderness: The Life of John Muir* (New York: Knopf, 1946); M. Nelson McGeary, *Gifford Pinchot: Forester-Politician* (Princeton: Princeton University Press, 1960); Donald Worster, *Dust Bowl: The Southern Plains in the 1930s* (New York: Oxford University Press, 1979).

¹⁹ William Cronon, “The Trouble with Wilderness: Or, Getting Back to Wrong Nature,” *Environmental History* 1, no. 1 (January 1996): 7-28.

²⁰ William Cronon, *Nature’s Metropolis: Chicago and the Great West* (New York: Norton, 1992); Richard White, “From Wilderness to Hybrid Landscapes: The Cultural Turn in Environmental History,” *Historian* 66, no. 3 (2004): 557–564.

²¹ For a detailed discussion on the concept of the Anthropocene see Robert S. Emmett and David E. Nye, *The Environmental Humanities: A Critical Introduction* (Cambridge, MA: MIT Press, 2017), 93-116.

²² Erik Swyngedouw and Henrik Erntson, “Interrupting the Anthro-obScene: Immuno-biopolitics and Depoliticizing Ontologies in the Anthropocene,” *Theory, Culture & Society* 35, no. 6 (November 2018): 3-30.

As the field of environmental history has matured, historians in almost all fields have incorporated environmental history into their methodology. McNeill goes so far as to claim that “environmental history is almost all modern history.”²³ Under this big tent, one burgeoning subfield looks into the relationship between warfare and the environment, exploring topics such as scarred battlefields, global supply chains, chemicals, and nuclear weapons.²⁴ In fact, Tait Keller argues that one cannot debate the concept of “Total War” without considering the natural world.²⁵ The emerging scholarship on this topic provides an intellectual foundation and covers a wide range of topics and time periods; moreover, as Martin Gutmann has recently shown, there is a growing body of literature examining the global environmental impact of the Second World War, crossing multiple geographic and thematic areas of emphasis.²⁶ Nevertheless, Gutmann

²³ McNeill, “Observations on the Nature and Culture of Environmental History,” 8.

²⁴ Charles Edwin Cloosmann, ed., *War and the Environment: Military Destruction in the Modern Age* (College Station: Texas A&M University Press, 2009); Tait Keller, “The Mountains Roar: The Alps during the Great War,” *Environmental History* 14, no. 2 (April 2009): 253-274; J.R. McNeill and Corinna R Unger, *Environmental Histories of the Cold War* (New York: Cambridge University Press, 2010); Edmund Russell, *War and Nature: Fighting Humans and Insects with Chemicals from World War I to Silent Spring* (New York: Cambridge University Press, 2001); Richard Tucker and Edmund Russell, eds., *Natural Enemy, Natural Ally: Toward an Environmental History of Warfare* (Corvallis: Oregon State University Press, 2004).

²⁵ Tait Keller, “Mobilizing Nature for the First World War,” in *Environmental Histories of the First World War*, eds. Tait Keller and J.R. McNeill (New York: Cambridge University Press, 2018), 6.

²⁶ Peder Anker, *Imperial Ecology: Environmental Order in the British Empire, 1895–1945* (Cambridge, MA: Harvard University Press, 2001); Marco Armiero and Graf von Hardenberg Wilko, “Green Rhetoric in Blackshirts: Italian Fascism and the Environment,” *Environment and History* 19, no. 3 (August 2013): 283-311; Judy Bennett, *A Natives and Exotics: World War II and Environment in the Southern Pacific* (Honolulu: University of Hawaii Press, 2009); Una Chaudhuri, “Animals in War, Animals on War: New Perspectives from a Theater of Species,” *Society & Animals* 21, no. 1 (2013): 105–110; Connie Chiang, “Imprisoned Nature: Toward an Environmental History of the World War II Japanese American Incarceration,” *Environmental History* 15, no. 2 (April 2010): 236–267; Reginald Cline-Cole, “Wartime Forest Energy Policy and Practice in British West Africa: Social and Economic Impact on the Labouring Classes 1939–45,” *Journal of the International African Institute* 63, no. 1 (1993): 56–79; Tim Cole “‘Nature Was Helping Us’: Forests, Trees, and Environmental Histories of the Holocaust,” *Environmental History* 19, no. 4 (October 2014): 665–686; Jacob D. Hamblin, “Environmental Dimensions of World War II” in *A Companion to World War II*, eds. T. Zeiler and D. DuBois (Chichester: Wiley-Blackwell, 2013), 698–716; Andrew Jenks, “Model City USA: The Environmental Cost of Victory in World War II and the Cold War,” *Environmental History* 12, no.3 (July 2007): 552–577; Chris Pearson, *Scarred Landscapes: War and Nature in Vichy France* (New York: Palgrave Macmillan, 2008); Edmund Russell, “The Strange Career of DDT: Experts, Federal Capacity, and Environmentalism in World War II,” *Technology and Culture* 40, no. 4 (1999): 770–796; William Tsutsui, “Landscapes in the Dark Valley: Toward an Environmental History of Wartime Japan,” *Environmental History* 8, no. 2 (April 2003): 294–311.

identifies some deficiencies that are particularly applicable to Germany. First, he notes that environmental histories of the war taking a transnational approach tend to focus on Nazi Germany's efforts to reorder and Germanize "the East."²⁷ Secondly, he suggests that historians must link environmental histories of the war with the postwar – not view them in isolation.²⁸

By examining the German environment under American military occupation, this dissertation demonstrates that the environmental consequences of the war extend into the postwar period. Nazi Germany's wartime forestry policies exploiting the forests of Eastern Europe conserved Germany's forests, but the Allied occupiers explicitly aimed to demilitarize the well-stocked German forests through a major logging program. American soldiers' association of Hermann Göring with German hunting influenced how American occupiers perceived German hunting practices and laws. The Nazi regime's neglect of German agriculture during the last years of the war by depriving it of needed inputs such as fertilizer and equipment significantly undermined agricultural production during the occupation. In these and other ways, the wartime issues related directly or indirectly with the environment played a crucial role in the postwar period.

While the environment played a central political role during the occupation, Germany's environmental historians have tended to focus on the history of human thought and conservation groups' efforts to conserve the German environment. These studies tend to emphasize conservation and the development of *Naturschutz* (nature protection) and *Heimatschutz*

²⁷ Michael Hartenstein, *Neue Dorflandschaften: Nationalsozialistische Siedlungsplanung in den "Eingegliederten Ostgebieten" 1939 bis 1944* (Berlin: Köster, 1998); Czesław Madajczyk, *Vom Generalplan Ost zum Generalsiedlungsplan* (Munich: KG Sauer, 1994); Rolf-Dieter Müller, *Hitlers Ostkrieg und die deutsche Siedlungspolitik: Die Zusammenarbeit von Wehrmacht, Wirtschaft und SS* (Frankfurt am Main: Fischer, 1991); Schleiermacher, "Soziobiologische Kriegführung? Der Generalplan Ost," *Berichte zur Wissenschaftsgeschichte* 19, no. 2-3 (1996): 145-156.

²⁸ Martin Gutmann, "The Nature of Total War: Grasping the Global Environmental Dimensions of World War II," *History Compass* 13, no. 5 (2015): 251-261.

(homeland protection) organizations that emerged in the late 19th century as a response to industrialization and urbanization.²⁹ Scholars have placed these organizations under the umbrella of environmental history because they sought to protect nature from the worst excesses of industrialization, but they were not anti-industry and many accepted timbering operations, supported policies to control nature, and worked closely with the state and industry. While some scholars, especially after the Second World War, argued that these associations' romanticism of nature played an important role in the formation of Nazi ideology,³⁰ more recent studies have argued that *Naturschutz* and *Heimatschutz* associations were not anti-modern reactionaries, but instead pursued a program of sustainability that recognized the importance of economic development.³¹ A number of scholars have also examined these associations under the Nazi regime and elucidated their complicated relation.³² The current historical consensus concedes that the Nazis united the regionalized *Naturschutz* and *Heimatschutz* associations during the *Gleichschaltung* (coordination) into national organizations and passed the Reich Conservation Act (*Reichsnaturschutzgesetz*) in June 1935. Both of these objectives were long-time goals of conservationists, but the Nazi regime often ignored the new conservation laws, especially in the

²⁹ Thomas Lekan, *Imagining the Nation in Nature: Landscape Preservation and German Identity, 1885-1945* (Cambridge: Harvard University Press, 2004); Sandra Chaney, *Nature of the Miracle Years* (New York: Berghahn, 2012); William H. Rollins, *Greener Visions of Home: Cultural Politics and Environmental Reform in the German Heimatschutz Movement* (Ann Arbor: University of Michigan Press, 1997); Jeffrey Wilson, *The German Forest: Nature Identity and the Contestation of National Symbol, 1871-1914* (Buffalo: University of Toronto Press, 2012). Rollins estimates that *Heimatschutz* associations contained about 30,000 members by 1914.

³⁰ Anna Bramwell, *Blood and Soil: Walther Darre and Hitler's Green Party* (Bourne End: Kensal Press, 1985); Herman Glaser, *The Cultural Roots of National Socialism* (London: Croom Helm, 1978); Hans Kohn, *The Mind of Germany* (New York: Scribner, 1960); George Mosse, *The Crisis of German Ideology* (New York: Howard Fertig, 1999); George Mosse, *The Nationalization of the Masses* (Ithaca: Cornell University Press, 1991); Fritz Stern, *The Politics of Cultural Despair* (Berkeley: University of California Press, 1961).

³¹ Lekan, *Imagining the Nation in Nature*; Rollins, *A Greener Vision of Home*; John Williams, *Turning to Nature in Germany: Hiking, Nudism, and Conservation, 1900-1940* (Stanford: Stanford University Press, 2007).

³² Franz-Josef Brüggemeier, Mark Cioc, and Thomas Zeller, eds., *How Green Were the Nazis?: Environment and Nation in the Third Reich* (Athens: Ohio University Press, 2006); Frank Uekötter, *The Green and the Brown: A History of Conservation in Nazi Germany* (New York: Cambridge University Press, 2006).

face of military necessity. Thus, Nazi environmental policies did not meet conservationists' expectations and the regime marginalized conservationists from decision-making.

Scholars examining West Germany's environment after the Second World War have tended to bypass the occupation and focus on the development of the Green Party,³³ but a number of scholars have recently sought to fill this gap by exploring the reemergence of conservationist organizations in the 1950s and the effects of the Economic Miracle (*Wirtschaftswunder*) on the environment.³⁴ These studies show how conservationists reorganized after the Second World War, how conservationism transformed into environmentalism, and how legal traditions hindered the enforcement of environmental laws until the 1970s. Although these historians have provided valuable studies on a neglected period, they still fail to fully engage with the occupation period, often beginning their studies in 1949 or 1950 when German documentation becomes more abundant. The omission of the occupation is especially glaring in Frank Uekötter's short history *The Greenest Nation?* when he remarks that "environmental issues gained new prominence already in the 1950s" without explaining how these issues materialized.³⁵ A notable exception to this trend is Sandra Chaney who devotes a chapter to the

³³ Raymond H. Dominick III, *The Environmental Movement in Germany: Prophets and Pioneers, 1871-1971* (Bloomington: Indiana University Press, 1993); E. Gene Frankland and Donald Schoonmaker, *Between Protest and Power: The Green Party in Germany* (Boulder: Westview Press, 1992); Markus Klein and Jürgen W. Falter, *Der lange Weg der Grünen. Eine Partei zwischen Protest und Regierung* (Munich: C.H.Beck, 2003); Eva Kolinsky, *The Greens in West Germany: Organisation and Policy Making* (New York: Berg, 1989); Margit Mayer and John Ely, *The German Greens: Paradox Between Movement and Party* (Philadelphia: Temple University Press, 1998); Makoto Nishida, *Strömungen in den Grünen (1980–2003). Eine Analyse über informell-organisierte Gruppen innerhalb der Grünen* (Münster: Lit-Verlag, 2005).

³⁴ Martin Bemann, *Beschädigte Vegetation und sterbender Wald: Zur Entstehung eines Umweltproblems in Deutschland 1893–1970* (Göttingen: Vandenhoeck & Ruprecht, 2012); Monika Bergmeier, *Umweltgeschichte der Boomjahre 1949-1973: Das Beispiel Bayern* (Münster: Waxmann Verlag, 2002); Franz-Josef Brüggemeier and Jens Ivo Engels, *Natur- und Umweltschutz nach 1945: Konzepte, Konflikte, Kompetenzen* (Frankfurt am Main: Campus, 2005); Almut Leh, *Zwischen Heimatschutz und Umweltbewegung: die Professionalisierung des Naturschutzes in Nordrhein-Westfalen 1945–1975* (Frankfurt: Campus-Verlag, 2006), Chaney, *Nature of the Miracle Years*.

³⁵ Frank Uekötter, *The Greenest Nation? A New History of German Environmentalism* (Cambridge, MA: The MIT Press, 2014), 59.

occupation period in her study examining the reemergence of West German conservationism.³⁶ As Chaney shows, conservationists did contest the American and British Military Governments' forestry policies, but her focus on the redevelopment and evolution of the conservationist movement during the "Miracle Years" of the Federal Republic overlooks the ground-level interactions between the occupiers and the occupied and reforestation efforts.

By exploring how environmental issues politicized Germans, this dissertation also contributes to the debate on the reemergence of German political culture. During the Cold War, the year 1945 often marked a caesura, or "*Stunde Null*" (Zero Hour), marking a radical break with the past and an attempt for Germans to distance themselves from the Nazi regime; however, during the 1970s a critical generation of Marxist-influenced scholars questioned the transformation of West Germany by stressing continuities with the past, seeing the occupation as restoration of former Nazis rather than establishing a successful democracy.³⁷ While these politicized debates contrasted between a new start and a restoration, the historical consensus is that the postwar contained features of both and scholars have historicized the ways that dictatorship, war, and defeat shaped the early Federal Republic.³⁸

Although historians have demonstrated that both changes and continuities existed, this conclusion provides no explanation for the transformation of West German political culture. In

³⁶ Chaney, *Nature of the Miracle Years*, 45-84.

³⁷ Wolfgang Abendroth, ed., *Faschismus und Kapitalismus: Theorien über die sozialen Ursprünge und die Funktion des Faschismus* (Frankfurt am Main: Europäische Verlagsanstalt, 1967); Eberhard Schmidt, *Die verhinderte Neuordnung 1945-1952: Zur Auseinandersetzung um die Demokratisierung der Wirtschaft in den westlichen Besatzungszonen und in der Bundesrepublik Deutschland* (Frankfurt am Main: Europäische Verlagsanstalt, 1970); Ute Schmidt and Tilman Fichter, *Der erzwungene Kapitalismus: Klassenkämpfe in den Westzonen 1945-1948* (Berlin: Wagenbuch, 1971).

³⁸ Frank Biess, *Homecomings: Returning POWs and the Legacies of Defeat in Postwar Germany* (Princeton: Princeton University Press, 2006); Robert G. Moeller, *War Stories: The Search for a Useable Past in the Federal Republic of Germany* (Berkeley: University of California Press, 2001).

this breach, some scholars adopted the concept of Americanization which stresses the importance of the American influence on German business, consumption, culture, and gender.³⁹ Yet, this concept fails to distinguish between external influences and internal adoptions of American culture. After the Cold War, several scholars adopted the broader term Westernization to describe Germany's political transformation.⁴⁰ While this interpretation is more inclusive and accounts for the broader interchange of liberal democracy, anti-communism, and capitalism than Americanization, it attributes much to a mythical "West" and neglects the role of the occupation in the transformation of Germany.

Most recently, Noah Benezra Strote, in his study *Lions into Lambs*, has claimed that occupation histories focus on "dramatic American policies that ostensibly helped win over the Germans" and produce "tales" that say "more about what Americans want to believe about their postwar humanitarian efforts than about the realities on the ground." Instead, he advocates an examination of "ideas, values, and decisions of the Germans," whose relationships with one another shifted from the 1920s and 1930s to the 1950s and 1960s, and explores reconciliations among fierce intellectual foes in the area of economics, education, culture, and democracy, arguing that Germans "were themselves responsible for the creation of post-Nazi Germany."⁴¹

³⁹ Volker Berghahn, *Americanization of West German Industry, 1945-1973* (Oxford: Berg, 1986); Heide Fehrenbach and Uta G. Poiger, eds., *Transactions, Transgressions, Transformations: American Culture in Western Europe and Japan* (New York: Berghahn, 2000); Susanne Hilger, "Amerikanisierung" deutscher Unternehmen: *Wettbewerbsstrategien und Unternehmenspolitik bei Henkel, Siemens und Daimler-Benz (1945/49-1975)* (Stuttgart: Franz Steiner, 2004); Uta G. Poiger, *Jazz, Rock, and Rebels: Cold War Politics and American Culture in a Divided Germany* (Chapel Hill: University of North Carolina Press, 2000); Ralph Willet, *The Americanization of Germany, 1945-1949* (London: Routledge, 1992).

⁴⁰ Anselm Doering-Manteuffel, *Wie westlich sind die Deutschen? Amerikanisierung und Westernisierung im 20. Jahrhundert* (Göttingen: Vandenhoeck und Ruprecht, 1999); Ulrich Herbert, *Geschichte Deutschlands im 20. Jahrhundert* (Munich: C.H. Beck, 2014); Heinrich-August Winkler, *The Long Road West: Volume II: 1933-1990* (New York: Oxford University Press, 2007).

⁴¹ Noah Benezra Strote, *Lions and Lambs: Conflict in Weimar and the Creation of Post-Nazi Germany* (New Haven: Yale University Press, 2017), 4.

While there is no question that Germans created post-Nazi Germany, a history of Germany's political transformation that does not take the occupation seriously is problematic. It not only eradicates an entire traumatic period of German history, but also discounts serious scholarship that has shown the important but subtle ways the presence of the occupiers helped transform German politics, daily life, culture, and society.

Conversely, Konrad Jarausch, who acknowledges the limitations of Americanization and Westernization while taking the occupation seriously, proposes the concept of "recivilization" to investigate and understand the transformation of the Federal Republic's political culture.⁴² Recivilization, according to Jarausch, focuses on studying the reconstitution of civil society, a sphere outside the home but below the state whereby citizens self-organize and freely associate to pursue collective interests in the public sphere free from militarism and religious intolerance.⁴³ Recivilization, as he contends, was a long process and took decades, but he stresses that the occupation was the first phase in this process and a period when the Allies broke negative political traditions and attempted to reorient society. Although drastically intervening into every facet of German life, the occupation, as Jarausch concedes, did not lead to the wholesale rehabilitation of German political culture, but it did provide a reorientation that allowed future generations to continue the recivilizing process.

Organization and Sources

This dissertation is organized thematically with two chapters for each of the three themes under study: forestry, hunting, and agriculture. This organization permits an examination of each topic in depth across the entire occupation period and into the Federal Republic. The first chapter

⁴² Dan Diner, ed., *Zivilisationsbruch: Denken nach Auschwitz* (Frankfurt: Fischer Taschenbuch, 1988); Konrad Jarausch, *After Hitler: Recivilizing the Germans, 1945-1995* (New York: Oxford University Press, 2006).

⁴³ Jarausch, *After Hitler*, 13.

of each theme, chapters 2, 4, and 6, place the topic under investigation, whether forestry, hunting, or agriculture, into a broader context that traces the evolution of the theme in German history, concluding with the Nazi regime. Placing them within this historical background demonstrates how they were shaped by National Socialism and war, but also shows the traditions, laws, and ideas Germans drew on when they tested the authority of the occupation. After providing this background, these chapters investigate the impact of American policy on the environment, the occupiers' use of German natural resources, and German challenges to these policies. Chapters 3, 5, and 7 follow these conflicts through the end of the occupation and examine the actions of German politicians and civil society organizations to hinder and mitigate American efforts to transform German laws and traditions. These chapters then explore the transition from the occupation to the High Commission and from the High Commission to the Federal Republic. This focus shows the Allied High Commission's ability to exert authority over the Federal Republic, the West German government's engagement and negotiation with the High Commission, and the resolution of these issues as authority and sovereignty passed to the Germans.

Chapter 2 explores the German forests under the American Military occupation and explores the interrelation between forestry, energy, demilitarization, and denazification. It begins by placing the German forest in historical context, demonstrating the changing uses of the forest both economically and culturally and how it became a site of the German nation. This chapter then examines the massive forestry cutting plans instituted by the American Military Government as part of the occupation's larger demilitarization policy, one that violated German foresters' long-held management practices; moreover, it reveals how American demilitarization plans meant to cut the forest were stymied by denazification policies that removed up to 95% of

Bavarian foresters from their positions. In fact, this not only hindered demilitarization plans, but also significantly affected energy supplies in Bavaria. As a region with few coal deposits, Bavaria relied on outside sources of coal and developed hydroelectric stations to power its cities and industries, but the Allied bombing war cut Bavaria off from its energy sources, resulting in reliance on wood during the occupation's first two winters, wood often cut by untrained civilians. Finally, while the Bavarian forests proved essential for energy, they were also crucial for reconstructing and expanding the Ruhr coalmines, and Bavaria shipped large quantities of pit props to the Ruhr. Nevertheless, as Bavaria shipped mine wood to the Ruhr, Bavarians felt they sacrificed the forests and received little coal in return, a feeling that led to declining shipments of pit props until the American Military Government intervened.

Continuing with a focus on the German forests, Chapter 3 examines the broad challenges to American and Allied forestry policy. Bavarian foresters, long frustrated by American forestry policies, demanded a return to German forestry practices, especially the concept of *Nachhaltigkeit*, a term referring to sustainable forestry practices that balanced annual cutting with forestry growth, which was codified in the 1850 Bavarian Forestry Law. Building on these claims, Baumgartner publicly challenged American forestry policies in 1947. He not only demanded a return to *Nachhaltigkeit*, but he also used international law to challenge the authority of the occupation, claiming that occupation forestry practices violated the Hague Conventions; however, as no sovereign German state existed, Baumgartner encouraged the *Länder* to make these challenges. Although the occupiers rejected Baumgartner's assertions, the use of the Hague Convention to contest the legitimacy of the occupation became quite common. In addition to German politicians' challenges to occupation forestry practices, dozens of civil society organizations formed to save the German forests, and the majority coalesced under the

Schutzgemeinschaft Deutscher Wald, an organization that undertook widespread campaigns to inform Germans about the threat to the forests. The American occupiers, who believed these claims were overblown, did initiate a reforestation plan in Bavaria and made Bavarian foresters responsible for drafting and implementing the plan. With the return of semi-sovereignty, this reforestation plan eventually received significant funding and was implemented by the Bavarian Forestry Administration. The official end to occupation forestry and the celebration of the return to forestry sovereignty was marked by the first West German Day of the Tree in 1952.

Chapter 4 investigates hunting and game management under the American occupation and shows that hunting was deeply linked to food, security, and sovereignty. Hunting, like forestry, has deep traditions and laws based in German history, especially regarding the relationship between landownership and hunting rights that made game animals private property, a legal tradition dismissed as aristocratic by American soldiers. Moreover, due to the disarming of German society, the ability to hunt was limited to the occupying power, though hunting and poaching by Germans and DPs certainly occurred, and the Military Government encouraged American hunting to protect crops and manage game. As hunters, American soldiers hunted violently in the months after the war and later disregarded American Military Government hunting regulations, a situation that resulted in the temporary suspension of American hunting and the strengthening of regulations. American hunting also proved incapable of limiting game damage to German crops. With game animals digging up fields during the food crisis, the Military Government decided to arm German Game Wardens who would help protect crops and limit poaching. Nevertheless, Military Government reports clearly show that German hunters used the Game Warden program to pursue their own agendas. Additionally, American soldiers proved conflicted over the rearming of German hunters. Many American soldiers considered all

German hunters and hunting laws as contaminated with Nazism, but other Americans, those who emphasized with the sportsman's program, found common cause with German hunters and critical of the hunting practices of other soldiers. The discussion over American hunting practices held real world impact in Germany following the repeal of the 1934 *Reichsjagdgesetz* and efforts to develop new hunting laws for postwar Germany.

The hunting behavior of American soldiers was a constant source of irritation for German hunters, and Chapter 5 examines Bavarian and German hunting associations and their efforts to preserve German hunting laws and traditions and to subject American soldiers to German hunting laws. While Bavarian hunters proved especially critical of American hunting behavior, the American Military Government's repeal of the *Reichsjagdgesetz*, a law cherished by the hunters, drew sharp criticism and fear that the occupiers might impose American-influenced hunting laws on Bavaria. Bavarian hunters' vigorous opposition to this prospect pressured the Bavarian government to defend German hunting laws and traditions in negotiations with the occupiers over the future of hunting. While the occupiers sought to reshape hunting laws, especially to ensure that German farmers could hunt their own land, the occupiers, as the occupation came to close, eventually withdrew from the debate and allowed Bavaria to pass the law it desired. Although permitting Bavaria to promulgate a new hunting law, German hunters remained unable to hunt or own a hunting rifle. The American High Commissioner, while agreeing to rearm German hunters, issued new hunting regulations for American soldiers that blatantly violated German private property laws, engendering a confrontational and vocal response from West German politicians and hunters. Facing widespread vocal opposition, the High Commissioner, in consultation with the West Germans, developed new regulations that required Americans to follow German private property laws. Nevertheless, complete German

sovereignty over hunting did not return until the passage of a new national German hunting law in 1952, but the law faced stiff challenges from Bavaria as the state contended that the new law violated the rights of the German *Länder* encoded in the West German Constitution, or Basic Law. While Bavaria remained forcefully opposed, the Bundestag's revisions to the law and mediation committees ultimately developed into a new West German hunting law, one that forced all American personnel to obtain a German hunting license and respect all German game laws.

In Chapter 6, the focus of this work shifts to agriculture during the occupation and the role that food and food deliveries played in debates over power and authority. Like forestry and hunting, the historical development of German agriculture proved influential during the occupation. Since the upheavals of First World War, German farmers faced instability, strict controls, and felt the Weimar government failed to address their needs. Looking for a political party that reflected their desires, German farmers became early supports of the Nazi Party, though their support for the Nazi declined throughout the 1930s as the regime instituted strict measures in their war preparations. Although German farmers initially saw the occupiers as relieving them from the strict controls and demands of the Nazi regime, the occupiers retained many features of the Nazi food collection and distribution infrastructure to feed Germans, expellees, and DPs across the American Zone. Yet, efforts to feed German civilians proved difficult as poor transport and a lack of tools, equipment, and fertilizer hindered distribution and undermined agricultural production. Although the occupiers sought to address this situation with the merger of the American and British Zones under the Bizonal Administration, the merger only exacerbated the food situation, especially following an extremely dry growing season in 1947 that further undermined agricultural production. In this situation, Bavaria refused to ship crops

outside of the state and demanded that Bavarian food feed Bavarians first, creating a contest over authority between the *Land* government and the unelected Bizone. The American Military Government, however, believed the Bavarian claims regarding the effect of the drought exaggerated and refused to import food into Bavaria until the state participated in the Bizonal food plan.

The final chapter examines the effect of the Currency Reform on the relationship between the American Military Government and Bavarian farmers and demonstrates that state support for agriculture was an important part of the transition from occupation to semi-sovereignty. After the contest over the 1947 harvest, Bavarian farmers were clearly dissatisfied with the strict control regime used by the Bizonal Administration to collect and distribute food and looked forward to the 1948 Currency Reform with great anticipation, but farmers proved especially disappointed with the Currency Reform because the majority of agricultural prices remained under strict price control, unlike industrial goods. Feeling left out of the improving economy, Bavarian farmers withheld products and reverted to the black market while politicians sought ways to provide farmers with a fair price. The Bavarian government went so far as to form its own market regulation and stocking board laws that the American occupiers abrogated. With the transition to semi-sovereignty under the High Commission, the West German government adopted market regulation laws that the Allied High Commission approved following guarantees from the Germans that these were temporary measures. Nevertheless, the outbreak of the Korean War caused a short-term economic crisis in West Germany as inflation affected food prices and angered consumers, leading to greater intervention into the economy and a promise by the German government that a new comprehensive agricultural law would provide farmers parity with the industrial sector of the economy. The 1955 Agricultural Law, a law with broad political

support, secured farmers' place in the West German economy by encoding market regulations, stocking board and tax subsidies into law.

To investigate and understand Bavaria and its land under American occupation, this dissertation draws on a number of archives and libraries in Germany and the United States. In Bavaria, I relied on the records of the Bavarian State Ministry of Food, Agriculture and Forestry in the Bavarian Main State Archive, the State Archives in Munich and Landshut, and the records at the Institute for Contemporary History in Munich. In the Bavarian State Library, I reviewed the periodicals produced by the Bavarian Farmer's Association, the Bavarian Hunter's Association, and the professional foresters as well as numerous Bavarian newspapers. Outside of Bavaria, I used the records of the German Federal Archive in Koblenz for files related to the Bizone and the Federal Republic. For insights into the other occupation zones, I examined archival sources at the British National Archive in Kew Gardens, the German Federal Archive in Berlin-Lichterfelde, and the Brandenburg State Archive in Potsdam. In the United States, my main archival source base was the National Archive in College Park, MD, which holds the records of the American Military Government and the American High Commission for Germany. Additionally, I drew on the records and periodicals held at the U.S. Army Heritage and Education Center in Carlisle, PA and the papers of John J. McCloy at Amherst College in Massachusetts.

Collectively, these sources have provided a narrative demonstrating that the history of the occupation is central to understanding the transformation of German society after the Second World War. While the occupation's major policy objectives aimed to radically alter German society, an entangled history of the occupation exploring the debates and interactions between the occupiers and the occupied reveals that the occupation was a process of negotiation. This

process is especially evident in the area of environmental management as the environment provided a space where Germans could be and were vocal about challenging occupation policies. To contest the occupiers and provide a German vision of a sovereign Germany, Germans drew on and reinvented their own practices, laws, and traditions to mitigate occupation policies. This process of interaction and engagement served not only to revive German political life, but also to reorient and transform German political culture.

CHAPTER II

THE HOLZEINSCHLAG:

FORESTRY, FIREWOOD, AND ENERGY IN OCCUPIED BAVARIA,

1945-1948

On 23 August 1946, Bavarian Minister for Food, Agriculture and Forestry Joseph Baumgartner (CSU) contacted State Minister for Special Tasks Anton Pfeiffer (CSU) regarding the denazification of the Bavarian Forestry Administration. Noting that Pfeiffer had refused his initial inquiry, Baumgartner again requested that forestry workers dismissed under the American denazification policy receive temporary employment permission due to their specialized knowledge and skills. To support this justification, Baumgartner reminded Pfeiffer that the Allied Control Council (ACC) had informed him that supplying civilians with firewood for the coming winter was a critical task, especially as coal remained unavailable for domestic use of any kind. Moreover, he reported that the United Nations Relief and Rehabilitation Administration (UNRRA) also required significant amounts of firewood for DPs and that the occupiers directed him to provide firewood for prisoners of war, civilian internees, and German expellees. In order to cut and collect sufficient amounts of firewood over the next three months, Baumgartner stressed his need for dismissed forestry workers to temporarily return to their positions. Without them, he warned, the firewood supplies required to warm Germans and refugees would remain insufficient.¹

¹ Entnazifizierung, 23 August 1946, Bayerisches Hauptstaatsarchiv, München [hereafter BayHStAM], MELF 3646. The State Minister for Special Tasks was responsible for developing denazification guidelines in Bavaria. It was initially headed Heinrich Schmitt (KPD) until his resignation and replacement by Pfeiffer in mid-1946. For denazification politics and policy in Bavarian see Lutz Niethammer, *Entnazifizierung in Bayern: Säuberung und Rehabilitierung unter amerikanischer Besatzung* (Frankfurt: S. Fischer Verlag, 1972).

As Baumgartner's request shows, even a year after the occupation started, wood was the most important natural resource in American occupied Germany and proved central to heating homes and restarting coalmines. Germans under the Allied occupiers relied on wood because Ruhr coal production remained insufficient to meet postwar demands until 1948, a situation that resulted in the reversion to a wood-based energy system, a system that had declined in late 18th and early 19th centuries.² Within this postwar wood energy system, Germans relied on wood to heat homes, to power industry, and to rebuild and expand coalmines; however, this dependency on wood resulted in the significant overcutting of the German forests during the occupation. For professional German foresters, the reliance on wood proved frustrating because it violated the principle of *Nachhaltigkeit*, a forestry management practice that sought to cut the same amount of wood every year to ensure the sustain the forests.³ As German forestry professor Julius Speer stressed in early 1948, the meager allocation of coal meant that wood "must be provided as fuel to an extent that destroys the forest."⁴

For the Americans, the reliance on Germany's forest to meet heating and energy needs proved advantageous, as the forests, like German industry, were targeted for demilitarization under the Potsdam Agreement. Like coal, the Allies considered the forests a crucial natural resource that had helped initiate two world wars and they thus subjected the forest to demilitarization policy. In the execution of this policy, most of the wood cut in the American Zone provided firewood to German civilians, but the American occupiers also directed German

² Rolf Peter Sieferle, *The Subterranean Forest: Energy Systems and the Industrial Revolution* (Cambridge: White Horse Press, 2001), 65, 160-175.

³ Joachim Radkau, "Germany as a Focus of European 'Particularities' in Environmental History" in Thomas Lekan and Thomas Zeller, eds., *Germany's Nature: Cultural Landscapes and Environment History* (Piscataway, NJ: Rutgers University Press, 2005), 23. According to Radkau, the term *Nachhaltigkeit* has a long tradition of manipulation and ambiguity in German forestry.

⁴ Julius Speer, "Die Lage des deutschen Waldes," *Allgemeine Forstzeitschrift* 3, no. 2 (January 1948): 11.

foresters and forest workers to produce pit props, large wooden beams used to support coalmines, and to export lumber for rebuilding Western Europe. The significance of these programs was not lost on the Americans. Joseph C. Kircher, the Chief of Forestry for the American Zone, wrote that the German forest was cut “without regard to growth for the first two years.”⁵

In addition to physical demilitarization, the German forest, long considered a site of German nationalism and militarism, also underwent a process of cultural demilitarization. Cultural demilitarization, as Kathleen Nawyn suggests, targeted symbols, uniforms, rituals, and group activities and was often linked with denazification policy.⁶ This link was also evident regarding the German forests. If cutting the forests reduced German military potential, the denazification of the forestry service helped contribute to the cultural demilitarization of the forests. Yet, while denazifying the forestry service appeared straightforward, the widespread application of denazification policy to the Bavarian Forestry Administration quickly reduced its manpower by 95%. This left the forestry administration without the workers needed to carry out the American Military Government’s cutting programs. This problem was not lost on members of the U.S. Military Government who petitioned for the reinstatement of German foresters, at least temporarily, to achieve wood cutting objectives. Although the occupiers encouraged the reinstatement of denazified foresters, the continued lack of forestry workers led to widespread

⁵ Joseph C. Kircher, “The Forests of the U.S. Zone of Germany,” *Journal of Forestry* 45, no. 4 (April 1947): 249-252. Kircher was born in Illinois in 1884 and was the grandson of German immigrants. He attended Yale University’s Forestry School and rose quickly within the U.S. Forestry Service, serving first at Coconino National Forest and then promoted to Regional Forester in charge of Region 8, which stretched from Virginia to Texas. As Regional Forester in the 1930s, Kircher played a role in managing the relationship between the TVA, the CCC, and the Forestry Service during the depression. He started working for OMGUS in May 1946 and departed in September 1949. See Kircher, Joseph C., U.S. Forest Service History Collection, Forest History Society; Graf von der Recke, “Mr. Kircher geht nach USA zurück,” *Allgemeine Forstzeitschrift* 4, no. 34 (August 1949): 313.

⁶ Nawyn, 21-22.

announcements encouraging and directing German civilians and the unemployed to participate in *Holzaktionen*, or wood actions, to help meet firewood needs for Germany's large cities.

Wood, in its role rebuilding the Ruhr mines, also highlights the challenges of interzonal trade. Recognizing Bavaria as a wood surplus region, American occupiers directed the shipment of pit props from Bavaria to the British Zone early in the occupation to quickly restart the Ruhr coalmines. Although sufficient timber stocks existed in the British Zone, the British, like the French and the Soviet occupiers, harvested German wood and exported it back to their home nations to repair wartime damages. To incentivize Bavarians to send pit props to the Ruhr, the American and British occupiers assured them coal, tools, clothes, equipment, and other manufactured goods; however, this division of labor proved complicated and political. The Allied bombing war had destroyed roads, railroads, and bridges, hindering both land and water transport, and the British Zone proved unable to produce and manufacture the promised goods. Frustrated by this situation, Bavarians argued that they sacrificed the Bavarian forest for firewood and to rebuild the Ruhr coalmines but received little in return.

The animosity between Bavaria and Ruhr only increased following the *Hungerwinter* of 1946/47, a harsh winter when the average temperature across northern and central Europe remained well below zero degrees Celsius. The low temperatures, combined with insufficient housing, a precarious food situation, poor transport, and fuel shortages, resulted in a significant spike in the number of deaths among German civilians. Moreover, the deteriorating situation following the *Hungerwinter* engendered greater worker unrest across the Bizone, and forestry workers in the Pit Prop Program participated in strikes and hoarded wood rather than sending it north. These acts contesting the authority of the American occupiers led the American Military Government to intervene and exert pressure on the forestry industry to ensure the steady supply

of mine wood to the Ruhr. The Americans' close watch over this program and their willingness to directly interfere demonstrates the importance of the Pit Prop Program to the occupation and the Americans' readiness to assert their authority, but it also shows the Germans' increasing frustration with occupation policies and growing efforts to reassert control over Germany's natural resources.

The German Forest, The Political Forest

Surveying the German forest immediately after the war, A.C. Cline, a member of the Lumber and Lumber Products Division of the War Productions Board in Washington, D.C., found the German forests in good condition and wrote, "American officers and men were full of admiration for the well-stocked, orderly appearing managed stands." With these well-stocked forests, Cline suggested that the U.S. Army could significantly draw on the forests for their needs and make the excess available to the other Allied occupiers. In fact, Cline reported that the German forest needed to be "reduced to a level of perhaps two-thirds that of prewar years" for demilitarization and reparations. While reducing the forests would serve the occupiers' objectives, he acknowledged that implementing this policy meant breaking away "from existing German forest working plans and long rotations . . . Needless to say, German foresters already are resisting any move towards drastic reductions in growing stocks."⁷

The resistance among German foresters towards American policies derived from a long history within Germany and the German lands that saw the forests as a political space, especially in periods of rapid change and upheaval. In the early modern period, growing commercial activity and expanding markets increased demands for wood products. As wood increased in value, European princes sought to take economic advantage of the forests by having legal

⁷ A.C. Cline, "A Brief View of Forest Conditions in Europe," *Journal of Forestry* 43, no. 9 (September 1945): 627-628.

theorists develop new forest ordinances to extend and justify the rights of princes over communal woodlands and to limit peasant access and use of the forests.⁸ However, the erosion of peasants' customary rights led to challenges and sometimes violence, such as the 1525 Peasants' War that erupted following rising crop failures, a tense religious situation, and efforts to undermine peasants' communal rights.⁹ Peasants' protests were not futile efforts and their challenges to state expansion forced princes to clearly define their own competencies and to maintain some communal rights, showing that the laws were a process of negotiation, not simply an assertion of princely or state power.¹⁰

As princes continued to capitalize on their woodlands, a functioning forestry administration emerged in central Europe by the late 16th century,¹¹ and it soon developed practices that prized fast, straight growing conifers such as Norway spruce and Scotch pine planted in "staggered clear-cuts to ensure a continuous and predictable supply of wood."¹² The liberalization and rationalization of the forests soon altered their character and created an "inviting appearance" akin to open parks that contrasted with earlier ideas that associated the

⁸ Joachim Radkau, *Wood: A History*, trans. Patrick Camiller (Malden, MA: Polity Press, 2012), 104.

⁹ Thomas Robisheaux, *Rural Society and the Search for order in early modern Germany* (New York: Cambridge University Press, 1989), 42-45.

¹⁰ Paul Warde, *Ecology, Economy and State Formation in Early Modern Germany* (New York: Cambridge University Press, 2006), 175-176.

¹¹ Warde, 191.

¹² Michael Import, "A Sylvan People: Wilhelmine Forestry and the Forest as a Symbol of Germanism" in Thomas Lekan and Thomas Zeller, eds. *Germany's Nature: Cultural Landscapes and Environmental History* (New Brunswick, NJ: Rutgers University Press, 2005), 62. Simon Schama writes, "The reality of German eighteenth-century forestry bore very little resemblance to the nostalgic yearning for the broadleaf forests of the tribes. For what little of the mixed hardwood stands had survived the Thirty Years' War and the Wars of the North at the end of the seventeenth century had been laid to waste by greedy and prodigal princelings, eager to cash in on the demands for naval timber from the Atlantic and Baltic powers . . . And when the oak and beech were gone, the replanting was generally in quickly maturing conifers." *Landscape and Memory* (New York: Alfred A. Knopf, 1995), 102.

forests with evil forces, sorcery, beasts, and darkness.¹³ The alteration of the forests' appearance coincided with a shift in culture as well. The "triumphalism" of enlightened rationalists gave way to artists, poets, and writers who focused on the individual while glorifying the past and nature.¹⁴ These Romanticists particularly valued folklore and legends, and the "forests came to be viewed as having genetic as well as symbolic connections to memory, custom, national character, and ageless forms of popular wisdom."¹⁵

The reevaluation of the forest was part of an effort to identify a common Germanness and to unite the scattered German speaking peoples, a project that became increasingly important during the Napoleonic Wars. During this period of upheaval and occupation, the Romanticists tried to define "a united political nation that could repel the French" by "Germanizing the forest."¹⁶ German Romanticists especially drew on Tacitus whose works described the forest as the "ancestral home of the German people" and recounted the tale of Arminius, a legendary chieftain the Germans call Hermann, who destroyed the Roman legions in the Teutoburg Forest.¹⁷ The Germanic tribes' victory over an invading Roman army led many Romanticists to suggest that the virtues of the forest could defeat a foreign army.

While the Romanticists helped establish the forest as an important symbol for Germanness, the end of the Napoleonic Wars did not bring about national unity. Instead,

¹³ Michael Import, "Forestopia: The Use of the Forest Landscape in Naturalizing National Socialist Ideologies of Volk, Race, and *Lebensraum*, 1918-1945" (PhD. diss. Queen's University at Kingston, Ontario, 2000), 56.

¹⁴ Tim Blanning, *The Romantic Revolution* (New York: Modern Library, 2011), xv-xvi.

¹⁵ Robert Pogue Harrison, *Forests: The Shadow of Civilization* (Chicago: University of Chicago Press, 1992), 165.

¹⁶ Import, "Forestopia," 57-58.

¹⁷ The importance of Tacitus' writings in German and Nazi mythology has recently been investigated by Christopher Kerb, *A Most Dangerous Book: Tacitus's Germania from the Roman Empire to the Third Reich* (W.W. Norton & Company, 2001). Schama vividly portrays the efforts of an SS-unit dedicated to repatriating the oldest surviving manuscript of *Germania*. Schama, 75-81.

territorial rulers across the German lands reasserted sovereignty over their hereditary states.¹⁸ As princes reasserted their authority, foresters adopted the scientific forestry practices espoused by Johann Heinrich Cotta and Max Robert Pressler whose writings on forest economics considered every forest stand a financial investment. They encouraged the planting of large blocks of nonnative nondeciduous trees, the removal of unproductive plant life, and the use of clear-cut harvesting.¹⁹ These practices emerged with growing demands for construction wood, firewood, and energy, especially from industries like ironworks and tanneries, but these demands continued to foment conflict between peasants and the state.

According to Jonathan Sperber, peasants' growing inability to access the forests proved one of "the bitterest and most widespread of all conflicts" leading up to the 1848 Revolutions. With much of the wood near navigable rivers cut in the previous century, forestry officials took vigorous action and built roads, expanded cutting, and doubled lumber output between 1820 and 1840. Although these efforts created a regular supply of income for princely states, the growing population in need of wood for housing and construction timber proved unable to compete with tanners and ironmasters at state auctions. As industrialization increasingly siphoned wood to industries, conflicts over forest use sharpened disputes between the state and people that, once politicized by anti-aristocratic rhetoric, significantly influenced the revolutionary period of 1848-49.²⁰

¹⁸ Abigail Green, *Fatherlands: State Building and Nationhood in 19th Century Germany* (New York: Cambridge University Press, 2001).

¹⁹ Michael Import, "Eternal Forest – Eternal Volk," in *How Green Were the Nazis?: Environment and Nation in the Third Reich*, eds. Franz-Josef Brüggemeier et al. (Athens, Ohio: Ohio University Press, 2006), 46.

²⁰ Jonathan Sperber, *Rhineland Radicals: The Democratic Movement and the Revolution of 1848* (Princeton: Princeton University Press, 1991), 72-78.

While the 1848 Revolutions ultimately collapsed, industrialization and urbanization continued unabated, especially following the formation of the *Kaiserreich* in 1871.²¹ Unlike the peasant revolts and the 1848 revolutions, the rapid industrialization of Germany in the latter half of the 19th century brought about a different response, one that evolved from the Romanticists conception of the forest as a site of regeneration and centered on protecting monuments, forests, and other natural features that made a local homeland, or *Heimat*, distinct.²² These *Heimat* organizations set out to find “a way to mitigate the environmental consequences of industrialization” and to locate a harmonious balance between nature and modernization.²³ Like the Romanticists, *Heimat* associations located Germany’s origins in the natural world with the forests being an important symbol. German historians, linguists, archaeologists, botanists and regional *Heimatschutz* associations all contributed to the idea of the Germans as a *Waldvolk* (people of the forest).²⁴ The centrality of the forest was evident during the *Kaiserreich*’s five-year anniversary when the Kaiser visited the Teutoburg Forest to attend the unveiling of a massive statute of Hermann. Sitting at the statue’s feet, in an “immense pseudo-medieval

²¹ Roy Mellor, *The Two Germanies: A Modern Geography* (London: Harper & Row, 1978). 55-74. Between 1871 and 1914, Germany expanded its industrial capacity and quintupled output. Ruhr coal production increased from 11.5 million tons in 1870 to 60 million tons in 1900, and iron production leapt from 0.36 million tons to 2.7 million. By 1885, Germany was producing more than half of the world’s steel, spurring Germany’s railway boom that added 4000 kilometers of mainline and 22,000 kilometers of secondary line tracks between 1880 and 1910.

²² According to Cecilia Applegate, *Heimat* implies “a belief in the influence of place on personality, of climate on custom, and of nature on national character.” Celia Applegate, “Localism and the German Bourgeoisie: the ‘Heimat’ Movement in the Rhenish Palatinate before 1947,” in *The German Bourgeoisie: Essays on the Social History of the German Middle Class from the Late Eighteenth to the Early Twentieth Century*, eds. David Blackbourn and Richard J. Evans (New York: Routledge, 1991), 229.

²³ Thomas Lekan, *Imagining the Nation in Nature*, 72. Frank Uekötter, *The Green and the Brown*, 20-21. According to Uekötter, these organizations started developing cohesive political programs near the turn-of-century, but the number and diversity of conservation organizations was particularly unique to Germany and led to rivalries.

²⁴ Wilson, 18.

pavilion,” the Kaiser listened “to a Lutheran preacher fulminate passionately on German destiny.”²⁵

The growing industrialization that influenced *Heimatschutz* organizations also influenced the forestry profession, resulting in the emergence of a “back-to-nature” approach to forestry management. Initially, this approach critiqued scientific forestry and encouraged the removal of foreign pines and spruces trees and the formation of mixed forests based on “German” species. This method eventually melded with the German foresters’ conservative and hierarchal ethos that resulted from twelve years of mandatory army service and employment in state forestry administrations that maintained military traditions, including uniforms and insignia. This socialization, one that integrated forestry, military, and conservative social institutions, created an intense conservative attitude that carried into the 20th century, and foresters were particularly prominent in the First World War.²⁶ During the war, they developed a rhetoric to defend the *Heimat*, adopted *völkisch* ideas, and incorporated them into their socio-biological “tenets gleaned from forestry.”²⁷ Thus, foresters sought to “save not only the German forest, but also Germandom” by recreating “an ‘authentic’ German forest that could be a natural counterweight or even antidote to the landscape modification wrought by industrialization and urbanization.”²⁸

By the end of the First World War, the German forests had long been a political space, one of conflict, negotiation, and violence. The development and expansion of capitalism combined with the emergence of industrialization made rights and access to the forests a

²⁵ Schama, 112.

²⁶ Import, “A Sylvan People,” 65-66.

²⁷ Import, “Forestopia,” 160. According to Import, 20% of all foresters died on the battlefield during the First World War.

²⁸ Import, “A Sylvan People,” 65.

contentious issue that at certain stress points turned into violence. Moreover, with the Napoleonic invasion and the rise in Romanticism, the forest transformed into a cultural symbol that sought to unite German speaking peoples against the French. The identification of Germany with the forest further coalesced with the rapid onset of urbanization and industrialization and led middle-class professionals to build upon the Romanticists and stress the idea of the Germans as a forest people, making the conservation of the forest during this period of rapid modernization central to grounding German society. The First World War militarized the *Heimat* and foresters, and *Heimatschutz* organizations sought to defend the forests and the German landscape from foreign invaders. Following the war, these organizations again sought to mitigate the effects of urbanization; however, the instability of the Weimar era led many foresters and conservationists to return to the language of the First World War. They sought to defend Germany against foreign powers that abused the German economy and its natural environment.²⁹

The link between foreign trees and foreign peoples also emerged within German forestry science. Prussian forester Rudolf Düesberg's 1910 book *Der Wald als Erzieher* (The Forest as Educator) argued that the German forest provided a model for the German people and the German economy. If forest ecology encouraged nurturing the forests by the removal of foreign trees to improve "German" species, he then theorized that the German people as well as the German economy should be cleansed of foreign elements.³⁰ Drawing on Düesberg and other back-to-nature forestry studies critical of scientific forestry, Professor Alfred Möller of the Prussian Forestry Academy in Eberswalde developed a silviculture theory to manage the forest as an organism rather than focusing on the production of lucrative timber producing trees. This

²⁹ For *Heimatschutz* organizations in the First World War and Weimar Republic, see Lekan, *Imagining the Nation in Nature*.

³⁰ For an analysis of Düesberg's work see Import, "Forestopia," 163-177.

practice, known as the *Dauerwald* (perpetual forest), called for selective cutting, natural regeneration, site-adapted species, and yields based on value rather than volume.

Introduced to this concept while hunting in 1931, Herman Göring sought to transform the German forests using the *Dauerwald* concept after taking over the German forestry sector in 1934.³¹ Although the Nazi regime exploited this idea for propaganda purposes and implemented several laws that reflected back-to-nature forestry methods, they never put their rhetoric into practice as the Nazi regime turned to war preparations.³² The Nazi regime's autarkic economic policies, designed to avoid the pitfalls of the Great War, saw wood as a key natural resource, especially as sustainably managed forests could reproduce, unlike coal and ore. Thus, wood and wood products were in great demand throughout the Nazi era and contributed to building materials, fuel, and chemical recycling. To meet these economic demands, the Nazi regime issued decrees to work around forest protection laws, and by 1935, the Nazi regime was already cutting state forests at 150% of annual growth, a percentage the regime was able to maintain throughout the war because German foresters plundered the forests of Eastern Europe.³³

The German forests' incorporation into Nazi ideology along with their military value made them a site of American demilitarization policy. For the Americans, this involved using the forests for any needs, including firewood, construction timber, pit props, fuel, and as export

³¹ Import, "A Sylvan People," 57.

³² The 1934 Law Against Forest Development banned cutting conifers under fifty years, prevented forest owners from clear-cutting more than 2.5% of their land, and required reforestation (this effort to ensure economic sustainability proved so respected that it remained in effect until 1975). The 1934 Law Concerning the Protection of the Racial Purity of Forest Plants allowed for only the best phenotypes for seed production, a long held human practice, but in the context of the Nazi racial state, the law appears menacing. Finally, the Nazi regime did draft, but never passed, a Reich Forestry Law that was unable to survive the animosities and turf battles of the Nazi regime. Import, "A Sylvan People," 72.

³³ According to a survey carried out by the Forest Productions Laboratory, Germany maintained its forests because ¼ to ⅓ of its wartime wood supply came from forests outside its 1937 boundaries. See U.S. Forest Service, "Summary of Investigators Reports on Technical Industrial Forest Products Developments in Germany," (Madison: Forest Products Laboratory, 1946), 20.

material. Demilitarization went hand in hand with the denazification process. Under American occupation, the entire Bavarian Forestry Administration was subject to denazification since all active foresters had been required to join the Nazi party. The convoluted, political, and grindingly slow denazification process removed the majority of foresters from their positions and banned them from returning to work, but the lack of skilled and knowledgeable foresters soon created challenges for the occupation as undermanned German forestry administrations struggled to provide enough winter firewood to large cities.

Wood Provisioning and Denazification

In December 1945, Bavarian *Oberforstmeister* Albert Klietsch wrote that the “forest must make significant sacrifices in the near future . . . Never before in German history has the entire forest played such a crucial role.”³⁴ Cut off from prewar energy supplies, Bavaria’s forests proved the most crucial energy source in the immediate postwar period, but, while both Americans and Germans recognized the importance of wood, occupation policies focusing on denazification and demilitarization combined with the devastation of the German transportation system by the Allied bombing war significantly hindered efforts to produce the large amounts of wood needed. Moreover, the U.S. Army also made German foresters responsible for providing firewood to DPs and refugees, but the complicated requisition procedure designed by the occupiers enabled German foresters to purposely hinder the provisioning of firewood to DPs. Germans then complained loudly when DPs took their own initiative, a situation that highlights the struggle over scarce resources during the occupation.

³⁴ Gutachten über die künftige Eingliederung der bayerischen Forstwirtschaft in ein Staatsministerium, 12 December 1945, BayHStAM, MELF 3482. Klietsch served briefly in the First World War before studying forestry in Munich and entering government service where he became an expert on wood recycling. During the war, he occasionally served the Reichpreiskommissariat in Berlin, but resisted transfer into the Reich Forestry Office. See Heinrich Rubner, *Mitteilungen aus der Staatsforstverwaltung Bayerns* (München: Bayerisches Staatsministeriums für Ernährung, Landwirtschaft und Forsten, 1994), 65-66.

The individual directed to oversee the Bavarian Forestry Administration (*Bayerische Forstverwaltung*) by the American Military Government was Alfred Hoepffner.³⁵ At the end of the war, Hoepffner was a high-ranking official within the forestry administration who had been charged by Josef Henseler, the State Forester (*Landesforstmeister*) under the Nazi regime, to oversee the office's records that were evacuated to Fischbachau, 61 kilometers south of Munich.³⁶ When Captain Carlyle Corson located him there in the spring of 1945, Hoepffner showed Corson the records and provided him information on the forestry administration's personnel and organization. Colonel Charles E. Keegan, the American Military Government official responsible for reestablishing the Bavarian state government, soon made Hoepffner temporary *Landesforstmeister* under the recently installed Minister-President (*Ministerpräsident*) Fritz Schäffer (CSU).³⁷

As State Forester, Hoepffner was responsible for overseeing Bavaria's 2 million hectares of forestland whose ownership was divided between the state (33%), municipalities (15%), and private owners (52%), and he managed six District Forest Offices (*Regierungsforstämter*) that implemented policies at the district level (*Regierungsbezirk*).³⁸ Yet, even with this responsibility,

³⁵ H. Rubner, 50. Hoepffner was an officer during the First World War and worked in the Rhineland until the French occupation. He then joined the Bavarian government in 1931 after working for the Chamber of Forests in Augsburg. As a liberal, he reluctantly joined the Nazi Party in 1940 to maintain his position in the civil service.

³⁶ H. Rubner, 46-47. Henseler escaped Munich and met with his family in Chiemgau. He was dismissed from the forestry service on 20 June 1945 as an "aktiver Nationalsozialist." After being reclassified as a "Mitläufer" in 1948, Henseler was able to work as forester in Ruhpolding.

³⁷ Bavarian Forestry Officials and Records, 22 May 1945, National Archives College Park, MD [hereafter NACP], RG 260/390/47/35/02/67. Prior to his appointment, Schäffer served as an officer in the First World War and was a longtime Bavarian civil servant who was temporarily imprisoned in Dachau. The Americans removed him from heading the Bavarian government on 28 September 1945 for failing to properly implement denazification protocols. Christoph Henzler, *Fritz Schäffer, 1945-1967: Eine biographische Studie zum ersten bayerischen Nachkriegs-Ministerpräsident und Finanzminister der Bundesrepublik Deutschland* (München: Hans Seidel Stiftung, 1994), 92-97, 137-158.

³⁸ Handbook Food, Agriculture, and Forestry Division, undated, NACP, RG 260/390/47/35/02/72; Report on Bavarian Industry: Lumber, 29 October 1945, NACP, RG 260/390/48/2/3/171.

he remained under the authority of the American occupiers and was ordered to provide forestry products to four groups, listed in order of priority: Allied Military Forces, United Nations DPs, minimum requirements for the surrendered German Army, and the minimum requirements for the German civilian population. Besides forestry products, Hoepffner oversaw game stocks, sawmills, wood prices, forest fire control, and transportation facilities. Additionally, the occupiers also directed Hoepffner to reorganize forestry personnel, but they gave him strict instructions not to reemploy anyone who actively associated with the Nazis and to remove all features of Nazism from his office.³⁹ With these directions, Hoepffner set about executing his instructions and, except for a temporary removal, he remained *Landesforstmeister* until his retirement in 1948.⁴⁰

Although the occupiers restored the forestry administration, the U.S. Army controlled Bavaria's more than 3,300 sawmills to produce barracks, firewood, pit props, and crates to pack material for transport to Asia in preparation for fighting Imperial Japan.⁴¹ The rapacious practices of the army led one German forester to later write "[i]n the first months after the invasion by the American troops, they were initially uncontrollable in their removal of lumber from the forest and in their unregulated cutting."⁴² However, following the Japanese surrender, the U.S. Army returned the sawmills to German control in August 1945,⁴³ but they relied on the

³⁹ Letter of Appointment, 1 June 1945, NACP, RG 260/390/47/35/02/67.

⁴⁰ H. Rubner, 50-51. The American Military Government received letters accusing Hoepffner of giving a speech glorifying Hitler in 1935 that led to his imprisonment in Garmisch from 23 October 1945 to 29 April 1946. For accusations, see: Grievances with the Bavarian Regional Forestry Administration, 6 November 1946, NACP, RG 260/390/47/35/02/67.

⁴¹ History Report Lumber and Timber July 1946-July 1948, 2 August 1948, NACP, RG 260/390/48/2/4/178.

⁴² Holzlieferung an die Besatzungsmacht ausserhalb der Direktoperationen, 16 June 1952, BayHStAM, MELF 9635.

⁴³ Release of Lumber Mills for Civilian Use, 8 September 1945, NACP, RG 260/390/48/2/3/171.

German foresters to meet army requirements, especially wood for constructing barracks and firewood for heating.⁴⁴

While American occupiers were fixated on their own firewood requirements, firewood soon emerged as a crucial issue for German civilians as well. In Bavaria, much of the state's prewar coal came from Silesia and Czechoslovakia, regions now under Soviet control. Additionally, Bavaria's access to Alpine rivers and lakes meant that large sections of Munich's industry had depended on hydroelectricity, including over 150 industrial facilities, 9 medical centers, and 11 public facilities,⁴⁵ but postwar decisions by the Allies also impacted this energy source as the ACC directed the majority of Bavaria's hydropower to Austria.⁴⁶ These postwar realities left Bavaria reliant on wood, a trickle of coal from the Ruhr, and small amounts of lignite coal mined in Bavaria.

With the remnants of the Bavarian Forestry Administration working to provide the U.S. Army firewood for the winter of 1945/46, they had less time to meet the needs of German civilians. Observing this problem, Schäfer notified the Bavarian regional governments on 10 July 1945 that coal would not be available to heat homes in the coming winter. He informed them that the German population needed to be self-sufficient in the collection of firewood and to use the entire forest to meet civilians' needs. Larger cities, he wrote, might receive some supplies from the state forests, but he directed the heads of regional governments (*Regierungspräsidenten*) to

⁴⁴ Fuelwood and Lumber Procurement, 14 July 1945, NACP, RG 260/390/48/2/5/184.

⁴⁵ Marc Landry, "Europe's Battery: The Making of the Alpine Energy Landscape, 1870-1955," (PhD diss., Georgetown University, 2013), 74.

⁴⁶ Arnold, 63-67.

promote self-extraction “to the greatest extent” and implored smaller cities and communities to exploit the forest as needed.⁴⁷

In their effort to supply firewood to both the occupiers and German civilians living in cities, the Bavarian Forestry Administration soon encountered the realities of American denazification policies. In Regensburg, *Oberlandforstmeister* Wilhelm Mantel, who oversaw 201,388 hectares of state forests, 34,205 hectares of community and corporate forests, and 441,132 hectares of private forests, was instructed by Hoepffner to cut 2.7 million cubic meters of wood for the cutting year (cutting years are from October to September), prevent insect infestation, protect forests from unauthorized use, and reforest clear-cut areas. Mantel, however, found these instructions excessive, especially with the impact of denazification, and wrote that the forestry administration “has not only been severely weakened but even paralysed by the De-Nazification policy of the American Military Government.” To support his claim, Mantel provided a detailed description of the situation. In his main office, normally staffed by 41 officials, Mantel had only two secretaries and, in the 68 sub-regional forestry offices he directed, he had only 32 foresters. Within each of these offices, there were numerous other personnel including game keepers and forest workers (*Wildhüter* and *Waldarbeiter*) and only 33 of 352 positions were filled. Mantel stated that he would perform his best, but without a reversal, his office would fail to meet any of its annual objectives.⁴⁸

Other regional forestry offices also notified Munich of the manpower challenges caused by the war and denazification. The regional office in Würzburg detailed employment difficulties by listing the open positions, stating that only 7 of 14 senior civil servant position at the office

⁴⁷ Versorgung der Bevölkerung mit Brennholz, 10 July 1945, Staatsarchiv München [hereafter StAM], FA 25595.

⁴⁸ Run of the Official Operations of the Regierungsforstamt Niederbayern/Oberpfalz, 13 February 1946, NACP, RG 260/390/47/35/02/67.

were filled, only 19 of 68 *Forstmeister* positions, and of 76 forest maintenance offices only 24 were filled.⁴⁹ Additionally, the regional office of Upper and Middle Franconia wrote that they had 321 vacancies in late 1946 and found expellee foresters from the east, a practice encouraged by the Military Government to address manpower needs, unable to perform the work and difficult employees.⁵⁰ Mantel also found the employment of POWs, inexperienced laborers, and German expellees onerous and complained that these individuals failed to grasp local conditions and were poorly educated, writing “it is necessary that forestry officials are available who are not only well trained but also well familiar with the circumstances [sic].” His disdain for the non-Bavarian personnel was clear: those “from Silesia, the Sudeten area and Czechoslovakia . . . don’t know the Bavaria regulations, don’t have the local knowledge . . . The employment of these auxiliary personnel is not a solution of the problem of forest officials [sic].”⁵¹

With a large number of foresters unable to work, the Bavarian Forestry Administration attempted to counter assertions that all German foresters were inherently Nazis. An internal report argued that the high number of foresters within the party was a result of Nazi policy, not loyalty to Hitler. It stressed that after 1934 the Nazi government required all professional foresters to join the party while older foresters were subjected to ever-greater pressure to join; moreover, the document asserted that foresters, living in remote areas, lacked the ability to oppose the party, a rationalization that proved unconvincing to the occupiers.⁵² Due to the

⁴⁹ Anstellung- und Denazifizierungsverhältnisse beim Regierungsforstamt Würzburg, 24 September 1946, BayHStAM, MELF 3646.

⁵⁰ Entnazifizierung der technischen Forstbeamten, 28 November 1946, BayHStAM, MELF 3646.

⁵¹ Run of the Official Operations of the Regierungsforstamt Niederbayern/Oberpfalz, 13 February 1946, NACP, RG 260/390/47/35/02/67.

⁵² Foresters in Hesse used this argument as well when facing denazification. See Hendrik Friggemann, *Kameradschaft in der „Grünen Farbe“: Forstbeamte in Hesse zwischen Entnazifizierung und deutsche Personalpolitik, 1945-1954* (Wiesbaden: Historische Kommission für Nassau, 2014), 90-92.

compulsory requirement to join the Nazi party, the forestry administration contended that denazification had impacted their office more than others and resulted in the removal of 95% of their workers, and they asserted that the significant reduction in trained and skilled foresters condemned large parts of the forest to death.⁵³

Members of the Military Government also raised concerns regarding the impact of denazification policies on the forestry administration. A weekly report from the Food and Agricultural Branch claimed that the removal “of officials of the Bavarian State Forestry Administration is having a very detrimental effect . . . Replacements are difficult to obtain, particularly on the policy making level.”⁵⁴ At a meeting with the three state forestry administrations in the U.S. Zone, Fred A. Bloch, Chief of the Lumber and Timber Branch of the OMGUS Industry Division, admitted that American occupiers held different interpretations of the denazification policy. Additionally, he acknowledged that the Americans knew “perfectly well that we cannot get wood without forestry officials. We will do what we can do.”⁵⁵ A Military Government report composed in 1947 bluntly stated: “Denazification had all but completely wrecked the forestry organization.”⁵⁶ General Walter J. Muller, Military Governor of Bavaria from October 1945 to November 1947,⁵⁷ warned the OMGUS Economic Division in Frankfurt that the Bavarian Forestry Administration was “seriously jeopardized by the mass

⁵³ Die Lage der bayerischen Forstwirtschaft nach der Entnazifizierung, undated, BayHStAM, MELF 3482.

⁵⁴ Food and Agriculture Weekly Report, 25 September 1945, NACP, RG 260/390/47/33-34/7/3.

⁵⁵ Niederschrift über die Ergebnisse der Tagung der Landesvertreter der Forstverwaltungen und der Holzwirtschaft in der amerikanischen Zone, 30 November 1945, NACP, RG 260/390/48/2/3/172.

⁵⁶ Summary Timber Management U.S. Zone, 17 March 1947, NACP, RG 260/390/48/2/5/185.

⁵⁷ Muller graduated from West Point in 1918 and was part of the American occupation of Koblenz after the First World War. He left the army to teach mathematics until the Great Depression. As Colonel, he served as Patton’s supply officer in Africa, Sicily, France, and Germany, being promoted to General at the end of 1944. He then served as the head of Third Army logistics (G-4). See Christoph Weisz, ed., *OMGUS-Handbuch: Die amerikanische Militärregierung in Deutschland 1945-1949* (Munich: R. Oldenbourg Verlag, 1994), 192.

denazification.” Based on the significant amount of wood required by the occupiers, Muller suggested that logging and wood cutting operations to meet German needs would continue to suffer. With these challenges, Muller implored his superiors to reconsider the process and allow “for a review of individual cases.”⁵⁸

Although General Muller requested a reconsideration of denazification policies, the Bavarian Forestry Administration remained understaffed. By the end of 1946, only 23% of all forestry posts were filled and they continued to rely on untrained temporary labor. In an effort to mitigate some of the problems related to worker shortages, the American Military Government eventually developed a 60-day temporary employment scheme and later instituted several amnesties in 1946 that cleared a large number of the overall denazification cases from the books.⁵⁹ Yet, even as these amnesties expedited the denazification process, over 2 million total denazification cases remained within the American Zone at the end of 1946.⁶⁰

Besides denazification, the other major factor that undermined firewood provisioning throughout 1945 and 1946 was the lack of transport. A large majority of goods in occupied Germany travelled along inland waterways,⁶¹ but, as the *British Zone Review* noted in March 1946, many of the bridges in the Ruhr were destroyed either by Allied bombs or retreating German soldiers in 1945, actions that filled the rivers and canals with debris and other obstacles. Moreover, floods in February 1946 destroyed temporary pontoon bridges and temporarily

⁵⁸ Denazification of Bavarian State Forestry Administration, 10 December 1945, NACP, RG 260/390/48/2/3/171.

⁵⁹ H. Rubner, 22. See also, Summary Timber Management U.S. Zone, 17 March 1947, NACP, RG 260/390/48/2/5/185.

⁶⁰ Zink, *The United States in Germany, 1944-1955*, 160.

⁶¹ “Germany’s Inland Waterways,” *Military Government Weekly Information Bulletin*, no. 50 (15 July 1946), 12. A complete run of the *Weekly Information Bulletin* is available digitally through the University of Wisconsin-Madison Libraries. <https://uwdc.library.wisc.edu/collections/history/gerrecon/>.

blocked traffic between the British and the American Zone.⁶² Even after river traffic along the Rhine reached southern Germany, bridges along the autobahn between Karlsruhe and Stuttgart remained closed to traffic until the summer of 1947. Railroad bridge reconstruction also proceeded slowly. During the war, more than 880 railroad bridges were destroyed, and the majority were not functional until May 1947.⁶³

At the local level, foresters also faced transport difficulties and the lack of tools. Writing to the main office in Munich, one Bavarian forester described the “great difficulties” in reorganizing transportation, noting that motor pools needed to be rebuilt and that vehicles and horses were in short supply.⁶⁴ Hoepffner complained that the Military Government repeatedly “reproached the slow progress of wood hauling,” but he asserted that the delay resulted from the lack of horses, a situation that prevented “the skidding and hauling from the forests to the railway stations and highways.”⁶⁵ He duly informed the Military Government of these difficulties and further clarified the problem, claiming that tools were “destroyed or pillaged” and that restocking proved difficult because “former manufacturers are situated in northern Germany.”⁶⁶ Several days later, he sent a detailed four-page list of the tools needed, mostly saws, axes, and files. This proved only the beginning of a three-year period where the Bavarian

⁶² “Mending the Bombed Canals,” *The British Zone Review*, March 2, 1946, 17; “Floods Trail of Havoc,” *The British Zone Review*, March 2, 1946, 5.

⁶³ “Bridge Reconstruction,” *Military Government Weekly Information Bulletin*, no. 104 (4 August 1947), 3-4.

⁶⁴ Stand der Brennholzbereitstellung für die Besatzungsmacht, 4 July 1945, BayHStAM, MELF 4356.

⁶⁵ Zuteilung von Pferden für die Holzabfuhr, 2 October 1946, NACP, RG 260/390/48/2/5/184.

⁶⁶ Arbeitseinsatz, 20 July 1945, NACP, RG 260/390/48/2/5/186.

Forestry Administration consistently requested tools, clothing, equipment, tires, vehicles, and shoes from the occupiers.⁶⁷

With denazification, transport issues, and the lack of tools hindering firewood supplies, the press encouraged German civilians to help cut firewood throughout the autumn of 1945. *Die Neue Zeitung*, an American backed German language newspaper, contextualized the problem by emphasizing that the American Zone lacked coal reserves and needed large amounts of wood for heating and energy.⁶⁸ A radio announcement informed the German population that coal supplies remained unreliable and directed all woodworking industries to report available inventories to the Military Government and to prepare to utilize their inventory for firewood.⁶⁹ The *Süddeutsche Zeitung* published a statement by Munich's deputy mayor (*dritter Bürgermeister*) Thomas Wimmer (SPD), a First World War Veteran who was often interrogated and imprisoned by the Nazis, announced a wood action (*Holzaktion*) and urged workers not employed in vital industries to cut wood for the coming winter.⁷⁰ A Military Government circular issued to local communities informed farmers that they needed to supply the same quota of wood as they did the last two years to meet the needs of the occupation or face penalties.⁷¹ The *Fränkischer Tag* reported that dismissed police officers and seasonal farm workers received shoes, work clothes, and heavy rations to perform the unfamiliar work for the winter emergency.⁷² As one American

⁶⁷ Fällungswerkzeuge, 28 July 1945, NACP, RG 260/390/48/2/5/186; Labor and Material needed for wood-cutting program 1947, 6 February 1947, NACP, RG 260/390/48/2/5/186; Metals, tools, and equipment for forestry, lumber, and wood working, 19 November 1946, NACP, RG 260/390/48/2/3/171.

⁶⁸ "Warum so wenig Kohle?" *Die Neue Zeitung*, October 21, 1945, 4.

⁶⁹ Fire-wood, 8 October 1945, NACP, RG 260/390/48/2/5/185.

⁷⁰ "Tausende müssen Holz sammeln," *Süddeutsche Zeitung*, October 12, 1945, 3.

⁷¹ Bezirksamt Miesbach Rundschreiben 337, 31 January 1946, StAM, BezA/LRA 217817.

⁷² "Die Bamberger Holzaktion," *Fränkischer Tag*, March 2, 1946, 2.

official noted, “men, women and children are going into the woods, sometimes long distances from their home, to scrounge for wood – twigs, chips and stumps – and carrying it home in their rucksacks or little carts. This wood will be their chief supply of fuel during the cold winter.”⁷³ Even with these efforts, the State Association of Bavarian Non-State Forests (*Landesverband Bayerischen Nichtstaatswaldes*) claimed that the “supply of firewood to the civilian population, in particular the city of Munich, is in many ways completely inadequate.”⁷⁴

While German cities directed workers and civilians into the forests to collect firewood to prevent freezing, German foresters reluctantly worked to ensure that Americans and DPs received firewood.⁷⁵ According to a description from Third Army Headquarters, this process involved a rather complicated procedure and significant coordination between multiple organizations that was bound to create confusion and difficulties. Both UNRRA and local military units submitted their wood requirements to the Third Army which collected and organized the information before sending it the Military Government. With these requirements, the Military Government provided military units, German foresters, and UNRRA supply officers with cutting and collection sites. German foresters then cut and stacked the firewood at collection sites where military personnel would collect it while UNRRA used DP labor to haul the firewood.⁷⁶ While Germans and DPs relied exclusively on firewood for heating, the U.S.

⁷³ “Germany’s Forests,” *Military Government Weekly Information Bulletin*, no. 51 (22 July 1946), 8.

⁷⁴ Rundschreiben Nr. 3, 13 November 1945, BayHStAM, MELF 3482.

⁷⁵ Procurement of Coal and Wood for United Nations Displaced Persons and Civilian Internees, 28 August 1946, NACP, RG 260/390/48/2/5/184.

⁷⁶ Responsibilities for the Fuelwood Program, 16 September 1946, NACP, RG 260/390/48/2/5/184.

Army requisitioned 80% of the coal mined in Bavaria for heating and energy needs, leaving 20% for industry and civilian hospitals.⁷⁷

This complicated and bureaucratic procedure often proved difficult to implement and shows how the entangled histories of Germans, GIs, and DPs created competition for scarce resources. Part of the challenge for DPs lay in the fact that German foresters could change where the official cuttings and collections took place. In the directives, the American occupiers instructed German forestry offices to place DP wood collection sites near roads, but German foresters also purposefully stacked the wood in inaccessible locations. Germans justified these more difficult to access locations that required horses for skidding because they felt extensive cuttings along the road created the potential for “forest devastation.”⁷⁸ This created a growing need for horses and oxen teams for wood transport,⁷⁹ but it also angered UNRRA officers who called it “an unsurmountable difficulty in not being able to remove the cut wood from the forest to the roadway.”⁸⁰ In another instance, an assistant adjutant general complained that *Oberlandforstmeister* Elste assigned DPs a collection site outside of the territory covered by Garmisch Military Post and requested a formal investigation.⁸¹ The subsequent report indicates that Elste defended himself by arguing that he was only following Military Government directives to find collection sites near good transportation. Elste asserted that the Garmisch Military Post, situated in the high mountains and without good roads, was not practical for

⁷⁷ Arnold, 124.

⁷⁸ Fire wood cutting by UNRRA, 8 October 1946, NACP, RG 260/390/48/2/5/184.

⁷⁹ Fuel wood transportation, 11 October 1946, NACP, RG 260/390/48/2/5/184.

⁸⁰ Requisition of Horses From German Civilians for Wood Hauling, NACP, RG 260/390/48/2/5/184.

⁸¹ Lack of Cooperation by German Forestry Official, 22 July 1947, NACP, RG 260/390/48/2/5/187.

hauling firewood, thus his decision to use a collection site from a different forestry administration located on flat land.⁸²

While German foresters made it difficult for DPs, the activities of DPs in the forests became a constant source of irritation for Bavarian officials. Hoepffner complained of Poles from the Dachau camp illegally cutting trees without providing clear information regarding the purpose of the cuttings or official receipts for the wood. An upset Hoepffner wrote that no contract was made for the cutting and that “[t]his way of lumbering is in contradiction with the terms established.”⁸³ In another instance, after a series of complaints and little action, Baumgartner toured a forestry district in Schleißheim where the local forester had documented complaints of illegal timbering for weeks. According to Baumgartner, the DPs “recklessly” cut wood “by day and night” and transported it back to the camp without paying. Although informing the camp police of these actions, Baumgartner claimed that the DPs “declared they would go on cutting wood for fuel purposes until their demands for this winter were covered.” Baumgartner also noted that the cutting continued in spite of military police patrols and that unarmed German forestry police faced groups of 10 to 20 DPs with axes; moreover, he asserted that forestry personnel “had been threatened with reprisals” if they reported illegal cuttings. Since Germans lacked the means to intervene, he urgently requested the American authorities to halt these illegal actions.⁸⁴

These interactions over firewood reflected Germans’ anxieties and fears of foreign peoples who not only reminded them of Nazi crimes, but also competed with them for scarce

⁸² Elste to Hoepffner, 9 August 1947, NACP, RG 260/390/48/2/5/187.

⁸³ Woodfelling by PW’s-units of the American Army in Eurasburg, 21 June 1946, BayHStAM, MELF 4356.

⁸⁴ Letter of Dr. Baumgartner concerning permanent thefts of wood, 4 November 1947, NACP, RG 260/390/48/2/5/187.

material resources. Initially, as the complaints emanating from the Garmisch Military Post demonstrate, the American occupiers saw the DPs as Nazi victims and demanded that the Germans meet their needs and provide accessible firewood for the camps, even as German civilians marched into the forests to cut their own firewood. Moreover, as Hoepffner and Baumgartner's complaints show, Germans sought to delegitimize DPs' claims to material resources by stressing their illegal actions to the Americans, seeking to persuade the occupiers of the DPs' illegitimacy and to deny them resources in the hopes they would return home.

The *Hungerwinter* of 1946/47

While facing significant manpower shortages, the Bavarian Forestry Administration managed to supply a substantial quantity of firewood for the 1945/46 winter. According to a *Süddeutsche Zeitung* article, the city of Munich collected only 365,000 cubic meters of firewood out of its target of 500,000 cubic meters.⁸⁵ Moreover, American records, with data starting in October 1945, report that Bavaria collected 2,466,100 cubic meters of wood, including 1,541,300 for firewood and 150,900 for pit props, in the last three months of 1945.⁸⁶ For the entire wood cutting year, the Bavarian Forestry Administration alone recorded 11,191,000 cubic meters of wood cut of which 5,965,000 was firewood. Within the entire American Zone, these numbers were 25,075,000 cubic meters total, an amount that was 200% of the annual yield, of which 16,137,000 was for firewood.⁸⁷

Nevertheless, the American Military Government considered the firewood program during the first winter unsuccessful. Writing in mid-1946, Kircher admitted that “[l]ast year there

⁸⁵ “Die Münchener Holzaktion,” *Süddeutsche Zeitung*, January 18, 1946, 3; “Zu wenig Schnittholz,” *Süddeutsche Zeitung*, January 18, 1946, 4.

⁸⁶ Untitled Chart of Lumber Collected, 1 October 1946, NACP, RG 260/390/48/2/5/184.

⁸⁷ Expert's Opinion on Supply of Fuel for Space Heating, 17 January 1947, NACP, RG 260/390/48/2/5/186.

was a great deal of confusion and some poor cutting.”⁸⁸ The confusion and poor cutting led to a great deal of waste as well. The forestry administration typically cut firewood several months in advance to allow for drying, making the wood more efficient, but much of the wood remained wet and green.⁸⁹ Karl Glades, a civilian with the Building Materials and Construction Section, noted in March 1946 that “[n]ot under any circumstance could enough fuel wood be provided to meet the actual need of the big cities. Only due to the unusually mild winter has a catastrophe been avoided.”⁹⁰ In fact, writing in the *British Zone Review*, Paul Brickhill described the winter of 1945/46 as “treacherously mild,” stating his dissatisfaction with the winter weather and his opinion that he “would not be averse to seeing the Germans do a little spectacular suffering.”⁹¹

The conclusion that the winter of 1945/46 (winter months include December, January, and February) was mild is supported by the historical weather data. Using records from the *Deutsche Wetterdienst*, Figure 1 shows that the average daily temperature for the winter of 1945/46 was -0.2 °C (31.6 °F).⁹² Although not the warmest winter of the 1940s, the winter of 1945/46 was certainly one of the milder winters of the decade. The mild temperatures during the first winter of the occupation proved fortunate for the occupiers because they were unprepared

⁸⁸ Firewood for the cities and Critical Areas, 3 July 1946, NACP, RG 260/390/48/2/5/184.

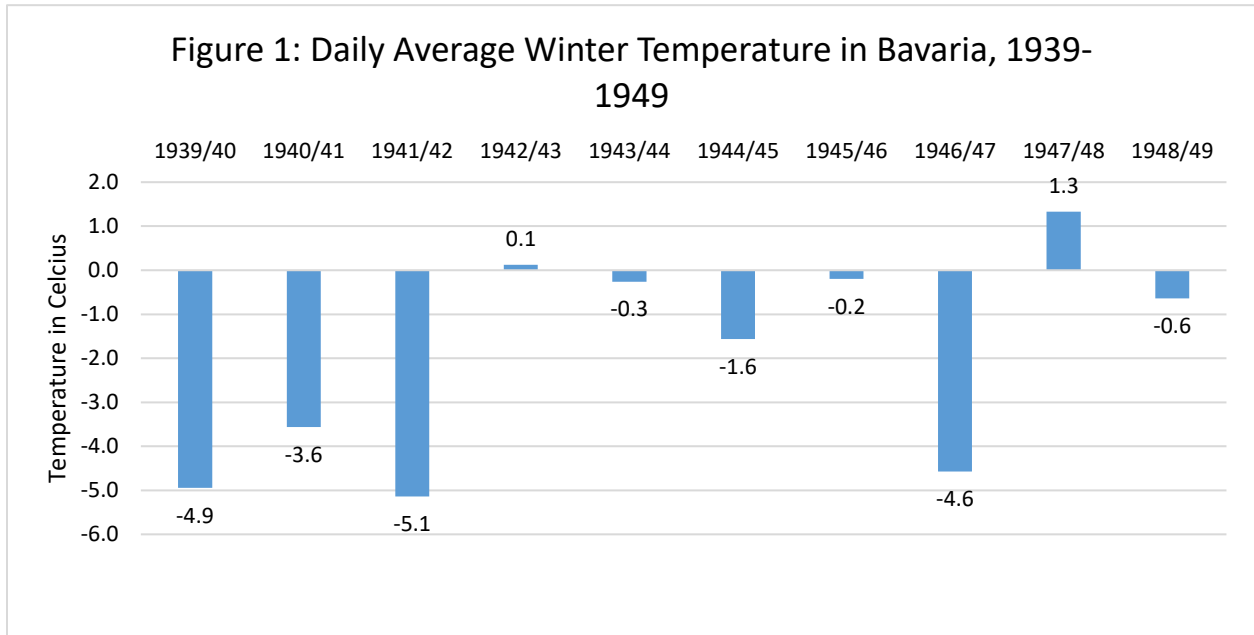
⁸⁹ Arnold, 137. This would be a problem again in 1947, see Wood Cutting for Space Heating, 22 October 1947, NACP, RG 260/390/48/2/5/186.

⁹⁰ Meeting of the Landerrat Committee for Forestry, Lumber, and Timber, 30 March 1946, NACP, RG 260/390/48/2/3/172.

⁹¹ Paul Brickhill, “This treacherously mild winter,” *British Zone Review*, March 2, 1946, 17. The editor of the *British Zone Review* informed readers that the article was written before the reduction in German ration levels. Brickhill was an RAF pilot imprisoned in Stalag Luft III and later author of the *The Great Escape*.

⁹² The weather data used to compile this chart came from the *Deutsche Wetterdienst* (https://www.dwd.de/DE/Home/home_node.html). To identify an average mean daily temperature, weather data for the period was collected from several locations across Bavaria. For this chart, the locations selected were Bamberg, Metten, Bad Tölz, Schlüsselfeld (Kläranlage), and Weißenburg-Emetzheim. These locations were selected for the regional variation and nearly complete data sets for the period of study. While this chart attempts to locate an average, it should be noted that temperatures varied across Bavaria.

for drastic impacts of denazification and the challenges of supplying heat and energy; however, the mild temperature does not imply that the winter was easy, and food was increasingly scarce, with the German civilians allocated between 1,000 to 1,500 calories per day.⁹³



Following the first winter, the Military Government’s German consultant Graf von der Recke toured and surveyed the Bavarian forests and reported on the use of the forests. Using partial statistics, he noted that the forestry administration had already cut 3,326,000 out of 4,450,000 cubic meters of firewood for the winter of 1946/47. Investigating the actions of the previous winter, he reported that the majority of firewood provided to the larger cities came from valuable timber producing trees that were easily accessible. Graf von der Recke also stressed the continued lack of foresters due to denazification. Comparing the year 1938 with 1946, he showed

⁹³ Paul Erker, *Ernährungskrise und Nachkriegsgesellschaft: Bauern und Arbeiterschaft in Bayern 1943-1953* (Stuttgart: Klett-Cotta Verlag, 1990), 53.

that 650 *Forstmeister* were employed in 1938 compared to only 80 in 1946 and that out of 1,960 district foresters only 280 were employed. He also reported that 290 *Forstmeister* and 820 forestry officials' cases were before the denazification tribunals, leading him to suggest that "it would be very desirable if the denazification process of these foresters be carried through as quickly as possible, so that at least part of them may again start their work."⁹⁴

At the same time Graf von der Recke was touring Bavaria, the Bavarian government transferred the forestry administration from the Ministry of Finance to the Ministry of Food and Agriculture (now the Ministry of Food, Agriculture and Forestry).⁹⁵ This transfer occurred on 3 July 1946 under the supervision of Americans George R. Quarles,⁹⁶ Chief of the Food and Agriculture Branch in Bavaria from 1946 to 1948, and Birger Berg, the American Chief Forester in Bavaria. Berg, a Norwegian, taught forestry at the University of Michigan and skiing to American soldiers at Fort Brady before joining the occupation forces. As a Norwegian, Berg worked well in German and English and showed remarkable understanding of American and German forestry and hunting practices.⁹⁷

The head of the enlarged Bavarian ministry was Joseph Baumgartner. Born north of Munich in Sulzemoos, Baumgartner studied and received a doctorate in economics in Munich before becoming involved in agricultural politics. With his circled rimmed-glasses and combed back hair, the pugnacious Baumgartner joined the BVP in 1929 and was the General Secretary of

⁹⁴ Report on Field Trip (3-13 June), 26 June 1946, NACP, RG 260/390/48/2/5/185.

⁹⁵ For the forestry administration's opinion, see Gutachten über die künftige Eingliederung der bayerischen Forstwirtschaft in ein Staatsministerium, 12 December 1945, BayHStAM, MELF 3482.

⁹⁶ Lt. Col. George R. Quarles was head of the Food and Agriculture Branch in Bavaria from February 1946 – February 1948. Weisz, 264.

⁹⁷ Birger Berg was Chief of the Forestry Branch from 1946 to 1949. Berg was educated at the Norges Landbrukshöiskole. See "Who's New on the Michigan Faculty," *The Michigan Alumnus* 36, no. 1 (October 1929): 8; "Ski Expert Here," *The Michigan Daily*, April 2, 1942, 2.

the Bavarian Farmers' Association. After the Nazis came to power, he worked as an insurance broker for Allianz until he was arrested by the Gestapo and imprisoned for eight weeks. Once he was released, he was sent to the Eastern Front as a member of a *Flakbatterie* until the Red Army captured his unit.⁹⁸

After the war and his time as a POW, Baumgartner became an employee of the Bavarian Ministry for Food and Agriculture and a founding member of the CSU and the Bavarian Farmer's Association. With his strong connections in agricultural circles, he was appointed Agricultural Minister in 1946. It was in this capacity that he welcomed the transfer of the forest administration, and he declared this an important governmental reorganization after a decades-long struggle to unite Bavaria's land under one ministry. He also praised the forestry administration for their efforts even as they confronted denazification, worker shortages, low nutrition, and a lack of tools and equipment; but he worried that if these problems were not addressed, the forestry administration would again struggle to supply enough firewood to cities.⁹⁹

Baumgartner's worries proved prescient as the Military Government soon recognized that coal supplies for the winter of 1946/47 would fail to meet forecasts. While the British occupiers had quickly taken over the coalmines, production remained well below the prewar output of 350,000 tons per day, only reaching 200,000 tons per day in January 1948; moreover, the British occupiers exported much of the Ruhr coal output to France, the Low Countries, Scandinavia, and Britain.¹⁰⁰ With little coal available, Glades informed the three *Land* forestry administrations in

⁹⁸ For a sympathetic portrayal, see Georg Lohmeier, *Joseph Baumgartner: Ein bayerischer Patriot* (München: Süddeutsche Verlag, 1974).

⁹⁹ Der neueste Stand der Ernährungswirtschaft, Agrarpolitik und Forstwirtschaft, 10 October 1946, Institut für Zeitgeschichte, Munich [hereafter IfZ], Nachlass Baumgartner ED 132/5.

¹⁰⁰ "The Problem in Washington: Providing the Ruhr with Food, Raw Materials, and Hope," *The Manchester Guardian*, August 11, 1947, 6; Mark Roseman, *Recasting the Ruhr: Manpower, Economic Recovery, and Labour Relations* (Oxford: Berg Publishers, 1992), 51.

the American Zone that coal supplies would remain limited and that the amount available would not provide enough for household heating for the coming winter.¹⁰¹ With this news, firewood requirements for the winter were increased, doubling to 8,000,000 cubic meters. Reporting in late August, Hoepffner notified the Military Government that Bavaria was still short 3,144,800 cubic meters. Based on the accompanying chart, the Bavarian Forestry Administration had cut only 57% of the revised firewood goal, and the firewood quota for the large cities in Bavaria was at only 24% of the winter goal.¹⁰²

This dire situation again led to announcements encouraging civilians to help cut firewood. In August 1946, the *Süddeutsche Zeitung* reported that the city of Munich was unlikely to receive coal in the coming winter and that Deputy Mayor Wimmer had again ordered all men without a valid employment ID to start the cutting in September.¹⁰³ The *Main-Echo* encouraged the population to help supply firewood and informed readers that those without bicycles could visit the Coal Office to find trains to cutting locations.¹⁰⁴ The professional foresters' journal, the *Allgemeine Forstzeitschrift*, which started publishing again in August 1946, stated that supplying larger cities with coal would reduce the stress on the forests, but acknowledged that "it is important to use all energy to achieve the firewood requirements for the coming winter of 1946 in the interest of freezing city dwellers whose health and ability to work is threatened."¹⁰⁵ In fact, the need for German civilians to cut firewood became so ubiquitous that the satirical magazine

¹⁰¹ Meeting of Laenderrat Committee for Forestry, Lumber and Timber, 12 June 1946, NACP, RG 260/390/48/2/3/172.

¹⁰² Requirement and cutting of firewood for the winter 1946/47, 28 August 1946, NACP, RG 260/390/48/2/5/184.

¹⁰³ "Wir brauchen Holz," *Süddeutsche Zeitung*, August 30, 1946, 6.

¹⁰⁴ "Auf zur Holzaktion!" *Main-Echo*, August 31, 1946, 3.

¹⁰⁵ "Die Holzumlage 1946/47," *Allgemeine Forstzeitschrift* 1, no. 7 (November 1946): 49.

Der Simpl published a cartoon under the title *Opfergang*, or Ritual Sacrifice, in which a group of German men dressed in suits and armed with axes and saws march through the forest above the caption “In the green forest, in the green forest to the *Holzaktion* . . .”¹⁰⁶

By October, Quarles informed Kircher that 3,000,000 cubic meters of firewood had been cut and was ready for transport, but Bavaria, like the autumn of 1945, lacked the trucks needed to haul the wood from the forests.¹⁰⁷ This was not unsurprising as several months earlier H.A. Taylor, Chief of the Industry Branch, had written that the majority of the 7,500 trucks in Bavaria were “not in operating condition,” and he had hoped then that “at least 1,000” trucks might be in good operating condition for the agricultural harvest.¹⁰⁸ To aid in the transport of firewood, the American Military Government allocated extra rations of gasoline, more railcars, and extra power saws in the hopes of transporting the firewood across Bavaria;¹⁰⁹ moreover, General Muller made U.S. Army units and trucks available to collect wood and transport it to cities.¹¹⁰ Yet, while making transport and tools available, the firewood program ran into the seasonal rhythms of Bavaria. As Hoepffner notified Berg in November, “[t]he manpower used in normal logging consists mainly of small farmers and their dependents who are only available for forestry work after the harvest.”¹¹¹

¹⁰⁶ M. Radler, “Opfergang,” *Der Simpl* 1, no. 2 (15 April 1946): 15. <http://digi.ub.uni-heidelberg.de/diglit/simpl1946/0016>. Accessed June 2018.

¹⁰⁷ Fuel Wood Report Bavaria, 16 October 1946, NACP, RG 260/390/48/2/5/184.

¹⁰⁸ Trucks for Fuel Wood Program, 26 August 1946, NACP, RG 260/390/48/2/5/184.

¹⁰⁹ Civilian Wood Cutting Program Requirements, 2 October 1946, NACP, RG 260/390/48/2/5/184.

¹¹⁰ Brennholztransportprogramm, 12 November 1946, NACP, RG 260/390/48/2/5/184.

¹¹¹ Firewood Cutting in the territory of County Office Donauwörth, 6 November 1946, NACP, RG 260/390/48/2/5/184.

Although Kircher had professed his desire to avoid the chaos and confusion of the previous year, the significant increase in the firewood quota and the continued lack of transport upended forecasts that relied on increased coal production and predictable transport. Once the Military Government reported that coal production would remain low, Germans and Americans sought to meet the new firewood quota, but this plan quickly ran into the realities on the ground. During the spring and early summer, workers prepared fields and planted crops while in the autumn they helped gather the harvest. As summer ended, the dearth of firewood, especially for the larger cities, led to announcements asking civilians to again aid in the cutting of firewood. Finally, even though much of this wood was cut, it did not have time to properly dry and transport remained scarce. Thus, while the occupiers attempted to avoid the problems of the first winter through preparation and reorganization, they could not alter the seasonal working rhythms of Bavaria, increase coal production, or improve transportation.

These problems limiting access to sufficient energy in combination with harsh weather resulted in the hardest winter of the occupation. The winter of 1946/47, as Figure 1 indicates, proved the coldest winter of the occupation.¹¹² German calories for normal consumers in the American Zone hovered around 1,000-1,200 calories per day even though the occupiers had started seeing food as the key to winning German public opinion by mid-1946.¹¹³ It was during this winter that the German public warmly embraced former President Herbert Hoover who once again toured Europe and drew the American public's attention to starving Germans.¹¹⁴ The harsh

¹¹² For a general overview see, Alexander Häusser and Gordian Maugg, *Hungerwinter: Deutschlands humanitäre Katastrophe 1946/47* (Pößneck: Propyläen, 2009).

¹¹³ In May 1946, General Lucius D. Clay wrote "there is no choice between becoming a communist on 1,500 calories [a day] and a believer in democracy on 1,000 calories." See Jean Edward Smith, ed., *The Papers of General Lucius D. Clay*, Vol. 1 (Bloomington: Indiana University Press, 1974), 184.

¹¹⁴ Alice Weinreb, *Modern Hungers: Food and Power in Twentieth Century Germany* (New York: Oxford University Press, 2017), 112-114.

winter also brought continued reports of deaths due to poor nutrition and low temperatures. The *Allgemeine Forstzeitschrift* noted that 53 people froze to death in the British Zone in January 1947 while 90 died of the cold in Berlin.¹¹⁵ In Bavaria, the monthly death rate per thousand individuals jumped from 12.6:1000 in November to 16.1:1000 in December, staying above 15 deaths per thousand people for both January and February. Commenting on the high number of deaths, the *Statische Landesamt* blamed exposure to the cold and the lack of heating, writing: “The constant frost of the previous months was not in itself detrimental to health . . . the lack of protection against the cold as a result of the coal shortage brought the losses.”¹¹⁶

The harsh winter temperatures also aggravated the already precarious transportation situation. In February, many of Germany’s inland waterways froze, preventing the movement of coal, food, and other materials; freight train locomotives froze over, ice flows along the Weser River destroyed four bridges, cutting off Bremen from the North Sea, and the North Sea recorded the highest levels of ice since 1903, reaching out 60 nautical miles from the coast.¹¹⁷ With transportation snarled, coal shipments from the Ruhr to Munich dropped from 18,000 tons per month in the summer to 4,500 tons per month from October 1946 to April 1947 while total shipments from the Ruhr to Bavaria dropped from 120 tons in November to 90 tons in January and February.¹¹⁸ Firewood provisions also declined during winter. In fact, according to the *Allgemeine Forstzeitschrift*, the American Zone actually cut less firewood for the winter 1946/47

¹¹⁵ “Aus Zonen und Ländern,” *Allgemeine Forstzeitschrift* 2, no. 5 (March 1947): 34.

¹¹⁶ “Der Gesundheitsstand in Bayern,” *Bayern in Zahlen*, May 1947, 100. Total deaths per month in Bavaria during the winter of 1946/47: November 1946: 13,069, December 1946: 14,752, January 1947: 13,415, February 1947: 12,840, and March 1947: 13358. For statistics, see *Bayern in Zahlen*, 1947, 33 & 84.

¹¹⁷ “Food Supply Blocked by Europe’s Freeze Up,” *The Christian Science Monitor*, February 11, 1947, 1; “Immer noch strenger Winter in aller Welt,” *Mittelbayerische Zeitung*, March 4, 1947, 1; “Bridge Reconstruction,” *Military Government Weekly Information Bulletin*, no. 104 (4 August 1947), 4.

¹¹⁸ For Munich shipments see, Arnold, 159-160. “Kohlenversorgung,” *Bayern in Zahlen*, September 1947, 202.

than for the first winter of the occupation, dropping from 8,335,000 cubic meters in 1945/46 to 8,000,000 in 1946/47.¹¹⁹ Moreover, the 8,000,000 cubic meters requested was double the initial quota issued by the Military Government in early in 1946. By February 1947, only the city of Munich had reached its cutting quota while the forestry offices in Upper Bavaria and Lower Bavaria met only 40% and 60% of their goals respectively.¹²⁰

Coal, Pit Props, and Protests

While the occupiers focused on firewood provisioning for heat, public discussions about the cold continued to emphasize the lack of coal. In Munich, the *Süddeutsche Zeitung*'s reporters interviewed Wimmer, whom they now referred to as the “*Oberheizer*” (head heater), about the heating situation. Wimmer acknowledged the continued lack of coal and stated that he had ordered 200,000 cubic meters of extra firewood in case coal proved difficult to acquire.¹²¹ Interviewing other government officials about the coal mined in Upper Bavaria, the reporters learned that none of the coal mined went to civilians, only to the Americans and industry.¹²² In the *Main-Echo*, Dr. Otto Fechner attempted to rationalize the coal problem and debunk rumors swirling around coal usage by reminding readers that much of this was the result of the war. He acknowledged that more coal would mean less freezing and more electricity, but stressed that coal usage across the entire economy increased during the winter. Concluding, he wrote “coal is the starting point of our entire economic life,” but that the German economy “is currently sensitive to the cold.”¹²³

¹¹⁹ “Die Holzumlage 1946/47,” *Allgemeine Forstzeitschrift* 1, no. 7 (November 1946): 49.

¹²⁰ Arnold, 170.

¹²¹ “Großstadt ohne Strom und Kohlen,” *Süddeutsche Zeitung*, February 1, 1947, 4.

¹²² “Wo bleibt die oberbayerische Kohle?” *Süddeutsche Zeitung*, February 8, 1947, 3.

¹²³ Otto Fechner, “Wo bleibt die Deutsche Kohle?” *Main-Echo*, January 22, 1947, 2.

The lack of coal and the continued difficulties in moving people, food, coal, and wood across occupied Germany was not lost on the occupiers. In fact, before the onset of the *Hungerwinter*, the American and British occupiers had agreed to merge their two occupation zones to improve interzonal trade as a practical solution to the problems hindering the two zones: the more agricultural American Zone would supply food and natural resources to the industrial British Zone which would ship coal and finished goods to the American Zone. Agreeing to this division of labor, they formed the Bizonal Economics Administration in early September 1946 and made this organization responsible for issuing economic directives concerning foreign trade, production, distribution, interzonal trade, and price controls.¹²⁴

Days later, U.S. Secretary of State James F. Byrnes delivered a speech in Stuttgart announcing a substantial shift in American policy towards Germany and emphasized the United States' commitment to stabilizing postwar Europe. This commitment required a departure from the Potsdam Agreement and a more liberal attitude towards economic reconstruction and the economic and political unification of Germany.¹²⁵ Yet, as John E. Farquharson suggests, while the Bizonal fusion welded the zones together economically, it left them politically independent.¹²⁶ This proved to be a particularly challenging problem not only because the British Zone was more centralized than the American Zone, but also because the *Länder* in the

¹²⁴ Gimbel, *The American Occupation of Germany*, 80-83. The division of labor formed by the occupiers was forced rather than organic. According to Émile Durkheim's *The Division of Labor in Society*, a forced division of labor creates self-interest while an organic division of labor forms solidarity. The forced division of labor created by the American and British occupiers created great tension between Bavaria and the northern *Länder*. Durkheim, *The Division of Labor in Society*, ed. Steven Lukes (New York: The Free Press, 2014).

¹²⁵ Zink, *The United States in Germany, 1944-1955*, 94-95. The meeting in Stuttgart was a political signal as the city was the seat of the German Länderrat and not Frankfurt where USFET and the American Military Government were headquartered.

¹²⁶ John E. Farquharson, *The Western Allies and the Politics of Food: Agrarian Management in Post-War Germany* (Warwickshire: Berg Publishers, 1985), 144-148.

American Zone had approved constitutions and elected state governments in December 1946. The seating of democratically elected governments in the American Zone formed legitimate governments with their own interests, and it soon led to a growing conflict over who wielded power: the Bizonal Administration or the democratically elected *Land* governments.

Previous scholars have identified the contentious relationship between especially in regards to coal and food. Farquharson calls the link between coal and food the “coal-food cycle”: a cycle in which German economic recovery was based on the coal supply from the Ruhr, but the Ruhr coal supply was based on the food supply to miners from the American Zone. While logical, Germans in the American Zone actively protested and undermined the shipment of food north because they felt they received no finished goods and little coal for food processing, the manufacture of artificial fertilizer, and heating.¹²⁷

This relationship remains essential to understanding many of the difficulties that plagued the western Allies, but wood was also important to the division of labor for two reasons. First, the Ruhr mines were just as reliant on the shipment of pit props as they were on shipments of food to increase coal production. While forestlands existed in the British Zone, the British occupiers, like the French and the Soviets, cut and exported wood back to their own nations for reparations and reconstruction purposes. This decision left the Ruhr overwhelmingly reliant on wood from the American Zone to rebuild and expand the mines and reconstruct miner housing that had been significantly damaged by Allied bombing. Secondly, the lack of coal and finished products entering Bavaria resulted in foresters cutting more firewood, a situation that increasingly angered Bavarians who believed they sacrificed the forests and received little in return.

¹²⁷ Farquharson, *The Western Allies and the Politics of Food*, 28-29.

The shipment of wood to the Ruhr started immediately after the war ended in 1945 when Third Army engineers started sending 1,000 tons of mine wood per day, but they gradually shifted the program over to German civilians who took over by the end of 1945. Cutting pit props in Bavaria, however, was relatively new. Before the war, the Ruhr received the majority of its mine wood from the eastern regions of Germany now under Soviet occupation. To facilitate the distribution of pit props, Germans formed the Pit Prop Dealers Association in Mönchengladbach with offices in Munich.¹²⁸ The association purchased mine wood from the Bavarian Forestry Administration and private foresters and sold the wood to the mines. The dealers oversaw the transport of wood from the forest to the rail yard and its eventual shipment to the various Ruhr mines. The American Military Government directed Bavaria to provide 2,500 tons of pit props per day.¹²⁹

Already in the summer of 1945, Hoepffner claimed that this arrangement posed a disadvantage to Bavaria. Writing to Bavaria's second postwar Minister-President Wilhelm Hoegner of the Social Democratic Party (*Sozialdemokratische Partei Deutschlands*, SPD),¹³⁰ who replaced the dismissed Schäfer, Hoepffner argued that "mine wood delivery to the Ruhr has taken a course that is not satisfactory for Bavaria. In fact, it is true that the main burden of providing pit props for the Ruhr was passed on to Bavaria, but Bavaria had no opportunity to obtain a privileged position in the supply of coal." Hoepffner blamed this situation on Ruhr firms, believing that they had easily persuaded the British and Americans that no mine wood was

¹²⁸ Pit Props, 1 January 1946, NACP, RG 260/390/48/2/3/171.

¹²⁹ Untitled, 17 March 1947, NACP, RG 260/390/48/2/5/185.

¹³⁰ Before 1933, Hoegner was a lawyer, a judge, and a member of the Bavarian Landtag. When the Nazi came to power, Hoegner was released from state service and moved to Austria and later Switzerland. After the Nazi defeat, he worked to reorganize the Bavarian Ministry of Justice. Peter Kritzer, *Wilhelm Hoegner: Politische Biographie eines bayerischen Sozialdemokraten* (München: Süddeutscher Verlag, 1979).

present near the Ruhr. He also determined that the Soviet occupiers would not send wood to the Ruhr and that the French Zone would focus on helping France. Based on these assumptions, he concluded that Bavaria proved the only region with large forest resources, but felt slighted that this decision occurred without even consulting the Bavarians. Moreover, he worried that the American Military Government's association of Bavaria with well-stocked forests and plenty of wood would lead to over cutting of the forests under his control. Reaching this conclusion, he encouraged Hoegner to make sure that a Bavarian representative was sent to any meeting between the Americans and British so they could have a voice in policy developments.¹³¹

Private foresters in Bavaria also concluded that providing mine wood to the Ruhr was unbeneficial. In February 1946, the State Association of Bavarian Non-State Forests under the leadership of Franz Freiherr von Perfall and Otto Lidl complained that Bavaria "supplies the Ruhr area with a quantity of 525,000 cubic meters of pitwood, also delivers enormous quantities of lumber to Württemberg and Baden and continues to provide 1.5 million cubic meters of logs for importing foodstuffs, without any compensation like household coal as far as we are aware."¹³² Seeing no compensation for the "monopoly" on Bavarian wood, the private foresters believed that the occupiers needed to reevaluate the supply of household coal in order to preserve the forests. The association stressed that there was a decline in the global supply of wood, and they wanted to halt all large and unnecessary cuttings to preserve their forests and ensure future supplies of wood.

The worries expressed by Hoepffner and the private foresters that Bavaria would become the sole provider of Ruhr wood appear well founded when examining the forestry practices in the

¹³¹ Vertretung des Landes Bayern im Hauptquartier in Frankfurt, 15 August 1945, BayHStAM, MELF 3482.

¹³² Landesverband Bayerischen Nichtstaatswaldes: Die derzeitige Lage der bayerischen Forstwirtschaft, 18 February 1946, BayHStAM, MELF 3482.

other occupation zones. Although the other three occupation powers oversaw well-stocked forests, they all exploited the forests in their zones as a form of reparations to rebuild their own nations. The other three occupiers' decision to harvest and export German lumber back to Britain, France, and the USSR meant that the Ruhr would rely almost exclusively on the supply of wood from the American Zone to reconstruct and expand the mines as well as to build new housing for miners. The reliance on Bavarian wood to reconstruct the mines resulted in growing resentment among Bavarian politicians and foresters.

The British government recognized the German forests as an important resource for British reconstruction even before the war ended because they had cut their own "timber without regard to increment or capital or any other principles of forest management" and felled half of the total volume of British timber available in 1939.¹³³ Lacking reconstruction lumber and undertaking an enormous rehousing program, the *British Zone Review* remarked that it "is no wonder that eyes turn to the well-stocked German forests."¹³⁴ To survey and investigate the potential of harvesting German wood for British reconstruction, the British government sent a mission to Germany in 1945 led by Sir Gerald Lenanton who toured northwest Germany and estimated that it was possible to export 1.5 million tons of timber from the British Zone annually for the next two years.¹³⁵ To implement this program, the British formed the North German Timber Control (NGTC) in January 1946 to facilitate the cutting and shipping of wood from Germany to Britain.¹³⁶

¹³³ German Timber, 14 February 1947, The British National Archives [hereafter TNA], FO 938/341.

¹³⁴ "The Backbone of German War Economy was Wood," *British Zone Review*, March 2, 1946, 9.

¹³⁵ John Wilmot to John B. Hynd, 18 October 1945, TNA, FO 938/341.

¹³⁶ Control Commission for Germany Establishment Board, 13 March 1946, TNA, FO 936/54.

Short on British manpower, the NGTC soon established logging camps near forested areas and hired DP labor, employing over 1,100 Balts, Poles, and Ukrainians, to clear-cut the surrounding forests.¹³⁷ Additionally, the British occupiers also opened the German forests to the Dutch and Belgian governments, and these nations harvested wood to reconstruct their own nations.¹³⁸ Although the NGTC worked to meet British needs, the organization proved unable to meet British targets, even with DP labor, resulting in a plan to increase direct cutting using British soldiers.¹³⁹ Based on this suggestion, the British Army of the Rhine and the NGTC developed Operation Woodpecker whereby over 2,000 British soldiers sought to increase the logging output in the British Zone by harvesting timber at four sites in Lüneburg, Celle, Fallingbommel, and Goslar.¹⁴⁰ Initially, the operation faced difficulties due to the harsh winter of 1946/47, but it significantly increased timber exports to Britain, sending over 40,000 tons per month by the end of March 1947.¹⁴¹

While the British government certainly saw the program as necessary and appropriate considering the damage caused by German bombing, a German forester interviewed by *Der Spiegel* predicted devastating consequences to the climate, water management, and the soil due to the British actions.¹⁴² This sentiment was supported by the American occupiers who assessed the British logging operations. Describing the Belgian cuttings in the British Zone, Kircher

¹³⁷ The Chancellor's discussion on Timber, 21 July 1946, TNA, FO 938/341.

¹³⁸ Extract F.O. Telegram to Washington on EECE, 28 January 1946, TNA, FO 938/341.

¹³⁹ Timber From Germany, 28 October 1946, TNA, WO 256/48.

¹⁴⁰ Notes on Operation Woodpecker, undated, TNA, WO 256/48.

¹⁴¹ "German Timber For Britain," *The Times* (London), April, 15, 1947, 2.

¹⁴² "Holzhacker in Uniform," *Der Spiegel*, February 22, 1947, 15.

called the massive clear-cuttings “the worst possible things that could have been done.”¹⁴³

American forestry official Leslie Bean, summarizing his thoughts on the NGTC, wrote that in “my more than 20 years’ experience of work in the forest I have never seen any cutting areas that were mutilated and devastated as these direct operations areas [sic].”¹⁴⁴

The French occupiers also saw the German forests as a source for reparations and used the wood to help reconstruct postwar France. The French Military Government oversaw an especially energetic program that cut the forest at an estimated 300-350% of annual growth. According to Frank Willis, wood and paper comprised 21.3% of French exports in 1946 and made up 37% in 1948, making forestry one of the most contentious issues between the French and the Germans.¹⁴⁵ Articles in the *Allgemeine Forstzeitschrift* described how the French Military Government facilitated the large logging program by auctioning off forest stands to industry. After directing German foresters to survey the forest and estimate the value of each plot, the French occupiers auctioned off logging rights to French firms and foreign governments, including the Swiss and the Dutch. The French firms, to prevent German interference, brought in their own labor, housed them in local homes and buildings, clear-cut the forests, and shipped the logs back to France. German foresters, on the other hand, needed French permission to cut any section of forest, and German civilians collected most firewood themselves.

These policies soured French relations with Germans, and the Württemberg Landtag protested French policies, demanding a halt to all logging and insisting that German foresters once again oversee the forests. The French contended that the German forest remained well

¹⁴³ Belgian Cuttings in the British Zone, 14 November 1947, NACP, RG 260/390/51/14/6/694.

¹⁴⁴ Field Trip to Exam NGTCC, 28 January 1948, NACP, RG 260/390/51/14/6/694.

¹⁴⁵ F. Roy Willis, *The French in Germany* (Stanford: Stanford University Press, 1962), 138.

stocked because Germany had plundered other nations' forest during the war.¹⁴⁶ Fred Bloch of OMGUS confirmed the *Allgemeine Forstzeitschrift* reports during a tour of the French Zone and noted that French officials “agree that forestry practices are not being executed properly,” but they could do nothing as “the French Government in Paris supports the present policy.”¹⁴⁷

In the Soviet Zone, the Soviet occupation administration (SMAD) placed the state forests, called the “*Volkswald*,” under the management of the United Forest Districts in April 1946 and subsumed the German forestry administrations under the control of Soviet “experts” whose main objective was to fulfill reparation schedules, a situation a later West German report described as creating a “political personnel policy” that resulted in “disorganization and irresponsible management.”¹⁴⁸ In working to meet their reparation schedules, the Soviet authorities altered the traditional harvesting schedule by establishing quotas of wood for every quarter, a decision which often proved unproductive. For example, the state of Mecklenburg, where soils proved too dry to grow spruce, needed to purchase 1 million cubic meters of spruce from Saxony to meet its quota. Moreover, the sovietization of the forestry administration left the forest to unskilled individuals who lacked training and knowledge. These workers then helped send 7,500-8,000 railcars of wood per month over the border to aid in the reconstruction of the USSR, though they also sold large amounts of German lumber on the world market. These actions created vast clear-

¹⁴⁶ E. Hensler, “Die Entwicklung der Forstwirtschaft in Baden [fanz. Zone] seit Kriegsende,” *Allgemeine Forstzeitschrift* 2, no. 5 (March 1947): 37-38; “Aus Zonen und Ländern,” *Allgemeine Forstzeitschrift* 3, no. 11 (June 1948): 98; “Die Großexploitationen in der französischen Zone,” *Allgemeine Forstzeitschrift* 3, no. 16 (August 1948): 157-159.

¹⁴⁷ Interallied Timber Inspection Tour, 14 November 1947, NACP, RG 260/390/48/2/5/187.

¹⁴⁸ Erfassung der tatsächlichen Vorgänge in der Forstwirtschaft der Ostzone, 20 August 1949, Bundesarchiv Koblenz (hereafter BAK), ZA/67.

cut areas that the Soviet occupiers had little interest in replanting, and, by 1948, 13% of the forests in the Soviet Zone were clear-cut compared to 4% in the U.S. Zone.¹⁴⁹

With Britain, France, and the Soviets harvesting and exporting large amounts of German lumber, worries about the overreliance on the Bavarian forests for pit props and other needs within occupied Germany appeared justified, but initial reports indicate that the Pit Prop Program proved successful and faced little resistance. The Bavarian foresters, according to one report, seldom met the quota of 2,500 tons per day directed by the Americans, but they were not much below the quota; moreover, the report noted that the German efforts proved a remarkable feat because they lacked “transportation, communications, tools, tires, gasoline and oil, experienced manpower and labor, and an enthusiasm on the part of the German people. They did not have shoes, clothes, fuel and not much to eat.”¹⁵⁰ At a meeting of the *Länderrat* Committee for Forestry, Lumber, and Timber in Stuttgart in February 1946, the committee claimed that “there doesn’t seem to be any urgent demand for pit props,”¹⁵¹ and Glades reported from Berlin in August 1946 that shipments from Bavaria “should subside” because the mines lacked storage for new pit props.¹⁵²

Yet, while Bavarian foresters made great efforts and were guaranteed coal and tools in exchange for mine wood, the material Bavaria received was “far out of proportion” to the wood they shipped to the Ruhr.¹⁵³ This lack of reciprocation combined with announcements again

¹⁴⁹ Arvid Nelson, *Cold War Ecology: Forests, Farms, and People in the East German Landscape, 1945-1989* (New Haven: Yale University Press, 2005), 43-46.

¹⁵⁰ Summary Timber Management U.S. Zone, 17 March 1947, NACP, RG 260/390/48/2/5/185.

¹⁵¹ Meeting of the Forst- und Holzwirtschaftsrat in Stuttgart, 1 February 1946, NACP, RG 260/390/48/2/3/172.

¹⁵² Forest Products Meeting in Berlin, 13 August 1946, NACP, RG 260/390/48/2/3/172.

¹⁵³ Pit Props, 1 January 1946, NACP, RG 260/390/48/2/3/171.

encouraging civilians to collect firewood made Bavarian foresters increasingly unwilling to participate in the Pit Prop Program as the second winter of the occupation approached. Glades recognized this sentiment in December 1946 when he described a growing “reluctance on the part of German officials . . . to deliver logs to the Ruhr.”¹⁵⁴ Worried about the progress of the program, Colonel Hugh B. Hester, Chief of the U.S. Food and Agriculture in the American Zone, wrote General Muller that if the current level of production continued, “less than three quarters of the requirements will be met.” He recognized that demands for firewood probably interfered, but requested that the “pit prop program be given first priority by the forest officials.”¹⁵⁵

By March 1947, a meeting of British, Americans, and Germans involved in the program found that Bavaria had shipped less than half its requirement in the first five months of the cutting year; moreover, Bavaria had also failed to produce wood for prefabricated housing that was also directed to Ruhr.¹⁵⁶ While recognizing that a lack of clothes, equipment, tires, and horseshoes played a part, Allied officials demanded that Bavaria increase its pit prop production to meet its yearly quota of 600,000 cubic meters.¹⁵⁷ In response, Hoepffner informed the forestry administration to make pit props their highest priority,¹⁵⁸ but his words had little impact as public discourse started agitating for saving the German forests from overcutting and workers across the Bizone went on strike due to low food rations.¹⁵⁹

¹⁵⁴ Report on Meeting of Länderrat Committee for Forestry, Lumber and Timber, 6 December 1946, NACP, RG 260/390/48/2/3/172.

¹⁵⁵ Pit Props, 17 February 1947, NACP, RG 260/390/48/2/5/187.

¹⁵⁶ Roseman, 104.

¹⁵⁷ Meeting of pit prop producers, 22 March 1947, NACP, RG 260/390/48/2/4/177.

¹⁵⁸ Grubenzholz, 1 April 1947, NACP, RG 260/390/48/2/5/187.

¹⁵⁹ For food strikes see Erker, *Ernährungskrise und Nachkriegsgesellschaft*, 197-202.

With problems plaguing the Bizone during its first months of operation, the American and British Military Governors reorganized the Bizonal agencies at the end of May 1947 and created new ones with more authority centered in Frankfurt. To oversee economics within the Bizone, a new economic administration called the Economic Council (*Verwaltung für Wirtschaft*) was formed and it acted as quasi-parliamentary organization. Although under the direction of the Allied Bipartite Control Office (BICO), the Economic Council issued directives to aid reconstruction in the areas of transportation, foreign and domestic trade, price controls, and the production and distribution of goods. To ensure the *Länder* retained a voice following this reorganization, the American and British occupiers formed the Executive Council (*Exekutivrat*) which coordinated the efforts across the states. Membership in the Executive Council was based on the political parties in the *Land* governments and was controlled by a Union (CDU/CSU) between the CSU and the Christian Democratic Union (CDU). As the members of the Executive Council and Economic Council worked with and politicked against one another, they started working in the fashion of a parliamentary government.¹⁶⁰

As pit prop shipments failed to increase in Bavaria, General Muller noted in a letter to Bavaria's first elected postwar Minister-President Hans Ehard (CSU) that much of the shortfall occurred due to private foresters failing to meet their wood quotas. He suggested the Minister-President use Control Council Law 50 to compel them to meet demands.¹⁶¹ Yet, subsequent legal analysis by the Military Government suggested that this was incorrect, and they instead endorsed

¹⁶⁰ Mark Spicka, *Selling the Economic Miracle: Economic Reconstruction and Politics in West Germany, 1949-1957* (New York: Berghahn Books, 2007), 36-37.

¹⁶¹ Muller to Ehard, Forestry Objectives, 23 September 1947, NACP, RG 260/390/48/2/5/186. Ehard was a public prosecutor in the Bavarian Ministry of Justice and member of the Bavarian People's Party. In 1924, he was the head prosecutor of Hitler and Erich Ludendorff following their attempted effort to overthrow the Bavarian government in 1923. From 1933 until the end of the Second World War, he was President of the Higher Regional Court of Munich. Karl-Ulrich Gelberg, *Hans Erhard: Die föderalistische Politik des bayerischen Ministerpräsidenten 1946-1954* (Düsseldorf: Droste, 1992).

using a Nazi era law called the Reich Contribution Law (*Reichsleistungsgesetz*) which permitted the government to procure goods to cover special economic requirements including the storing, producing, or manufacturing of needed materials.¹⁶² Baumgartner, however, rejected this interpretation and claimed that the law was not applicable “to enforce wood contributions. It has never been used in this sense before.”¹⁶³

At the Bizonal level, BICO informed the Executive Committee of their growing concern regarding the supply of mine wood to the Ruhr, noting that the supplies throughout the previous year were unsatisfactory. BICO specifically blamed the low production on continued labor shortages and the noncooperation of small private foresters, even suggesting the use of the 1943 Ordinance on the Execution of the Wood Contribution (*Verordnung über die Durchführung der Holzaufbringung*), a directive which Baumgartner had recommended as an alternative to the *Reichsleistungsgesetz*, to empower German authorities to seize wood from private forests.¹⁶⁴ In addition to suggesting the use of this law, BICO ordered more supplies and material to be sent to Germans workers in the pit prop industry, especially clothes, tools, spare parts for trucks, and equipment for horse teams, and directed foresters in the British Zone to cut pit props over the next three months rather than producing export lumber.¹⁶⁵

Coming under criticism, from both the Military Government and BICO, the State Association of Bavarian Non-State Forests informed private foresters of the growing problem and possible repercussions in the *Bauernwald*. As early as August 1947, the association notified

¹⁶² Forestry Objectives, 29 September 1947, NACP, RG 260/390/48/2/5/186.

¹⁶³ Holzumlage; hier Rechtsgrundlage, 27 October 1947, NACP, RG 260/390/48/2/5/186.

¹⁶⁴ Lieferung von Grubenholz für die Ruhrgruben, 17 November 1947, BAK, Z4/67.

¹⁶⁵ For a list, see Pit Prop Supply to the Mines, 13 January 1948, BAK, Z4/67. For orders to British Zone see: Pit Prop Supply to the Mines, 17 January 1948, NACP, RG 260/390/48/2/4/178.

readers of the looming pit prop shortage and the potential of direct intervention by the occupying powers to meet needs. To prevent this, it appealed to forest owners and asked them to provide mine wood for economic reconstruction;¹⁶⁶ however, by September, it warned readers that the Military Government had instructed the Bavarian Forestry Administration to take coercive actions to meet needs.¹⁶⁷ In an October newsletter, the association stated that both the Bavarian government and the Military Government had ordered that pit props receive first priority and attempted to persuade private owners that supplying pit props now would increase coal production and decrease future wood demands.¹⁶⁸ Private foresters, however, continued ignoring calls for them to provide pit props and, by early 1948, private foresters still refused to produce or sell pit props due to a lack of equipment, claiming the “payment is not in correspondence with the costs.”¹⁶⁹

Murry D. Van Wagoner, the former governor of Michigan who succeeded General Muller as Military Governor of Bavaria in late 1947, wrote to Ehard concerning the state’s failure to meet its pit prop quota and pointed out that monthly shipments were less than half the revised target of 98,750 cubic meters. Van Wagoner pressed Ehard to quickly address the problem and to meet the demands of the Ruhr, which only had a fifteen-day reserve of pit props.¹⁷⁰ Additionally, Glades was informed in Berlin that if German foresters failed to meet pit prop obligations, laborers from the British and French Zones would enter the U.S. Zone to cut

¹⁶⁶ “Grubenholz! Grubenholz!! Grubenholz!!!” *Bauernwald*, August 30, 1947, 2-3.

¹⁶⁷ “Sondermaßnahmen zur Steigerung der Grubenholz-Aufbringung,” *Bauernwald*, September 27, 1947, 1.

¹⁶⁸ Landesverbandes des bayerischen Nichtstaatswaldes Rundschreiben Nr. 11, 14 October 1947, BayHStAM, MELF 3972.

¹⁶⁹ Lieferung von Grubenholz für die Ruhrgruben, 17 November 1947, BAK, Z4/67.

¹⁷⁰ The Pit Prop Program, 29 December 1947, NACP, RG 260/390/48/2/4/178.

the needed wood,¹⁷¹ a significant threat considering the reputation of British and French occupiers for rapacious cutting and something the Pit Prop Dealers warned would not increase supplies.¹⁷² At this point, even the German foresters' publication encouraged cutting mine wood at the expense of the forests, writing: "mine wood is currently the key product for economic recovery. The further increase of coal mining . . . must not fail due to insufficient provisions of pit props . . . From this point of view, the cutting of pit props is to be pushed forward."¹⁷³

Ehard, after attending meetings in Frankfurt and dealing with widescale worker strikes in January, finally responded to Van Wagoner a month later.¹⁷⁴ Ehard acknowledged that pit prop production remained important to the Bavarian government; that he had directed the forestry administration to give pit props the highest priority; and that he had instructed the Ministry of the Interior to direct regional governments to influence private forest owners to meet their obligations or face "forced cuttings." Yet, even with these instructions, he noted that the forestry administration had only just started receiving clothes, equipment, and tools for their workers, suggesting that production would remain low in the immediate future.¹⁷⁵

While Ehard worked to meet the Military Government's requirements, an article in the *Süddeutsche Zeitung* criticized the Bizonal Administration's wood distribution program. According to the article, the Bizonal program permitted Bavaria to retain only 20% of the wood cut in the state, halving its former allotment and essentially ending all building reconstruction

¹⁷¹ Meeting in Berlin over pit props, 28 January 1948, NACP, RG 260/390/48/2/4/177.

¹⁷² Kurzbericht über die Sitzung des Arbeitskreises "Grubenholz" am 23.1.1948 in Frankfurt-M.-Höchst, 30 January 1948, BAK, Z4/68.

¹⁷³ "Grubenholzeinschlag hat höchste Priorität," *Allgemeine Forstzeitschrift* 2, no. 23 (December 1947): 183.

¹⁷⁴ Erker, *Ernährungskrise und Nachkriegsgesellschaft*, 203-204; Gimbel, *The American Occupation of Germany*, 195-196.

¹⁷⁵ Pit Prop Program, 20 January 1948, NACP, RG 260/390/48/2/4/178.

programs. Based on this distribution, the article argued that soon mining and transportation authorities in the Bizone would be stockpiling wood while Bavarian industries would have to close down. The only solace the article noted was that the continued lack of rail cars meant that the directives issued by the Bizone remained unfulfilled, though this also meant Bavaria's coal shortage persisted. The article concluded that Bavaria did not want to be the "stepchild" of "Bizonia" and wanted to do its part, but asserted that this was only possible if Bavaria was not the worst supplied *Land* in the Bizone.¹⁷⁶

With worker unrest, growing resistance to providing pit props, and public criticism of the Bizonal wood program, Van Wagoner ordered all Military Government detachments to oversee all German agencies involved in the Pit Prop Program and to conduct spot checks to ensure that these agencies fulfilled their obligations.¹⁷⁷ A summary of detachment reports composed by Glades reveals the problems American occupiers found when they looked into the situation. Many units maintained that local foresters continued to lack the trucks, tires, and equipment to carry out the program. The unit in Munich noted that rail yards remained short of manpower which delayed the cutting and loading of pit wood at distribution sites. Others found considerable stocks of wood stacked in the forests and hinted that the workers were hoarding wood as rumors of a currency reform started to spread. The same problem was discovered with the Pit Props Dealers Association which was also delaying future purchases until the Currency Reform introduced the Deutsche Mark.¹⁷⁸

¹⁷⁶ "Bayern Holz-Stiefkind," *Süddeutsche Zeitung*, February 7, 1948, 2.

¹⁷⁷ Pit Prop Situation in the Ruhr, 22 January 1948, NACP, RG 260/390/48/2/4/178.

¹⁷⁸ New Developments in the Pit Prop, 23 January 1948, NACP, RG 260/390/48/2/4/178.

Although the occupiers faced growing resistance, the production of pit props by the British Zone, the increased pressures by the Military Government, and the upward trend in economic productivity in April and May 1948 collectively resulted in the increased output of pit props.¹⁷⁹ By May 1948, the official numbers reported to the American Military Government headquarters illustrate the improved production in Bavaria, showing that pit props went from 38,510 cubic meters in January 1948 to 83,789 in April.¹⁸⁰ Yet, American officials warned “that continued pressure must be applied” to ensure that the program does not fall behind.¹⁸¹ Weeks later, Van Wagoner wrote to Deputy Military Governor George P. Hays and informed him that the program was producing double the average of the previous two years. He credited this improvement to intervention of his office in January.¹⁸² In June, days before the introduction of the Deutsche Mark, Glades announced that “pit prop stocks in the Ruhr are now higher than any period since 1942 . . . Pit Props should be taken off the ‘critical’ list.”¹⁸³

As pit prop production and shipments increased in 1948, coal production also improved, reaching 78% of 1936 production levels and allowing Bavaria to stockpile coal throughout the summer, even though exports still consumed one third of coal mined in the Bizone. Edgar Wolf in the Bavarian State Statistical Office feared this increased production might not be enough if Bavaria experienced another severe winter, but he expected households to receive 72 kilograms of coal for the winter of 1948/49, almost doubling the allotment of the previous year. While not

¹⁷⁹ For the economic situation leading up to the Currency Reform see Erker, *Ernährungskrise und Nachkriegsgesellschaft*, 233-247.

¹⁸⁰ Progress Report on Lumber and Pit Prop Deliveries from Bavaria since 1945, 7 May 1948, NACP, RG 260/390/48/2/4/178.

¹⁸¹ Pit Prop Situation, 4 March 1948, NACP, RG 260/390/48/2/4/178.

¹⁸² Pit Prop Progress 23 March 1948, NACP, RG 260/390/48/2/4/178.

¹⁸³ Pit prop Situation in Ruhr 1 June 1948, NACP, RG 260/390/48/2/4/177.

reaching prewar levels, Wolf concluded that the increased coal production “helps us to look forward to the coming winter a little more calmly than in the previous years, even if this winter might be more severe than the mild one of the year 1947/48.”¹⁸⁴

With the improved coal situation, Bavaria’s firewood quota for the winter of 1948/49 decreased slightly from 3,325,000 cubic meters to 3,300,000. In June 1948, the American Food, Agriculture and Forestry Branch in Bavaria reported that 2,482,717 cubic meters was already cut and foresaw no problems in completing the program.¹⁸⁵ By the time the cutting year ended in September 1948, Bavaria had produced 3,826,253 cubic meters of firewood, more than initially requested.¹⁸⁶ The following month, at a BICO meeting between the occupiers and the Germans, they collectively agreed to reduce the overall cutting levels. In Bavaria, the annual cutting level decreased from 200% of annual growth to 170%; moreover, the American Military Government returned most decision-making regarding cutting levels to the state forestry administrations, though an annual quota remained in place for firewood with Bavaria’s at 2,000,000 cubic meters. As the Military Government report stated, this reduction in firewood requirements was due to the increase in the coal supply.¹⁸⁷

Conclusion

The increasing supply of coal and decreasing amounts of firewood in 1948/49 indicates the end of the emergency period and the reliance on wood for energy. Although firewood quotas remained in place, Bavaria’s connection to the Ruhr coalmines was solidifying. Ruhr coal

¹⁸⁴ Edgar Wolf, “Die Kohlenversorgung vor Winteranfang 1948/49,” *Bayern in Zahlen*, November 1948, 255-256.

¹⁸⁵ Monthly Report Food Agriculture and Forestry Branch, 5 June 1948, NACP, RG 260/390/47/34/2/15.

¹⁸⁶ Monthly Report for Bipartite Control Office, 5 November 1948, NACP, RG 260/390/47/34/2/15.

¹⁸⁷ Monthly Report for Bipartite Control Office, 5 October 1948 and Monthly Report for Bipartite Control Office, 5 November 1948, NACP, RG 260/390/47/34/2/15.

production remained below prewar outputs, but was steadily increasing; moreover, the influx of Marshall Plan aid finally provided the needed funds to construct new housing and to invest in new equipment, helping Ruhr coal production finally meet coal demands in 1950.¹⁸⁸ Marshall Plan funds also provided the resources necessary to significantly expand the production of hydroelectricity in the European Alps. The largest project supported by these funds was the Tauern Works Glockner-Kaprun in Austria, a hydropower development started by the Nazi regime that transmitted electricity throughout the region.¹⁸⁹ The *Bayernwerk* started expanding the Egglfing-Obernberg Hydropower Plant on the Inn River and completed its expansion in 1950.¹⁹⁰ While neither the Ruhr nor the hydroelectric plants would operate fully until the 1950s, Bavaria's two most important postwar energy streams were in place to power Bavaria through the Economic Miracle.

To develop these new energy streams, the American occupiers had directed and overseen plans that significantly relied on wood to bridge the postwar emergency. For the first three years of the occupation, wood proved to be the most important natural resource in occupied Bavaria. The energy streams that Bavaria developed before the Second World War were severed by a combination of the Allied bombing campaign and Allied decisions for managing postwar Europe, decisions that further isolated the energy deficient American Zone of occupation. Lacking sufficient energy to heat homes and power industries, American occupiers and the

¹⁸⁸ Jeffrey M. Diefendorf, "American and the Rebuilding of Urban Germany," in *American Policy and the Reconstruction of West Germany, 1945–1955*, eds. Jeffrey M. Diefendorf, Axel Frohn, and Hermann-Josef Rupieper (Cambridge: Cambridge University Press, 2013), 347-349; Roseman, 133; "Coal in Postwar Germany," *Information Bulletin: Monthly Magazine of the Office of the US High Commissioner for Germany*, (December 1951), 39-45.

¹⁸⁹ Landry, 206-214.

¹⁹⁰ Arnold, 243.

Bavarian government relied on wood to overcome the immediate crisis, but the cutting and collection of wood to heat homes proved more difficult than initially imagined.

American denazification policies that sought to remove German officials associated with the Nazi party and to fundamentally remake German society soon encountered the realities of reconstruction. The removal of large numbers of foresters significantly undermined the ability of the Bavarian Forestry Administration to carry out its cutting quotas and meet its other responsibilities. While reports might have exaggerated the situation, especially with Bavarian foresters unwilling to employ non-Bavarians, American reports indicate that denazification hindered the forestry administration's efforts and resulted in the use of civilians to provide emergency firewood. The first winter, fortunately for the occupiers, proved relatively mild, but the second winter was devastating because the occupiers failed to increase coal production and underestimated firewood needs, highlighting the continued persistence of uncertainty and confusion. The harsh winter temperatures of 1946/47 exacerbated the problems across occupied Germany and exposed the lack of food, the lack of shelter, the lack of transportation, and the lack of energy. During this freezing winter, nature exacerbated the misery and suffering of the immediate postwar period and played a role in changing the direction of the occupation.

Coal, as numerous sources indicated, was the major problem in reviving the German industry and providing warmth for the winters. While contemporaries and scholars have stressed the lack of food and workers in the Ruhr, wood proved just as important crucial to miner housing and reopening and expanding the mines. To provide the needed wood, American and British occupiers saw an important role for the forests of Bavaria in providing pit props. Although undermanned and on low rations, Bavarian foresters produced and shipped the needed pit props during the first year and a half of the occupation, but they never saw any material improvements

and grew increasingly worried over what they considered the misuse of the forests. This situation led forestry workers to participate in worker strikes, to hoard wood, and to halt the shipment of wood north until conditions improved, a decision that resulted in aggressive action by the Military Government to uncover wood and identify problems. While production soon increased following these interventions, the forestry workers actions show Germans contesting occupation policies and attempting to assert German control over German natural resources.

Although part of larger protests over the lack of food and the declining material situation, the protest of the Bavarian forestry industry, as the next chapter will show, was part of a burgeoning movement that voiced dissatisfaction with forestry policy in western occupied Germany and demanded German control over German natural resources. Moreover, while the major critique came from Bavaria, it was a protest supported across the western occupation zones and allowed Germans to use the cultural symbol of the German nation to articulate their frustration with the occupation, spurring the formation of numerous civil society organizations to save and preserve the German forest. Although American occupiers found these challenges to occupation forestry policies unwarranted, they continued working with foresters to develop a long-term forestry plan that would serve as the foundation for postwar reforestation efforts.

CHAPTER III

SAVING THE GERMAN FORESTS:

FORESTRY AND SOVEREIGNTY IN OCCUPIED GERMANY, 1947-1952

In January 1948, German forestry professor Julius Speer addressed the status of the German forests in the professional foresters' publication, the *Allgemeine Forstzeitschrift*. Like many foresters, he reaffirmed the close relationship between Germans and the forest, emphasizing that the forest was a place that inspired the German imagination and offered Germans a place of mental and physical recovery. After stressing these cultural connections, he emphasized the importance of the forest to regulating the German climate and protecting the soil from the winds and storms that might transform the German landscape into a dry barren desert. In addition to its cultural and climatic importance, Speer stressed that the German forests also served as an employer, providing hundreds of thousands of jobs in numerous industries. All these important contributions, he wrote, demonstrated that "the forest is a decidedly important factor in our entire national life: culturally, in the broadest sense, socially and economically." Yet, while describing the significance of the forest to Germany, Speer lamented that "Germany has just suffered the biggest defeat in its history and now has to pay the bill of war. It has lost its sovereignty and can no longer freely dispose of its own wood resources."¹

¹ Julius Speer, "Die Lage des deutschen Waldes," *Allgemeine Forstzeitschrift* 3, no. 2 (January 1948): 9-13. Speer was a member of the Württemberg State Forestry Administration until becoming a professor at the Albert-Ludwig Universität Freiburg. As a professor, Speer finally joined the Nazi party in 1941 and was promoted to the High Command. During holidays, he travelled to Freiburg and became influenced by the Freiburg school of economics. Speer went to gymnasium with Claus Schenk Count von Stauffenberg and was in contact with the resistance to National Socialism but was not targeted after the failed assassination of Hitler in July 1944. H. Rubner, 247-249.

The loss of German sovereignty to the four occupying powers prevented Germans from governing themselves and managing Germany's natural resources. The occupiers' demilitarization policies and control over the forests was especially devastating because the German forests were and are a symbolic site of the German nation. Many German foresters and politicians worried that the occupiers' policies, particularly the inadequate allocation of German coal, the reliance on the forests for energy, and the decision to export German lumber for European reconstruction, posed a real threat to the future of the German forest and thus the future of the German nation. This fear, combined with the harsh winter, low rations, and the belief that the situation was deteriorating, galvanized politicians, foresters, the press, and civil society organizations to use the forest to vocally contest the policies of the western occupiers and demand a return to German control over the forests.² The forest therefore proved a vital space to assert sovereignty because protecting the forest was seen as safeguarding the nation.³

In Bavaria, the rhetoric of Baumgartner played an important role. In two critical speeches in the summer of 1947, he openly contested the cutting of German forests and urged the western German Minister-Presidents to take action to preserve the forest. To support his assertions, Baumgartner argued that occupation forestry policies violated the 1907 Hague Convention respecting the Laws and Customs of War on Land, an international body of law that included the rules and regulations for the administration of landed property by occupying armies. Although no German government existed to assert these rights, Baumgartner pressed the *Land* Minister-

² For example, see Wilhelm Munker's 1946 New Year's Eve Speech titled: "Hilferuf des sterbenden Waldes." Munker was chairman of the Saarland Mountain Club and established the German Youth Hostel Association. NACP, RG 260/390/48/2/5/185.

³ As Christof Mauch writes, "the most enduring myth in the history of nature and the German mind is the special relationship that Germans have developed with trees and woods over the centuries. No landscape has been identified more closely with German history than *der deutsche Wald*." Christof Mauch, "Introduction: Nature and Nation in Transatlantic Perspective" in *Nature in German History*, ed. Christof Mauch (New York: Berghahn Books, 2004), 2.

Presidents, as democratically elected officials of the German people, to assert authority at the state level and to end what he and other Germans considered to be the abuse and misuse of the German forests. Contesting the occupation based on international law spread quickly and other German lawyers and politicians used the Hague Convention to demand that Germans once again control Germany's natural resources.

German foresters also wanted a return to German control over the forests and an end to occupation forestry policies. Foresters desired an end to demilitarization policies that arbitrarily clear-cut the forest without regard to age, class, or species and demanded a return to the German practice of *Nachhaltigkeit*. Along with the foresters, numerous civil society associations formed throughout 1947 to save the German forest, including the Society for the Protection of the German Forest (*Schutzgemeinschaft Deutscher Wald, SDW*) in 1947. These organizations formed across western Germany and sought to inform and educate Germans about the importance of the forest to German society through public lectures and museum exhibits. By educating Germans about the importance of and threat to the German forest, civil society organizations also demanded the abrogation of occupation policies that exploited the German forest and a return to German management practices that ensured the future of the forest for the German people.

Although facing strong criticism from German politicians and civil society associations, the American occupiers denounced German arguments that they were destroying the forest and considered these assertions an overreaction, claiming that they planned a return to sustainable yield practices. Even as they denied German allegations, the American occupiers faced a conundrum when considering their response to these criticisms. The occupiers clearly sought to develop capable German leadership to someday govern an unoccupied Germany, but worried

that allowing German leadership to assert its legitimacy might potentially undermine Allied rule. After debating German challenges to occupation forestry practices, the American Military Government choose not to publicly rebuke German leadership, a decision that demonstrated the flexibility of the Military Government, and in fact, directed German foresters to develop reforestation plans.

While often overlooked, an examination of the development and execution of the reforestation plan in Bavaria not only reveals the Americans efforts to reforest the large clear-cuts they directed during the occupation's first years, but also shows the process whereby sovereignty was transferred from the occupiers back to Germans. The reforestation plan was based on a forestry survey the occupiers undertook to initially manage and demilitarize the German forest, but following the growing challenges to the occupiers' use of the forest, the survey proved to be the foundation for Bavaria's reforestation policy. Using these plans, Bavarian foresters designed and developed reforestations plans that received American support, but the reforestation project remained underfunded throughout the occupation. Once West Germany assumed semi-sovereignty in 1949, the reforestation plan was adopted, endorsed, and funded by the Bavarian government. This reforestation plan, along with broader efforts across West Germany, were celebrated on the first German "Day of the Tree," a nationwide celebration marking the end of occupation forestry and the return to German forestry management.

A Great National Tragedy

On 4 March 1947, an article in the *Hochland Bote* denounced the destructive treatment of the Bavarian forest and the terrifying extent to which the occupiers had cut the forests over the last two years, noting that the annual cutting in area surrounding Garmisch-Partenkirchen averaged 163% of annual growth. The majority of this wood, the article acknowledged, supplied

the “tremendous demand for firewood” needed to heat homes following the war. While the article recognized that firewood proved necessary for survival, it criticized the Americans’ decision to export lumber abroad for reconstructing other European nations, a project that certainly did not benefit Germans and further reduced the forest. Without a reversal to current occupation policy, the article concluded, “our forests will be completely destroyed.”⁴

The ideas expressed in the *Hochland Bote* in early 1947 became increasingly prominent throughout the year and, by the end of 1947, foresters across western Germany had publicized the plight of the forests, advocated a return to the sustainable practice of *Nachhaltigkeit*, and demanded an end to cutting the forests at 200% to 300% of the annual growth. This was clear in Speer’s article when he stated that sustainable practices in forestry had witnessed the most drastic intervention during the last two years due to “the orders of the occupying powers.”⁵ This attitude expressed by Speer was widespread in forestry circles throughout western Germany,⁶ and in Bavaria, Hoepffner had articulated many of these ideas in a detailed 1947 pamphlet that proved influential to Baumgartner’s speeches.

In this publication, Hoepffner addressed the status of the German forest and its economic and cultural importance to Germany. He opened by stressing the major achievements of German forestry before 1933 and the maintenance of the “highest principle” in German forestry management: “the strict preservation of *Nachhaltigkeit*” which was enshrined in the Bavarian Forestry Act and “a tradition held sacred in German forestry.” Yet, Hoepffner lamented that both the Nazi regime and the occupiers developed policies that violated this concept and behaved as if

⁴ “Der bayerische Wald stirbt,” *Hochland Bote*, March 7, 1947, 4.

⁵ Julius Speer, “Die Lage des deutschen Waldes,” *Allgemeine Forstzeitschrift* 3, no. 2 (January 1948): 9-13.

⁶ For another example, see a series of articles titled the “Tragödie des deutschen Waldes” published in the September, October, and November editions of the *Bauernwald*.

wood was abundant and cheap, implying that both the Nazis and the occupiers overcut valuable timber and disregarded good forestry practices. Witnessing the wasteful use of wood during the occupation, he found he could no longer passively watch the alarming situation and felt that a joint intervention by all the *Länder* was necessary to address the wood problem and prevent a catastrophe.⁷

Specifically, Hoepffner fretted over the declining amount of forestland per person in a rump Germany that was flooded with refugees. According to him, the shifting of postwar borders left Germany well below the central European standard of one cubic meter per person. In this new reality, Hoepffner asserted that none of the four occupation zones could meet their own wood needs. For Hoepffner, the decrease in German forestry stocks combined with the “ruthless overuse” of the forests by the all occupiers had created a state of exhaustion and violated the practice of *Nachhaltigkeit*. Moreover, he declared that the overuse of the European forests in general during the war, along with technological advancements for processing wood, altered the timber market and had increased the need for and price of wood, leaving a devastated and defeated Germany unable to compete for desperately needed imports of wood. In this situation, Germany could not import wood and would have to maintain high cutting levels and destroy its remaining forestry stands to reconstruct bombed cities. The depletion of the forest would, predicted Hoepffner, not only threaten the amount of wood available to the German economy, but also endanger the culture of the country.⁸

⁷ Alfred Hoepffner, “Die Lage der deutschen Forstwirtschaft 1947,” (27 May 1947): 2, 8, BAK, Nachlass Hermann Dietrich 1004/461.

⁸ Alfred Hoepffner, “Die Lage der deutschen Forstwirtschaft 1947,” (27 May 1947): 3, 9, 10, BAK, Nachlass Hermann Dietrich 1004/461.

Culturally, Hoepffner stressed that the forests maintained the landscape and thus preserved the Bavarian way of life. He described the importance of the forests to preventing avalanches and mudslides and enabling the settlement of mountain valleys in Bavaria. He noted that trees helped to control the Alpine snowmelt and prevented flooding in Lower Bavaria's agricultural regions. Although less visible, he stressed the forest's ability to regulate the climate and influence the temperature and predicted that the continued extensive removal of the forests would result in higher summer temperatures and lower winter temperatures which would transform the European landscape. Finally, he affirmed that the German population held the right to enjoy nature, especially city dwellers living in an urban environment full of destroyed buildings, making the forest extremely important for ethical and hygienic reasons.⁹

In conclusion, Hoepffner, like many foresters throughout Germany, demanded an end to using valuable timber wood for firewood and an increase in coal provisions, suggesting that 2 million tons of coal could easily replace the 10 million tons of wood used during the winter of 1946/47. To protect the forest, he argued for the end to all clear-cutting practices, the sufficient resources and manpower to ensure the future of the forests, and the start of negotiations with the American Military Government. These discussions, he noted, should seek to end all lumber exports and reduce the amount of wood supplied to DPs who he believed received high quality wood along with coal provisions. Without the immediate implementation of these measures, according to Hoepffner, the 1852 Bavarian Forestry Law would be violated and the forests

⁹ Alfred Hoepffner, "Die Lage der deutschen Forstwirtschaft 1947," (27 May 1947): 11-2, BAK, Nachlass Hermann Dietrich 1004/461.

would collapse, altering Germany's culture and providing a significant challenge for future generations.¹⁰

As Hoepffner and other foresters' arguments indicate, they saw the German forest as both economically and culturally valuable. Economically, the forests served as a valuable source of wood that employed hundreds of Germans in numerous different industries, but this value had declined under occupation forestry policies that misused valuable timber for firewood and pit props. At the same time, if German foresters stood by and watched the occupiers continue to destroy the economic value of the forests, they were also witnessing the destruction of the cultural value provided by the forests. Without the forests to maintain the landscape and regulate the climate, they strongly believed that Germany's culture would change along with the land: that the sanctuary the forests provided from urbanization would disappear and that the beauty the forest provided would no longer inspire artists and writers. For foresters, the best way to preserve the forest's economic and cultural value was a return to German control and German forestry practices. To achieve this, they urged German politicians to engage with the occupiers and to seek a discussion that would return authority over the forests to Germans, allowing foresters to once again implement the practice of *Nachhaltigkeit*.

As foresters discussed and publicized these ideas, politicians vocalized these arguments and brought them to the attention of the American Military Government. With two prominent speeches in mid-1947, Baumgartner publicly rebuked the forestry practices of the occupiers and certainly attracted the Americans' attention. While it is clear that his speeches echoed the ideas expressed by Hoepffner, Baumgartner also used international law to contest occupation policies, specifically arguing that the occupation's treatment of the forests violated the 1907 Hague

¹⁰ Alfred Hoepffner, "Die Lage der deutschen Forstwirtschaft 1947," (27 May 1947): 12-16, BAK, Nachlass Hermann Dietrich 1004/461.

Convention respecting the Laws and Customs of War on Land. Although Germany still lacked any sovereign authority, Baumgartner's appeal to international law, like Hoepffner's reference to Bavarian law, demonstrates Germans' efforts to identify ways to contest occupation policies and to assure that Germans managed Germany's natural resources based on their own ideas, laws, and traditions. Moreover, in urging the Bavarian Minister-President to utilize this law to contest the occupiers' practices, he encouraged the Bavarian government, and later the western Minister-Presidents, as democratically elected officials, to assert authority over the land under their control.

Always the colorful orator, Baumgartner first addressed the plight of the forests before the Bavarian Landtag in May 1947 by declaring that the "shadow of death lies over the forests. A raging hurricane of exploitation and destruction rages through our forests." Facing this "great national tragedy," he called on the Landtag to take action to protect the forests and claimed that anyone who remained silent "sinned against the life of future generations." To all present, it was clear that the raging hurricane destroying the forests was the occupying power, even though Baumgartner explicitly stated that he was not criticizing but helping the occupiers. With this caveat, he railed against the continued overcutting of the forests and the export of timber and highlighted the cuttings of the British and French Zones. He claimed that British actions had cut 11% of the total forest in their zone and denounced the access they granted to the Dutch. Turning to the French Zone, Baumgartner characterized the cuttings in Baden as "ruthless forest butchery" that only benefited France. Regarding Bavaria, he stressed that if the American cutting plans continued at their current pace, Bavaria would no longer have any wood to cut in six years. These actions, he emphasized, were "the reasons for our panic," and he asserted that if Germans

failed to halt the overcutting by the occupiers, the cuttings would “radically affect the cultivation of our forests . . . and the climate and soil conditions.”¹¹

Baumgartner then appealed to the 1907 Hague Convention respecting the Laws and Customs of War on Land. He emphasized this body of international law because the occupiers used it at the Nürnberg Trials, a decision, he asserted, that made them “international common law” and applicable to all the occupied territories of Germany. On the other hand, several legal theorist claimed that because Germany had no legitimate government at the end of the war, the Hague Conventions did not apply, leaving the country “under the sovereignty of the four powers.”¹² Baumgartner, however, demanded that the occupiers’ actions in the German forests be investigated under the Hague Convention, specifically citing Article 46 which protects private property, Article 52 which states that requisitions must be in proportion to the resources of the country and must be paid for in cash or receipts for future repayment, Article 55 which requires occupying states to safeguard the value of buildings, forests, and agricultural estates, and Article 56 which declares that municipal and certain state properties be treated as private property. Since no German government existed to enforce this international law, Baumgartner instead encouraged the democratically elected Bavarian government to use its authority to start investigating the occupiers’ forestry management under international law and to immediately halt all logging operations until the completion of the proposed investigation. In closing, he

¹¹ Rede des Herrn Staatsministers Dr. Josef Baumgartner vor dem bayerischen Landtag, 28 May 1947, BAK, Nachlass Hermann Dietrich 1004/461.

¹² Hans Kelsen, “The Legal Status of Germany According to the Declaration of Berlin,” *The American Journal of International Law* 39, no. 3 (July 1945): 518-526.

implored the Bavarian Landtag to act and to “save our Bavarian homeland from pauperization, wood scarcity, fallowness and devastation.”¹³

Baumgartner’s speech certainly incited action within the Bavarian Landtag, and the next day it issued a resolution supported by all political parties to preserve the German forests for the future generations. The Landtag specifically cited article 55 of the Hague Convention which delineates the role of an occupying powers and specifically declares that occupying militaries are only the administrators of landed property such as forests and agriculture lands. As administrators, they must safeguard the properties against destruction or waste.¹⁴ The press also found Baumgartner’s speech provocative, and the *Landwirtschaftliches Wochenblatt* reprinted large excerpts of the speech and praised Baumgartner for repeatedly protesting against the “exploitation” of the German forests.¹⁵ The *Süddeutsche Zeitung* summarized Baumgartner’s speech and reported on the Landtag’s unanimous support for the Bavarian government to enter into discussion concerning the overcutting of the forest based on the Hague Conventions.¹⁶ In fact, even the *New York Times* found Baumgartner’s protest important enough to communicate to the American people, writing that Baumgartner accused all four occupation powers of “ruthlessly devastating” forest areas across all of Germany.¹⁷

In early June 1947, shortly after his speech before the Landtag, Baumgartner spoke again before the German Minister-Presidents of the western zones who gathered in Munich at the

¹³ Rede des Herrn Staatsministers Dr. Josef Baumgartner vor dem bayerischen Landtag, 28 May 1947, BAK, Nachlass Hermann Dietrich 1004/461.

¹⁴ Resolution of the Bavarian Landtag, 28 May 1947, NACP, RG 260/390/48/2/5/186.

¹⁵ “Die deutsche Wald-Tragödie,” *Landwirtschaftliches Wochenblatt*, June 14, 1947, 186.

¹⁶ “Todesschatten über dem Wald,” *Süddeutsche Zeitung*, May 31, 1947, 1.

¹⁷ “German Protests on Forest Cutting,” *New York Times*, May 30, 1947, 6.

invitation of Ehard. Officially, Ehard organized the Munich Minister-Presidents Conference to prevent economic decline and to develop measures the Minister-Presidents might propose to the Allied Military Governments to avert another devastating winter. Ehard even invited the Minister-Presidents of the Soviet Zone. The Bavarian Minister-President made this invitation because he considered the Minister-Presidents to be the representatives of the German people, especially as no central government existed, and because he feared for the future of Germany following the failure of the Moscow Foreign Minister Conference and the decision by the British and American Military Governments to centralize the powers of the Bizone in Frankfurt. For the Minister-Presidents of the American Zone, this last decision was particularly troublesome because the Americans did not consult them in the formation of the Bizone and they feared they were losing their influence. Thus, Ehard sought to revive and assert the power of the *Länder* in the face of increasing centralization at Frankfurt under the new Bizonal Economic Council.¹⁸

Although Ehard stressed the non-political nature of the conference in his invitations, the conference's initial aims were clearly political and sought to ensure the political unity of Germany on a federal basis.¹⁹ Yet, discussions of political unity proved troublesome in the other occupation zones. In the French Zone, the French Forces in Germany barred the Minister-Presidents in their zone from attending until the final days before the conference, and they demanded that the discussions focus only on economic issues.²⁰ In the British Zone, party leader of the SPD Kurt Schumacher appeared unreceptive to the conference and, because four of the five Minister-Presidents in the British Zone were members of his party, his opinion was

¹⁸ Gimbel, *The American Occupation of Germany*, 130-134.

¹⁹ Rolf Steininger, "Zur Geschichte der Münchener Ministerpräsidenten-Konferenz 1947," *Vierteljahrshefte für Zeitgeschichte* 23, no. 4 (1975): 379.

²⁰ Michael Gehler, *Deutschland: Von der Teilung zur Einigung: 1945 bis heute* (Vienna: Böhlau Verlag, 2010), 58.

especially influential. Schumacher did not want the conference to succeed for three reasons.²¹ First, he believed that the majority of the German *Länder* were artificial creations; they were formed not by the German people, but by the occupying powers and therefore democratically illegitimate. Instead, he argued that the political parties should be addressing the question of German unity, not the *Länder*. Secondly, Schumacher, after witnessing the Bizone's inability to address the emergency of the *Hungerwinter*, concluded that the *Länder* were incapable of solving the problems facing Germany, especially regarding food and coal. Lastly, after the Soviet Zone banned the SPD and forced the fusion of the SPD and the Communist Party (*Kommunistische Partei Deutschlands*, KPD) into the Soviet backed Socialist Unity Party (*Sozialistische Einheitspartei Deutschlands*, SED), Schumacher remained hostile to any discussions with representatives from the SED, a party he considered politically compromised. Only once it was agreed that the conference would focus on economic issues and not German unity, did Schumacher give his consent for the SPD Minister-Presidents from the British Zone to attend.²²

In the Soviet Zone, skepticism over attending the conference also pervaded. According to Dirk Spilker, the SED remained hesitant in responding to the invitation, fearing that an outright rejection might prove unpopular among a German public seeking unity. In fact, a decision was not reached until three days before the conference when the Central Secretariat (*Zentralsekretariat*) of the Soviet Zone agreed to participate, but they also sought to undermine the conference. The Soviet Zone Minister-Presidents were instructed to travel to Munich, but to

²¹ Kurt Schumacher was born in East Prussia and studied history and law. During the First World War, he was severely injured on the Eastern Front and lost his right arm. He joined the SPD in 1918 and participated in the November Revolution. In 1932, he was elected to the Bundestag and was a fiercely anti-Nazi and spent ten years in numerous concentration camps. He started reorganizing the SPD in 1945. Peter Merseburger, *Kurt Schumacher: Patriot, Volkstribun, Sozialdemokrat – Biographie* (Munich: Pantheon Verlag, 2010).

²² Steiniger, 393-405.

make that clear their continued presence was conditional upon changing the conference's agenda to center on the formation of a German central government, a topic the Minister-Presidents from the British and the French Zones would not discuss.²³ When the western Minister-Presidents rejected the last minute demand to alter the conference's agenda to include the formation of a new central government, the Soviet Zone Minister-Presidents refused to participate, and the western Minister-Presidents looked as if they had rejected German unity.

Ehard, in opening the conference on 6 June 1947, was conscious of this image. In his opening statement, he declared his commitment to German unity, but he emphasized that political unification ran counter to the conference's invitation to discuss options to prevent further economic decline. He even encouraged the Soviet Zone Minister-Presidents, who were still in Munich, to return to the conference in the spirit of economic cooperation. The political ambiguity that emerged and persisted following the breakdown of relations between the Soviet Zone and the western zones, according to Ehard, left the German people seeking effective measures to improve their situation. With this priority, he declared that the Minister-Presidents "have to answer this call," in effect, they needed to assert German authority to help the German people overcome their situation. Although he encouraged the Soviet Zone Minister-Presidents to return and participate, they followed their instructions and refused to return. The conference went on without them, focusing on the issues agreed to during the plenary session, such as food provisions, coal production, German prisoners of war, German refugees, and the need for an occupation statute among others.²⁴

²³ Dirk Spilker, *The East German Leadership and the Division of Germany: Patriotism and Propaganda 1945-1953* (Oxford: Oxford University Press, 2006), 121.

²⁴ Hans Ehard, "Begrüßungsansprache von MinPräs. Ehard," in *Akten zur Vorgeschichte der Bundesrepublik Deutschland 1945-1949*, ed. Bundesarchiv und Institut für Zeitgeschichte, vol. 2, *Januar 1947 – Juni 1947*, ed. Wolfram Weiner (Munich: R. Oldenbourg Verlag, 1979), 512-516.

On the same day Ehard opened the conference, following a presentation on “Finance and Tax Issues” by Werner Hilpert (CDU), Baumgartner again spoke about the need to preserve the German forests. In his opening, Baumgartner asked the Minister-Presidents to direct their attention to the “dying German forests” and declared that “[w]hen the forests die, the people must perish,” explicitly linking the German nation to the forests. For Baumgartner, the continued “slaughter of the German forests” would transform the climate of central Europe and suggested that deforestation in Mesopotamia, Palestine, and North Africa created “impoverished” regions. If the Minister-Presidents failed to act, according to Baumgartner, they would bear responsibility for the transformation of Germany into a desert, leaving millions destitute. Like his speech before the Landtag, he emphasized the massive cutting across the whole of Germany, but acknowledged that the occupiers’ continued depletion of the forests was first started by the National Socialists. To save the forests, Baumgartner presented a list of measures that the Minister-Presidents should undertake, including supplying the German population with household coal, strictly controlling the woodworking industry, cutting plans based on annual growth, reforesting large clear-cut areas, and reviewing occupation policies to ensure they aligned with the 1907 Hague Convention. In closing, Baumgartner again reminded the Minister-Presidents that the future of the forests, whose “economic and climatic importance must be clear to every one of us every minute, must be preserved under all circumstances.”²⁵

Already speaking at a conference aimed at asserting the authority of the *Länder* and German control over Germany, Baumgartner’s speech before the Minister-Presidents made clear arguments that Germans should once again manage German forests and German natural

²⁵ Joseph Baumgartner, “Diskussion über die Referate zur deutschen Wirtschaftsnot, Wald- und Holzfrage,” in *Akten zur Vorgeschichte der Bundesrepublik Deutschland 1945-1949*, ed. Bundesarchiv und Institut für Zeitgeschichte, vol. 2, *Januar 1947 – Juni 1947*, ed. Wolfram Weiner (Munich: R. Oldenbourg Verlag, 1979), 544-548.

resources. Using the cultural symbolism of the German forest and its connection to the German nation, Baumgartner linked the threat to the forest as a threat to the nation and urged the Minister-Presidents to save both the forest and the nation. Moreover, in pointing to the Hague Conventions, he provided a legal tool to challenge the occupiers' management of the German forest and encouraged the western Minister-Presidents to act as sovereign representatives of their states and to use international law as a way to assert authority and negotiate with the occupiers.

Germans growing assertions of sovereignty and calls for the occupiers to address the problems facing Germany were clear at the end of the Munich Conference. Issuing numerous resolutions that stressed their main concerns, the western Minister-Presidents included one resolution to save the German forests and demanded that the Allied Military Governments act swiftly to reduce cuttings, halt exports, and immediately start systematic reforestation.²⁶

Although one among many, the resolution indicated that concern over Allied forestry policies was not limited to the American Zone and brought broader attention to the plight of the forests. While German reaction resulted in growing protests and the founding of numerous associations to further publicize the threats to the German forest, the American Military Government found Baumgartner's comments politically boldfaced, ill-informed, and based on a misrepresentation of the facts.

Reactions

Shortly after closing the Munich Minister-Presidents Conference, Ehard sent a letter to General Muller officially informing him of the resolutions issued by both the Bavarian Landtag and the Minister-Presidents. While avoiding Baumgartner's colorful rhetoric, Ehard made clear

²⁶ "Einschließung zur Erhaltung des deutschen Wald" in *Akten zur Vorgeschichte der Bundesrepublik Deutschland 1945-1949*, ed. Bundesarchiv und Institut für Zeitgeschichte, vol. 2, *Januar 1947 – Juni 1947*, ed. Wolfram Weiner (Munich: R. Oldenbourg Verlag, 1979), 579.

that the resolutions sought to preserve the German forest for future generations and to ensure that American Military Government policies aligned with the Hague Convention of 1907. Based on these positions, he formally requested that the American Military Government revise its cutting plans and reduce its reliance on the forests in Bavaria.²⁷

The Military Government, however, resoundingly rejected Baumgartner's claims and declared the Landtag's resolution "inaccurate and unjustified."²⁸ Regarding Baumgartner's claim that the continued cutting would destroy the forest in six years, the Military Government conceded that if the American cutting program continued unabated at 200% of annual growth, all commercial timber might be cut in six years. Yet, this was very different from cutting the entirety of Germany's forest, especially with the implementation of reforestation plans. The American occupiers also faulted Baumgartner for not recognizing that American forestry plans called for the gradual reduction in cutting, not the continued overexploitation he claimed. In addressing the charges that they violated the Hague Convention, the Military Government declared that it did not intend "to exploit the timber ou[t] of proportion to the resources of the country. Dr. Baumgartner has a right . . . to enquire regarding Military Government programs in forest cutting," but "was not justified in agitating the Landtag on the basis of an unverified assumption."²⁹

After rebutting Baumgartner's accusations, the Military Government considered how it should respond to his political attacks. If his comments simply resulted from "ignorance of the facts or lack of intelligence," then the occupiers proposed discussing the matter with him,

²⁷ Ehard to Muller, 13 June 1947, NACP, RG 260/390/48/2/5/186.

²⁸ Address by Minister Baumgartner to Landtag, 7 June 1947, NACP, RG 260/390/48/2/5/186.

²⁹ Address by Minister Baumgartner to Landtag, 7 June 1947, NACP, RG 260/390/48/2/5/186.

presenting him with evidence that contradicted his claims, and publishing statements correcting Baumgartner's assertions. On the other hand, if Baumgartner was cognizant of the facts, as the Americans believed, they might allow him the freedom to make "fiery speeches" against the Military Government to exploit popular sentiment among the Germans. This, the document suggested, would allow Baumgartner to later claim credit when the Military Government reduced the cutting plan, allowing him "to be the savior of Bavarian forests, national culture, climate, and soils and to have prevented the greatest catastrophe in 1500 years." In fact, even though they were strongly critical of Baumgartner, the Americans saw value in having him play the "savior" and build political capital. By allowing him to protest, the Military Government suggested this would help Baumgartner implement unpopular programs such as the land reform, food collection, and agricultural planting. As the memo made clear,

There is no doubt that Dr. Baumgartner's job is one of the most difficult in the world to do properly. It may be feasible to help him gain this necessary political support by letting Military Government play whipping boy on this program, providing he plays square with us on the other programs.

With this in mind, the American memo concluded that the occupiers might reach out to Baumgartner and ask if he wanted to participate in this scheme.³⁰

Although some in the Military Government saw this as a political opportunity, Quarles, the American officer who headed the Food and Agriculture Branch in Bavaria, saw the speeches differently. He claimed that the speeches sought to arouse public action against the wood cutting program and to increase the allotment of household coal for the coming winter. Regarding Baumgartner's claims about altering the landscape of central Europe, Quarles, perhaps indicating some sympathy, commented that the effect of continued cutting on silviculture and climate in Germany was unpredictable, but that "it is apparent that countries that have been largely denuded

³⁰ Address by Minister Baumgartner to Landtag, 7 June 1947, NACP, RG 260/390/48/2/5/186.

of forests suffer excessively.” In terms of potential political opportunities, Quarles stated that attempting to manipulate Baumgartner would only create a political contest, one that he believed the Military Government remained poorly prepared to fight, and he suggested that no matter the factual arguments mustered by the Americans, “we are still the occupying power and the Germans have no reason to love us and we will always be the whipping boy of German politics.”³¹

While Quarles suggested that the occupiers essentially ignore the speeches and the Landtag resolution, General Muller finally drafted a response to Ehard in August. Largely based on the American critique of Baumgartner’s speech, Muller first addressed the demand to preserve the German forests. He emphasized the necessity of overcutting the forests temporarily for firewood and reconstruction, but declared that any argument suggesting American policy was destroying the forests was a “gross exaggeration.” In fact, the only reason Muller could identify that would lead to the possible destruction of the forests was if the Bavaria Forestry Administration failed to reseed forest clearings. Muller claimed that the Bavarian Forestry Administration was aware of this fact and that it should “do all in its power to see that clearings are properly reseeded.”³²

Addressing the Landtag resolution requesting the Military Government to comply with the Hague Convention, Muller rejected the Bavarians’ interpretation of the law. While not addressing the issue of sovereignty explicitly, General Muller claimed that the American occupiers provided the Bavarians plenty of authority to make their own decisions regarding the forests and pointed out that the Bavarian Forestry Administration remained responsible for the

³¹ Comment by Food and Agriculture Branch, 10 June 1947, NACP, RG 260/390/48/2/5/186.

³² Reply to Bavarian Landtag, August 1947, NACP, RG 260/390/48/2/5/186.

execution of the American cutting quota. He suggested that if the state forests overly suffered from logging, then the Bavarians must find a way to encourage more cutting from private foresters. Lastly, Muller asserted that the Bavarians should direct their energy towards working with farmers to increase food production to feed Ruhr coalminers. If the miners had more food, they could work longer, produce more coal, and thus decrease the amount of wood needed for firewood.³³

The Military Government's rejection of Baumgartner's arguments and demands to permit Germans to control German natural resources seems hardly surprising. As an occupying power, the American Military Government and the other Allies held supreme authority in Germany and therefore retained the legal backing to implement policies they believed would benefit Germany and the broader occupation, especially policies aimed at decreasing German war potential as outlined in the Potsdam Agreement. Moreover, as Muller pointed out, the American Military Government already granted the forestry administration significant leeway in directing and implementing the American cutting quota. Although not the full control the Bavarian Landtag demanded, the Bavarian government still had significant control over the cutting program and could direct forestry operations away from overcut forests.

While seeing Baumgartner's claims as an overreaction, the Military Government's management of Baumgartner reflects one of the central challenges facing the Military Government: how to foster German political leadership without allowing those leaders to assert legitimacy and undermine Allied rule. This quandary was particularly evident in the Military Government's discussion over how to handle the increasing challenges to their authority regarding the use and management of the German forests. Regarding Baumgartner, the American

³³ Reply to Bavarian Landtag, August 1947, NACP, RG 260/390/48/2/5/186.

occupiers discussed several responses, including trying to use Baumgartner's rhetoric to their advantage; however, the Military Government ultimately chose not to act, concluding that no matter their response, German leadership, as it gained confidence, would continue attacking the occupation for their political advantage. In this way, the occupiers, even while making counter arguments and expressing their dissatisfaction with being the "political whipping boy," provided German leadership the space to engage in politics.

While the Military Government found Baumgartner's arguments ill informed, his assertions inspired action on the part of many Germans to demonstrate their dissatisfaction with Allied forestry policies and with the occupation in general. As was discussed in the previous chapter, pit prop shipments to the Ruhr significantly decreased throughout 1947, ultimately leading to threats by the American Military Government in December to have laborers from the British and French Zones cut wood in the American Zone to meet the other western zones' requirements. Perhaps even more contentious than the Pit Prop Program was the American Export Program, a program designed to export construction timber to other European states in exchange for hard currency, specifically dollars that would allow Germans to pay for food imports and reduce German war potential. The American Military Government organized the export program in 1946 and signed contracts with Great Britain and the Netherlands in April 1946 to export 650,000 cubic meters of sawn wood from the American Zone by July 1947 for 14.5 million dollars.³⁴ Later, a second British contract was agreed upon in October 1947 for an additional 40,000 cubic meters.³⁵

³⁴ Leslie Bean, "Germany's Forests," *Military Government Weekly Information Bulletin*, no. 51 (22 July 1946): 7-9; "Shipment Begun on Largest Export Order from US Zone," *Military Government Weekly Information Bulletin*, no. 66 (4 November 1946): 4-6; "Bayern exportiert," *Süddeutsche Zeitung*, March 5, 1947, 3.

³⁵ Second Export of Lumber Program to England, 10 October 1947, NACP, RG 260/390/48/2/4/175.

While American occupiers saw the program as important for obtaining badly need food imports, Germans considered the program a misuse of their natural resources. To register their dissatisfaction with the export program, the Bavarian Forestry Administration often cut and shipped logs in incorrect sizes and of low quality from those specified in the contract.³⁶ In a memo to the OMGUS Industry Branch, Bloch explained that the foresters exported wood that “had been lying on the ground” for more than a year, but noted that Timber Control in London accepted the downgraded material. Throughout the rest of the year, the Germans involved in the forestry industry continued complaining of difficulties cutting the wood to the designated lengths and the Military Government finally surrendered and granted Germans permission to send wood in German domestic sizes. While praising the British for accepting the poor quality and incorrectly cut wood, Bloch called the German effort “absolutely unsatisfactory.”³⁷

Like the Pit Prop Program, the ongoing struggle with the Export Program eventually led to threats. Shortly after Baumgartner spoke before the Minister-Presidents, the American Military Governors of Bavaria, Hesse, and Württemberg-Baden sent letters to the Minister-Presidents stating that the progress of the export program was unsatisfactory. If the Germans failed to increase shipments and meet their monthly quota by 1 August 1947, the Military Governors claimed that all German lumber in the American Zone would be frozen and made available for export, regardless of the cut lumber’s original purpose.³⁸ In Bavaria, Ehard notified General Muller that he recognized the importance of the program and would work to ensure its

³⁶ For specifics see: Acceptance of Order, 7 September 1946, NACP, RG 260/390/48/2/4/177 and Lumber Export from Germany, 8 August 1946, 177, NACP, RG 260/390/48/2/4/177.

³⁷ Lumber Export Program to Great Britain and the Netherlands, 1 July 1947, NACP, RG 260/390/48/2/4/175.

³⁸ Lumber Export Program, 7 June 1947, NACP, RG 260/390/48/2/4/175.

fulfillment, but he continued to express difficulties in obtaining clothing and equipment for workers.³⁹

These threats, like those aimed at the Pit Prop Program, provoked the intended result, and foresters and sawmills started meeting the export quota by August 1947, but they only had a short-term effect, and throughout 1948, Glades continually criticized the behavior and actions of the Bavarian forestry industry. At a meeting with German lumber experts in February 1948, he informed them there was “too much propaganda” around the export program, especially by German authorities who publicized false figures.⁴⁰ A month later, he again accused Bavarian agencies of “passive and active resistance” to the export program, which he argued was an “investment” for the future German economy. The continued “crying” over the export program, according to Glades, was unjustified and, using a German phrase identifying Bavaria as the capital of the Nazi movement, he claimed that “Bavaria (die hauptstadt der bewegung) should be glad to help repair war damage [sic].”⁴¹ Glades further stated that Germans blamed the export program for hurting German reconstruction projects; however, he felt this was a ruse, claiming, “from my personal observations . . . many in this profession . . . ‘hoard’ lumber and logs.” This, he believed, was a result of the rumored currency reform and he noted that all Germans “holding any kinds of stocks, be it livestock, lumber, real estate, or what not, do not want to sell [sic].”⁴²

As the Bavarian foresters undermined the pit prop and export programs much to the Military Government’s irritation, other individuals expanded on Baumgartner’s arguments concerning the Hague Convention. In Bavaria, former Minister-President Hoegner, in response

³⁹ Schnittholz-Export-Programm England, 5 September 1947, NACP, RG 260/390/48/2/4/175.

⁴⁰ Meeting on Lumber Management, 19 February 1948, NACP, RG 260/390/48/2/4/177.

⁴¹ Annual meeting of Bavaria Wood Sellers, 29 July 1948, NACP, RG 260/390/48/2/4/177.

⁴² Lumber for Carpenters, 11 March 1948, NACP, RG 260/390/48/2/4/177.

to assertions by the occupiers that the Hague Convention did not apply to Germany, penned an opinion piece addressing the question of whether or not the Hague Conventions were applicable to Germany. After summarizing the debate, he claimed that the occupying powers took advantage of the fact that there was no government in Germany when the war ended, a technicality that legally meant the Hague Convention did not apply, and he was critical of the occupiers for not recognizing German anti-fascist groups and resistance movements like the *Freiheitsaktion Bayern* who assumed governmental powers in Bavaria for twelve hours during the last days of the war.⁴³ With this decision, the occupiers ensured that the Hague Convention did not apply to Germany and they then used this to justify their intervention into the legislative prerogatives of the *Land* governments. While Hoegner appreciated the occupiers' efforts to create a democratic government based on the rule of law, he believed that the Hague Convention should apply to Germany because, even if the German case did not fit the exact situation described in the Hague Convention, the occupiers were not planning to annex Germany, but return sovereignty to the Germans.⁴⁴

Another who sought to further develop the argument that the Hague Convention applied to occupied Germany was lawyer and diplomat Dr. Eugen Budde. Budde headed the Department for Peace in the Main Office of the German Cities' Association (*Abteilung Frieden der Hauptgeschäftsstelle des Deutschen Städtetages*) in Bad Godesberg and was also a member of the CDU foreign affairs committee in the British Zone.⁴⁵ His devotion to challenging the occupiers under the articles of the 1907 Hague Convention became so well known that *Der*

⁴³ Veronika Diem, *Die Freiheitsaktion Bayern: Ein Aufstand in der Endphase des NS-Regime* (Kallmünz: Verlag Michael Laßleben, 2013).

⁴⁴ Wilhelm Hoegner, "Geschäftsführer ohne Auftrag," *Mittelbayerische Zeitung*, 7 October 1948, 1-2.

⁴⁵ *Akten zur Vorgeschichte der Bundesrepublik Deutschland 1945-1949*, ed. Bundesarchiv und Institut für Zeitgeschichte, vol. 2, *Januar 1947 – Juni 1947*, ed. Wolfram Weiner (Munich: R. Oldenbourg Verlag, 1979), 98n5.

Spiegel informed its readers that those following this line of argumentation were described as “Buddisten” (Buddists).⁴⁶

In a detailed legal opinion composed a month after Baumgartner’s speech to the Minister-Presidents, Budde cited German forestry experts who provided him with detailed statistics on the cutting program that indicated that continued cutting was bound to lead to the destruction of the forests. Budde noted that this information, while presented to the occupiers, failed to engender a change, leading him to assert that intervention must therefore be made based on international law. In this case, he, like Baumgartner, pointed to the 1907 Hague Conventions as these provisions delineated the minimum legal rights and obligations of any occupying army. Additionally, as the occupiers used this law themselves at Nürnberg, Budde contended that the occupiers themselves must be held to these legal standards to prevent a “relapse to the practices of Hitler . . . when an occupied territory was at the mercy of the conqueror.”⁴⁷

After justifying the use of the Hague Convention, Budde then stressed the same articles that Baumgartner had identified before the Bavarian Landtag: Article 46 concerning the protection of private property, Article 52 regarding the proportion of natural resources used by an occupying power, Article 55 stating that the an occupier must safeguard the value of buildings, forests, and agricultural estates, and Article 56 concerning the treatment of municipal and certain state properties as private property. With these articles in mind, Budde found fault with logging programs designed to meet the home requirements of the occupiers and the forced exportation of timber “against the will of the owners,” especially the involuntary exportation of coal which forced the Germans to rely on the forests for fuel. This cutting, he posited, might be

⁴⁶ “Wollen Sie sich bitte setzen,” *Der Spiegel*, February 12, 1949, 4.

⁴⁷ Concerning the exploitation of forests by the occupation powers, 28 July 1947, BayHStAM, OMGB 10/192-2/001.

reduced if the occupiers allowed the Germans to determine exports and to select goods to import rather than the arbitrary decisions made by the occupying powers. Additionally, Budde found the Allied arguments that the cutting of wood reduced Germany's ability to wage war problematic, declaring that any nation might use this as a catchall term to punish and destroy other nations. The arbitrary actions of the occupiers, he concluded, constituted "a number of legal infringements" that even some of the occupation powers themselves did not fail to notice.⁴⁸

Budde's arguments show a deepening effort to wield international law against the occupiers, especially the British and the French, for misusing and exporting Germany's natural resources, arguing that, as occupiers and stewards of Germany, they failed to properly manage Germany's natural resources. While Baumgartner publicly invoked international law to challenge the occupiers, Budde demonstrated how the occupiers violated several articles and interpreted demilitarization broadly to justify their actions. Although Germans remained unable to take legal actions against the occupiers, the appeal to the Hague Convention reveals Germans' efforts to hold the occupiers accountable for their actions and to demand a return to German control over German natural resources.

While some made political and legal arguments to discontinue occupation forestry policies, numerous civil society associations formed in the wake of Baumgartner's speeches to save the German forests, including the *Deutsche Pappelverein*, *Badischer Waldbesitzerverband*, *Württembergischer Waldbesitzerverband für die französische besetzte Zone*, *Vereinigung Holzschutz*, *Notgemeinschaft zur Rettung des deutschen Waldes*, *Die deutsche dendrologische Gesellschaft*, *Bayerisches Forstvereins* and the *Deutsche Forstverein* among others. Although all these organizations formed to protect the forest, the largest and most important was the SDW.

⁴⁸ Concerning the exploitation of forests by the occupation powers, 28 July 1947, BayHStAM, OMGB 10/192-2/001.

Formed and approved by the British Zone Advisory Council in November 1947, the SDW held its founding meeting on 5 December 1947 in Bad Honnef.⁴⁹ According to Sandra Chaney, at this meeting, Robert Lehr (CDU), the association's first president, also cited the Hague Convention, arguing that it was illegal under international law to exhaust the resources of an occupied country.⁵⁰

Reporting on the founding of the SDW, the professional foresters' journal, the *Allgemeine Forstzeitschrift*, wrote that the SDW aimed to unite the numerous organizations established over the last year and to form a large popular movement to fight for the preservation of the forest through school education programs, press releases, and building contracts with government agencies and politicians.⁵¹ To accomplish these objectives, the SDW acted as the educational branch of state forestry offices and new branches spread across the western zones throughout 1948 and 1949. Using publications, films, museum exhibits, and public lectures, the SDW stressed the forest's economic importance, but also reminded Germans of the strong cultural connection between the forests and the people.⁵²

This effort was clear in SDW exhibitions across western Germany. In an SDW exhibit at the Kestner Museum in Hannover, a writer for the *Allgemeine Forstzeitschrift* found art, photographs, and statistics providing a comprehensive picture of the German forest. Within the exhibit, the writer described the entrance surrounded by vegetation and taxidermized wildlife, a partially demolished hunting lodge sitting in a desert landscape, statistics on the water table, and

⁴⁹ Die Schutzgemeinschaft Deutscher Wald wendet sich an Alle, 27 November 1947, BAK, B116/5768.

⁵⁰ Chaney, 68.

⁵¹ "Schutzgemeinschaft Deutscher Wald in Bad Hennef," *Allgemeine Forstzeitschrift* 3, no. 2 (January 1948): 15.

⁵² Chaney, 68.

the importance of windbreaks.⁵³ In Bavaria, in cooperation with the Bavarian State Association of Non-State Foresters, the SDW opened a small exhibit at the 1949 Oktoberfest stressing the cultural and economic importance of the forest.⁵⁴ According to Martin Bemann, the SDW also created a mobile museum by constructing exhibits in railcars that promoted the importance of the forest to German culture.⁵⁵ While the SDW's efforts may not have stopped the cutting, the association, as Chaney argues, seized "the opportunity to shape how . . . people viewed the forest and the occupation policies that called for exploiting them."⁵⁶

The Bavarian branch of the SDW, the last formed in western Germany, was organized in February 1949. Its first meeting included an address by Ehard and lectures on the forest economy, the health benefits of the forest, and the forest's influence on art. In reporting on the Bavarian branch's organization, the editors of the *Allgemeine Forstzeitschrift* noted that they long supported the same principles as the SDW, such as cultivating the relationship between the people and the forests, the health effects of the forest, and identifying dangers to the forest; however, the editors also recognized something new in the SDW, an organization founded by the people and open to "all sections of the population." Although acknowledging the state's historical role in forest preservation, the editors conceded that this often separated the people from the forest. With the SDW, the editors asserted that the protection of the forests "has now in a democracy become an initiative of the people." As an initiative of the people, the editors hoped

⁵³ "Der Wald - unser Schicksal," *Allgemeine Forstzeitschrift* 3, no. 15 (August 1948): 155.

⁵⁴ "Der Bauernwald auf dem Zentrallandwirtschaftsfest," *Bauernwald*, September 17, 1949, 27.

⁵⁵ Bemann, 432.

⁵⁶ Chaney, 68.

the SDW would ensure that the forest no longer remained separate from the people, but within their hearts.⁵⁷

In giving their support to the SDW, the professional foresters writing in the *Allgemeine Forstzeitschrift* symbolically recognized the transition occurring in western Germany, a transition from a state where forest and environmental issues remained the prerogative of the state to one where it became the responsibility of the people. While, as Chaney stresses, conservation groups like the SDW continued to rely on social and political elites for patronage until the emergence of the environmental movement, German foresters and conservationists also recognized that these initiatives were in some way new and democratic organizations founded on contesting and overturning occupation policies.⁵⁸

Reforestation

In a 1945 memo regarding the future of the Bavarian Forestry Administration, *Oberforstmeister* Albert Klietsch wrote that the reforestation of the still growing clear-cut areas would be one of the central tasks for Bavarian foresters over the coming decades.⁵⁹ Yet, when and how reforestation might occur remained unknown, as firewood, pit props, reconstruction, and timber export proved the more salient issues in 1945. Just as Klietsch had little room for discussing reforestation in 1945, environmental historians emphasizing the occupiers' over-cutting of the forests tend to neglect reforestation plans and fall into the declensionist trap: they emphasize the destruction of nature and the organization of movements to save nature, not the

⁵⁷ "Schutzgemeinschaft Deutscher Wald," *Allgemeine Forstzeitschrift* 4, no. 7 (February 1949): 57-58.

⁵⁸ Chaney, 60.

⁵⁹ Gutachten über die künftige Eingliederung der bayerischen Forstwirtschaft in ein Staatsministerium, 12 December 1945, BayHStAM, MELF 3482.

restoration process.⁶⁰ Only a short study in 1954 by the Bavarian Forestry Administration examines the reforestation project, but it overlooks the role of the American Military Government in the development of reforestation plans.⁶¹ This section thus moves beyond the overcutting of the German forests and seeks to explore how American occupiers and Bavarian foresters planned, developed, and implemented a reforestation plan during the occupation and explores the outcomes of this effort. A focus on reforestation shows that while the American occupiers certainly oversaw the clear-cutting of the German forests, they also worked with the Bavarian foresters to develop a reforestation plan. Although not devoting the time and resources necessary for a full-scale reforestation program, the plans drafted and approved by the American occupiers served as the foundation for a concerted reforestation effort once West Germany assumed semi-sovereignty and the Bavarian state could directly manage its affairs.

Before even thinking about reforestation, American occupiers needed to understand the forests under their control. Since the last Bavarian forestry survey had occurred in 1937, neither the Americans nor the Bavarians knew the composition of the forests or the size and scope of wartime cutting programs. To address this issue, the American occupiers directed the Germans within the American Zone to undertake a forestry survey in mid-1946 to determine the composition of the forests and to develop a forestry working plan since the 1937 survey no longer corresponded with reality.⁶² Although the Military Government sent this order to the Bavarian Forestry Administration in May 1946, the Germans and Americans did not finalize specifications for the survey until July, directing forestry offices to survey state, community, and

⁶⁰ For a discussion on declensionism see J. Donald Hughes, *What is Environmental History?* (Malden, MA: Polity Press, 2006), 99-101.

⁶¹ Konrad Rubner, *Die Wiederaufforstung in Bayern von 1948 bis 1954* (Munich: Bayerischer Landwirtschaftsverlag München), 1954.

⁶² Forestry-Survey, 11 May 1946, NACP, RG 260/390/48/2/5/185.

private forests more than 10 hectares in size and to record the species of trees within each forest. Additionally, as Americans wanted the survey completed as quickly as possible, Hoepffner directed the state foresters to act as they saw fit and to estimate forest size to ensure the survey was done speedily.⁶³

As foresters started carrying out the survey, Americans and Germans both monitored seed collection and tree nurseries for reforestation. In a meeting of the Forestry Committee at the *Länderrat*, the committee directed the *Länder* in the American Zone to start collecting seeds for reforestation and noted that while Bavaria had recently reestablished nurseries, they did not yet yield a significant number of saplings.⁶⁴ Several months later, the same committee reported favorable conditions for seed yields and hoped that when fertilizer allocations were made, tree nurseries might receive some fertilizer for reforestation plans. The committee recognized that “tree nurseries are required and their productiveness must be increased. This, however, was not possible unless the necessary fertilizers became available.”⁶⁵

While these discussions occurred in the *Länderrat*, in Bavaria Hoepffner hoped to restock almost 125,000 hectares of forestland following the 1946/47 cutting year; however, he worried that Bavarian nurseries could not provide enough saplings and asked the Military Government if Bavaria could receive seedlings from the British Zone. If no saplings were available, he stated that the forestry administration would attempt to sow seeds, but, in either case, he warned the Military Government that reforestation and seed collecting efforts all depended on the

⁶³ Forest-Survey, 2 July 1946, NACP, RG 260/390/48/2/5/185.

⁶⁴ Meeting of the Landerrat: Committees for Forestry, Lumber, and Timber, 30 March 1946, NACP, RG 260/390/48/2/3/172.

⁶⁵ Laederrat Forestry Committee, 4 September 1946, NACP, RG 260/390/48/2/3/172.

availability of manpower.⁶⁶ Seed collecting, however, seemed an opportunity for non-foresters as well. In a detailed memo circulated to the regional forestry offices, Hoepffner clarified the procedure and controls for collecting, cleaning, and selling Beech tree seeds and the amount the forestry administration paid per kilogram (65 RM). According to this memo, the government held a monopoly on the buying and selling of seeds and prohibited the sale of seeds to private merchants.⁶⁷

The Military Government also paid close attention to tree seed collection. Writing to the Military Government forestry officers, Kircher urged them to ensure that the German foresters collect beech and spruce seeds which were particularly plentiful in 1946. Although urging the collection of seeds, Kircher informed the officers that he was contacting the British Zone to inquire about nursery stocks and that transactions might be possible directly between the *Länder*. In terms of carrying out reforestation, Kircher stated that only Bavaria sought to implement reforestation plans in 1946 while the other *Länder* in the American Zone would wait until the following year. Not wanting to leave the clear-cut lands unproductive in the midst of a food crisis, Kircher directed the forestry branches to plant agricultural crops on clear-cut areas for one-to-two years. In Bavaria, he encouraged foresters to focus reforestation efforts on “steeper and less accessible areas” and to use the other areas for agricultural plants to help with the urgently needed food supplies.⁶⁸

The completion of the forestry survey was central to developing reforestation plans. Baumgartner submitted the Bavarian results in early 1947 with the caveat that the survey was

⁶⁶ Forstamen- und Pflanzenbedarf, 24 August 1946, NACP, RG 260/390/48/2/5/184.

⁶⁷ Beech-nut crop, 9 September 1946, NACP, RG 260/390/48/2/5/184.

⁶⁸ Seed Collecting and Planting Reports, 26 September 1946, NACP, RG 260/390/48/2/5/184.

compiled “under exceedingly difficult working conditions in an unusually short space of time.” According to Baumgartner’s report, the survey estimated that the total volume of forest over 10 hectares was 162 million cubic meters on over 1.6 million properties, a much higher estimate than experts predicted which challenged those like Baumgartner who frantically warned of desertification and the end to German culture. Nevertheless, Baumgartner, still deeply invested in saving the forests from the axes of the occupiers, suggested this discrepancy might arise from the speed used to carry out the survey and the lack of trained personnel. Additionally, Baumgartner pointed out that the Bavarian Forestry Administration, using this survey, estimated that the occupiers’ 1947 cutting plan of 14.5 million cubic meters was 246% of the annual growth, and he noted that this violated the forestry administration’s practice of managing the forest based on the sustained yield practices enshrined in the Bavarian Forestry Law. With the forest being overcut for years, Baumgartner concluded his report on the survey by asking the Military Government forestry experts to “use their authority and influence . . . to secure the fulfillment of this sublime principle.”⁶⁹

Within the Military Government, Bean wrote that the figures in Baumgartner’s report needed to be verified through American spot checks to assure that “the work has been reasonably well done.” Additionally, he stated that a second survey would collect data on smaller forestry properties in 1948 to ensure that German foresters could develop definite plans for small private forests typically owned by farmers. Although the survey was incomplete and hastily conducted, Bean directed the German foresters to develop a forestry management plan based on the available data, one that included future cuttings and a reforestation plan. Besides these objectives, Bean asked the Military Government forestry branches not to ask for much more

⁶⁹ Forest Survey 1946, 21 February 1947, NACP, RG 260/390/48/2/5/187.

information and to allow the German foresters a “free hand to express their opinions and best judgement as to what should be done with their forests in the next 10 years.”⁷⁰ This essentially gave authority to German foresters to design their own reforestation plan without the occupier’s influence.

The Bavarian foresters certainly saw this as an opportunity to reassert German ideas about the forest and to develop a plan based on the Bavarian Forestry Law that included the principle of *Nachhaltigkeit*. Writing to the regional forestry offices shortly after receiving Bean’s instructions, Hoepffner informed them that his office was developing a ten-year forestry management plan that aimed to eventually reduce the cutting plan to align with annual growth, but he noted that this would take several years based on the “exceedingly high” wood demands for reconstruction, reparations, and exports for foreign currencies. Although facing continued high cutting levels, Hoepffner assured the regional foresters that the forestry administration sought to continue reforestation efforts, to properly care for newly cultivated areas, and to avoid any future clear-cuttings in their efforts to meet wood demands. Concluding, Hoepffner stressed that if they failed to lay the foundation for a new silviculture, they would lose “the esteem which the foresters of former generations have gained for German forestry.”⁷¹

The Bavarian Forestry Administration presented their ten-year forestry plan to the Americans in early 1948. The plan acknowledged the overcutting by the Nazis and the occupiers and stated that the goal of the plan was a return to a sustained yield forestry management plan by the 1951/52 cutting year. By that year, the forestry management plan predicted that the volume of the Bavarian forest would be 17.7% less than that estimated in the 1946 forest survey due to

⁷⁰ Results of Forestry Survey, 8 April 1947, NACP, RG 260/390/48/2/5/187.

⁷¹ Working Plans for Forest Management, 30 April 1947, NACP, RG 260/390/48/2/2/166.

American cutting plans. After detailing the age and class of trees that would hopefully compose the forests in 1951/52, the plan elaborated on reforestation efforts and specifically emphasized growing site-adapted species and avoiding future clear-cutting in sensitive areas like the Bayerische Wald on the Czech border.⁷²

Following the submission of the plan to the Military Government, Berg, the Chief of the American Forestry Section in Bavaria, reviewed and commented on it for his superiors. While acknowledging the German foresters' concerns over the significant reduction of older trees, Berg suggested that the forestry plan aligned with global trends. The plan indicated a shift from larger diameter trees and the production of timber to smaller diameter trees and the production of pulp, cellulose, and pressboard materials, a sign to Berg that Bavarian foresters had finally "changed their old ideas about forestry management." Berg then claimed that this reduction in large mature trees not only aligned with "good forest management practices," but also with the Military Government's objectives to reduce German war potential. The occupation had deforested large parts of Germany's mature timber stands and the transition to smaller trees for pulpwood indicated that the German forest would not again be used to build up military potential. This complete transition within German forestry, surmised Berg, "will be beneficial from an economic point of view."⁷³

With the survey completed and a plan developed, Bavaria initiated its reforestation plan in 1948. While a small effort was made in 1947 that sought to reforest 330 hectares, the 1948 plan represented a serious effort by the Bavarian Forestry Administration that aimed to reforest

⁷² Bavaria Working Plan, 12 February 1948, NACP, RG 260/390/48/2/2/166.

⁷³ Forest Management Plan, 20 February 1948, NACP, RG 260/390/48/2/2-3/166.

30,000 hectares per year and to reforest all clear-cut areas within ten years.⁷⁴ Yet, reforestation was not simply about planting seeds and saplings, and it would prove a difficult challenge in the coming years. Writing in the *Allgemeine Forstzeitschrift*, the Bavarian Department for Silviculture and Forest Management informed readers that 7% of Bavaria's forest area required reforesting but noted that most clear-cut areas were over 10 hectares in size and that few areas in need of reforestation were suitable for planting. The majority of clear-cut areas now required tilling because of competing vegetation. To address these problems, the article informed its readers that the Minister of Food, Agriculture and Forestry was developing a comprehensive plan, known as the General Plan, to address the reforestation effort based on the surveys of the clear cuts in October 1948. For the foresters, this work was highly important, and they saw the implementation of the plan as crucial for the economy and culture of Germany.⁷⁵

The individual overseeing the development of the General Plan was Dr. Alois Schlögl (CSU), who replaced Baumgartner in February of 1948. A relatively stocky man with a bushy mustache and glasses, Schlögl was a veteran of the First World War and received a doctorate degree in economics from the University of Erlangen. He was a journalist for a short time before entering agricultural politics as Chairman of the Christian Farmers Association in Passau. He was later elected to the Bavarian Landtag as a member of the BVP until the Nazis came to power. In 1933, the Nazi SA, under the specific instructions of Julius Streicher, brutally beat Schlögl at his home in Landshut and left for dead him, an event from which he never fully recovered. Until the outbreak of the war, Schlögl worked as tax consultant, but he was eventually ordered to work as an officer assigned to special duties (*Offizier zur besonderen Verwendung*)

⁷⁴ 1948 Reforestation Plan, 17 December 1947, NACP, RG 260/390/48/2/5-6/187.

⁷⁵ "Die Wiederaufforstung der Kahlflächen im bayerischen Staatswald," *Allgemeine Forstzeitschrift* 4, no. 8/9 (March 1949): 69-71.

from 1940-1945. Following the war, he helped found the CSU and the Bavarian Farmer's Association. Until his appointment as Bavarian minister, he served as the General Secretary of the Bavarian Farmers' Association, and he was once again elected to the Bavarian Landtag.⁷⁶

As the Bavarian government developed the General Plan under Schlögl, one prominent issue debated among foresters was over whether the General Plan should support reforestation efforts in the large number of private forests in Bavaria, especially small farmer-owned forests. While private foresters were guaranteed the right to manage their property as they saw fit based on the 1852 forestry law, a right the occupiers found frustrating during the shortage of pit props in early 1948, the insatiable need for reconstruction lumber increased interest among professional foresters to improve the private forests. In this regard, many professional foresters recognized the need for the Bavarian state to aid and improve educational opportunities for farmers with small forest holdings.

Addressing the issue in a lengthy article for the *Allgemeine Forstzeitschrift*, Josef Köstler, a forestry professor in Munich who spent the war years in Berlin, acknowledged that most farmers were better with livestock than with forest, leaving small forests unproductive and poorly managed, but he saw the potential to increase forestry production by improving access to educational opportunities. He specifically pointed out farmers' neglect of soil conservation and silvicultural management and believed that improved relations between the private foresters and state foresters, a relationship that could be contentious at times,⁷⁷ could improve private farmers' forest holdings. By helping private foresters improve soil conservation and forestry management,

⁷⁶ Theresia Bauer, "Schlögl, Alois," in *Neue Deutsche Biographie, Vol. 23*, ed., Hans Günter Hockerts (Berlin: Duncker & Humblot, 2007), 96-97. Available online at <http://daten.digital-sammlungen.de/0001/bsb00019558/images/index.html?seite=116>. Accessed February 2018.

⁷⁷ "Die Staatsforstverwaltung und der Bauernwald," *Bauernwald*, April 5, 1952, 9.

farmers could make their forests more sustainable, aligning with professional foresters' devotion to *Nachhaltigkeit*, and increase their forest holdings. To achieve this, he emphasized the need for the state forestry administration to offer outreach programs, to support forestry schools for farmers, to prevent the further shrinking of farmer forestry holdings into smaller parcels, and to take an active role in monitoring the sale and transfer of small private forests. These efforts, he believed, would not only improve farmers' forestry holdings, but all forests in Germany.⁷⁸

The Association of Non-State Foresters also sent a list of recommendations to Schlögl during the development of the General Plan addressing the possibility of aid to private foresters and published them in the *Allgemeine Forstzeitschrift*. The association, mostly composed of large landholders, made clear that they did not want any state agency to oversee or get involved in the management of private forests, specifically denouncing the Nazi era Reichsnährstand that had intervened in private forest management. While stating their opposition to government interference, the association did ask the state to provide some aid to private forests in the General Plan. In this regard, the association advocated funding forestry schools to educate farmers with private forests, for outreach programs supported by the state forestry administration to aid forest owners, and for a new forestry law to replace the 1852 Bavarian that would aid in the amalgamation of small dispersed forest holdings.⁷⁹

Although discussions abounded over reforestation plans and the place of private forests in the General Plan, all parties awaited the approval of funds by the Bavarian government and the specific plan developed by the forestry administration. This information was finally revealed by Baumgartner's successor Alois Schlögl in July 1949, two months after West Germany's first

⁷⁸ Josef N. Köstler, "Waldbau im Bauernwald," *Allgemeine Forstzeitschrift* 4, no. 26/27 (July 1949): 237-245.

⁷⁹ "Förderung des Bauernwaldes in Bayern," *Allgemeine Forstzeitschrift* 4, no. 26/27, (July 1949): 245-247. A shorter summary appeared in the article: "Ein Generalplan," *Bauernwald*, March 12, 1949, 9.

federal elections and two months before the formal end to the military occupation. Building on the efforts undertaken during the occupation, the reforestation plan allocated 112.5 million Deutsche Mark (DM) over a five-year period and detailed how the forestry administration would use the funding to reforest state and community forests, especially the hardest hit areas around Munich, Freising, Regensburg, Nuremberg, Augsburg, Schnabelwaid, and Bayreuth.⁸⁰ The reforestation plan, Schlögl emphasized, was central to preserving the German landscape, and thus German culture, as the forests regulated water in the soil, shielded topsoil, prevented mudslides in the mountains, and protected against desertification. He then recognized the important role the forest played in preventing thousands of Germans from freezing during the occupation, but he also lamented this fact, noting that “hundreds of thousands of apartments could have been built with ‘firewood.’”⁸¹

After providing this framework, Schlögl focused on the scope of the reforestation plan, outlining the goals and costs for the next five years, including reforesting 13,500 hectares in 1949 for 12 million DM, 20,000 hectares in 1950 for 18 million DM, and 30,500 hectares for 27.5 million DM in 1951, 1952, and 1953. In the municipal forests, Schlögl acknowledged the large cuttings over the recent years and offered to make available grants and credits to help communities in their reforestation plans. Regarding the private forests, which composed most of Bavaria’s forestry holdings, Schlögl offered little. He noted that the state foresters often worked with and advised private foresters, but stated that the budget did not allow for the formation of a large bureaucracy to work with private foresters and help them in reforestation efforts.

Additionally, Schlögl acknowledged that many of the larger private forests had their own staffs.

⁸⁰ For a map detailing the percentage of clear-cuts in Bavarian state forests see insert in K. Rubner, *Die Wiederaufforstung in Bayern von 1948 bis 1954*.

⁸¹ General-Plan zur Wiederaufholung, 19 July 1949, BayHStAM, MELF 4266.

To aid smaller private forests, Schlögl recognized the importance of the Association of Non-State Foresters to helping and educating farmers who owned small forests and encouraged the association to continue supporting the farmer forestry school in Hohenkammer north of Munich.⁸²

Although the private forestry association was disappointed by the lack of support and failure to address plans for a new forestry law,⁸³ Heinrich Rubner, a forestry scholar who advised the Bavarian government on the reforestation program, described the plan as extremely effective because it provided a large amount of funding immediately rather than providing smaller amounts of aid over a longer period of time. Rubner considered this crucial for two reasons. First, it provided the forestry administration and its workers a needed psychological boost and showed the state's desire to rescue the forests. Second, he noted that a longer reforestation plan would have witnessed greater staff turnover and decreased institutional knowledge about the clear-cut locations and the reforestation plans. With the forestry administration buoyed by the plan and significant financial allocation, Bavaria undertook the largest reforestation program in its history.⁸⁴

The first reforestation reports from the regional forestry office indicate both difficulties and success. The dry summer and autumn of 1949 made reforestation efforts difficult, and the lack of rain made excavating trees from nurseries challenging. Reports stressed the destruction of root systems, the difficulties plantings on outdoor cultivation sites, and the poor development of

⁸² General-Plan zur Wiederaufholung, 19 July 1949, BayHStAM, MELF 4266. For the farmer forestry school, see "Waldbauernschule Hohenkammer," *Bauernwald*, October 29, 1949, 30.

⁸³ There was an effort by the Bavarian government in 1952 and again in 1954 to pass a new forestry law, but both times it faced significant opposition for violating private property rights. Bavaria did not replace the 1852 Forestry Law until 1975 when a new federal forestry law was promulgated in Bonn.

⁸⁴ K. Rubner, 8-9.

plantings on the area around Munich which sits on a sandur, or outwash plain known as the *Münchner Schotterebene*.⁸⁵ While 1949 proved dry and difficult for reforestation efforts, the 1950 reforestation reports indicate that the weather improved significantly and that planting proceeded without many difficulties. The regional forestry office in Upper Bavaria wrote that plantings in September and October 1950 showed promise due to the humid weather.⁸⁶ In Lower Franconia, the favorable weather resulted in healthy growth among tree cultivation sites and cultivation in clear-cut areas progressed significantly in 1950.⁸⁷ The office in Middle Franconia happily reported that the “exceptionally favorable and rainy weather during this year’s growing season was not only beneficial for this year’s saplings, but also for the continued development of older saplings.”⁸⁸ Looking at the progress of reforestation in Bavaria, the Bavarian Forestry Administration noted in 1951 that even with bad weather conditions, especially in 1949, only 22,000 hectares of the General Plan’s initial 125,000 hectares remained to be planted and that the Bavarian Forestry Administration planned to adhere to the 1948 plan developed under the American Military Government.⁸⁹

Rubner’s 1955 study on the reforestation plan noted that reforestation efforts continued even as the General Plan came to an end in 1953. Unsurprisingly, he stressed that the progress of the reforestation plan depended on local weather conditions, soil, and the forests’ distance from

⁸⁵ Regierungsforstamt Oberbayern Aufforstung, 15 December 1950, BayHStAM, MELF 4267; Aufforstung, 5 December 1950, BayHStAM, MELF 4267. Outwash is the collection of sands and gravels, often hundreds of feet thick, deposited by streams of glacial meltwater that often forms a larger flat plain. See Judith Maizels, “Outwash,” in *The Dictionary of Physical Geography*, eds., David S. G. Thomas and Goudie Andrew. 4th ed. (Blackwell Publishers, 2016). <http://p2048-lib-ezproxy.tamu.edu/ezproxy.library.tamu.edu/login?url=https://search.credoreference.com/content/entry/bkphsgeo/outwash/0?institutionId=692>.

⁸⁶ Regierungsforstamt Oberbayern Aufforstung, 15 December 1950, BayHStAM, MELF 4267.

⁸⁷ Aufforstung Unterfranken, 15 December 1950, BayHStAM, MELF 4267.

⁸⁸ Aufforstung Mittelfranken, 14 December 1950, BayHStAM, MELF 4267.

⁸⁹ Wiederaufforstung in den Staatswaldungen Stand, June 1951, BayHStAM, MELF 4267.

large cities. Reforestation around the large cities was especially difficult, as these forests had experienced the most cutting for firewood needs in the first years of the occupation.

Reforestation efforts around Nürnberg and Augsburg, he wrote, had progressed slowly, but they had developed much better than the efforts around Munich. Situated on the outwash plain with its thin soil, the area around the Bavarian capital faced difficult challenges with droughts and late frosts damaged saplings. With these problems, he predicted an extra five to ten years before reforestation efforts would be noticeable in the forests around Munich.⁹⁰

After detailing the reforestation efforts in Bavaria, Rubner concluded that the reforestation plan had clearly faced significant setbacks from droughts and frosts. While one might picture reforestation simply as scattering seeds on clear-cut areas, he noted that things were “not that easy.” In Bavaria, the forestry administration had worked hard and approached the task with great zeal, but with the bad weather, the forestry administration had faced environmental setbacks that, according to him, demoralized the foresters. Yet, even with these challenges, Rubner’s conclusion praised the General Plan and the efforts and methods employed by the foresters, claiming that the reforestation plan and its implementation “can be described as good, sometimes even very good.”⁹¹

Conclusion

As the Bavarian Forestry Administration’s reforestation plan was coming to an end, the president of the SDW, Lehr, now the Bundesminister for the Interior, following the recommendation of the Food and Agricultural Organization of the United Nations, announced plans to hold a national “Tag des Baumes” (Day of the Tree) in 1952, an idea modeled on Arbor

⁹⁰ K. Rubner, 95-96.

⁹¹ K. Rubner, 93-130.

Day in the United States.⁹² Writing in the *Allgemeine Forstzeitschrift*, Erich Hornsman, who would lead the Bavarian branch of the SDW from 1964 to 1990, informed the professional foresters that the celebration sought to enlighten the people about the forests and their value for the economy, landscape, culture, health, and climate. This event, he emphasized, was not a celebration of professions in the forestry industry, but a celebration of the forest and the people writing that the forests provide the German people with a sense of belonging, a feeling that must be safeguarded through the preservation of the forests.⁹³

Using government funds, the SDW organized and held the first national Tag des Baumes in April 1952. On the appointed day, cities, towns, and villages across West Germany celebrated the German forest by planting trees, singing songs, dancing, and viewing exhibits about the social and economic value of the forest.⁹⁴ The main ceremony occurred in Bonn where Lehr and the first president of the Federal Republic, Theodor Heuss, of the Free Democratic Party (*Freie Demokratische Partei*, FDP), planted maple trees in the Bonn Hofgarten with the help of schoolchildren in folk costumes (*Trachten*). Heuss, concluding his remarks, quoted the Latin epigraph on his mother's family crest, "In silva salus" (in the forest is salvation).⁹⁵ In West Berlin, the democratic outpost inside East Germany, hundreds of children planted trees in the

⁹² Chaney, 69.

⁹³ Erich Hornsman, "Zum ersten deutschen 'Tag des Waldes,'" *Allgemeine Forstzeitschrift* 7, no. 16 (April 1952):185-186.

⁹⁴ Chaney, 69.

⁹⁵ Des Herrn Bundespräsidenten Prof. Dr. Heuss und des Herrn Bundesministers des Innern Dr.h.c. Lehr, 25 April 1952, BayHStAM, SDW 220.

Tiergarten, Berlin's central public park, a place that Berliners had cut for firewood and transformed into garden plots during the occupation.⁹⁶

In Bavaria, the SDW organized over 350 events and planted an estimated 100,000 trees, including a planting by Mayor Wimmer at Munich's Sendlinger Tor.⁹⁷ At the city's main celebration in the Englischer Garten, Minister-President Ehard's address to those in attendance marked a symbolic end to occupation forestry management. After the playing of hunting horn music and the planting of trees near the Monopteros, a Greek styled temple,⁹⁸ Ehard praised the SDW's efforts to educate Germans about the forest and recognized the integral role the forest played in leisure and economic activities of Bavaria. To ensure the conservation of the forest for these activities, Ehard emphasized the need for constant vigilance, care, and protection. Only through these efforts, he asserted, could Germans replant the large clear-cut areas created by the occupiers and ensure the future of the German forests.⁹⁹

With the celebration of the Tag des Baumes and the return to sustained yield forestry management, the year 1952 marked the end of occupation forestry and the beginning of a new phase in German forest history. At this point, the various state forestry administrations had regained control over forestry policy, and, while the western Allies still closely watched German politics and policy in the form of the High Commission for Germany, West Germans controlled and oversaw the forests. For German foresters, this meant a return to designing and implementing forestry policy, cutting programs based on *Nachhaltigkeit*, and an end to the

⁹⁶ Schutzgemeinschaft Deutscher Wald, Forst- und Holzwirtschaftlicher Informationsbrief, 22 May 1952, BayHStAM, SDW 220.

⁹⁷ Oberlander to Ehard, 26 August 1952, BayHStAM, SDW 220.

⁹⁸ Programm des „Tag des Baumes 1952“ am 26.4.1952 im Englischen Garten am Monopteros, undated, BayHStAM, SDW 220.

⁹⁹ Geleitwort des bayerischen Ministerpräsidenten Dr. Hans Ehard, 26 April 1952, BayHStAM, SDW 220.

prerogative of the American occupiers who sought to demilitarize the German forest through massive cuttings for energy, reconstruction, and export contracts.

The celebrations marking the return of German control over the forests of West Germany in 1952 were the capstone of a years-long effort by politicians, the press, and civil society to contest the sovereignty of the occupation and to negotiate with the occupiers over the use of the forest. While initially, in the midst of postwar chaos and upheaval, Germans recognized the need for reliance on wood and firewood to make it through the winters, the continued overcutting of the forests and declining material conditions ultimately led Germans to use the forest as a space to contest the occupation and advocate for German control over the forests. The forest proved an ideal site to contest the occupation because of forests' cultural tradition in the German imagination and because the forests offered a relatively neutral space to challenge the occupation policies.

The use of the forests to reassert Germany sovereignty was most evident in the speeches delivered by Joseph Baumgartner in 1947. By using his political position as the head of Bavarian forestry, Baumgartner openly opposed occupation forestry practices and asserted that occupation forestry would result in the destruction of the German nation. In appealing to the Hague Conventions and demanding that the occupiers recognize Germany's rights under this international law, he clearly encouraged the elected Minister-Presidents to assume the mantle of German sovereignty, to contest the occupation under international law, and to negotiate with the occupiers as sovereign representatives of the German people.

These bold assertions made by Baumgartner also demonstrate the increasing political independence of German politicians from the occupying powers and the growing conundrum facing the occupiers in their efforts to foster German politicians who were democratic and

independent. American occupiers, as evident in their discussion concerning Baumgartner's speeches, considered the growing protests against the use of the forest as erroneous and based on misinformation. Yet, while the occupiers could have publicly reprimanded or even forced Baumgartner from office, they chose not to respond. In remaining silent, at least publicly, the American occupiers provided a space for Germans to engage in democratic politics.

As the occupiers debated their response to Baumgartner, his words and the efforts of other politicians across western Germany to protect the German forest started resonating with the German people, a call that resulted in the formation of civil society organizations across the western occupation zones to save the German forests. By using contacts in local government, these associations quickly printed materials, organized educational events, and created museum exhibits to raise greater awareness among the German people about the potential threat to the German forests. Eventually, many of these associations united under the *Schutzgemeinschaft Deutscher Wald*, and this organization led efforts to protect the German forests and helped to nationalize conservationism. The positive response of German civilians to save and protect the forests indicates that the forests provided a space for reemergence of German civil society associations that would play an important role in the Federal Republic.

Even as the occupiers' policies fostered the reemergence of politics and civil society, this chapter has shown that the American occupiers' directed efforts to ensure the future of the German forests under their management. Although the implementation of a forestry survey served to help direct cutting plans, it also served as the foundation for Bavarian reforestation plans, plans that American occupiers not only asked Bavarian foresters to independently develop, but also resoundingly approved. While it proved difficult to fully implement the reforestation plans during occupation, the Bavarian Forestry Administration adopted and financed the

reforestation plans and goals developed under the American occupiers that sought to return the Bavarian forest to sustained yield forestry management by 1952/53.

This reforestation plan designed by the Bavarians without American guidance reveals the Bavarian Forestry Administration's adherence to Bavarian law in working to return to the practice of *Nachhaltigkeit* that numerous foresters and politicians voiced during the occupation. Moreover, while implementing a reforestation plan dedicated to sustainable yield management practices, the reforestation plan also indicates a new approach to forestry practices. The American approved reforestation plan reveals that Bavarian foresters were shifting to smaller trees and shorter growing periods to focus more on cellulose and pressboard rather than mature lumber.

Even as German foresters worked to undo the damage caused by the massive clear-cuts directed by the occupiers, the foresters were contending with Germany's wildlife which often damaged and uprooted saplings. Like the forest, German game animals also fell under American policy during the occupation. With German hunters and foresters disarmed due to demilitarization, game management fell under the purview of the American occupiers, but with little restrictions, American soldiers hunted enthusiastically, even before the war ended, and their hunting behaviors drew harsh criticism from German politicians, German hunting associations, and the press. The subsequent challenges and debates between Germans and Americans over hunting practices, traditions, and laws provided Germans with a space to contest occupation policy and demand the rearming of German foresters and hunters.

CHAPTER IV

THE WILD BOAR PLAGUE:

HUNTING IN THE AMERICAN ZONE, 1945-1948*

On 28 November 1946, Karl Prinz Biron von Curland wrote to Birger Berg, Chief of the American Forestry Section in Bavaria, and complained about illegal hunting by American soldiers from the 184th Ordnance Battalion on his property north of Munich. As the landowner, Curland informed Berg that he and his gamekeeper continually managed the hunting grounds by culling predators and feeding game animals throughout the winter, a German practice that he admitted made the game easy to shoot. With game conditioned to human interaction, he felt that the unrestrained hunting by American soldiers since the end of the war would ultimately lead to the elimination of wildlife on his property. For Curland, this possibility was not just a moral question but also a financial issue because German law defined game animals as private property and thus subject to compensation. Curland claimed that he and a state forester had previously warned the soldiers that their actions were illegal, but he alleged that the American soldiers continued to hunt, refused to turn over hunted game to landowners, and declared that they “won the war and they can do in Germany whatever they like.”¹

Curland’s letter to Berg reveals the ideas and attitudes held by many American soldiers who hunted game in occupied Germany. Finding abundant wildlife in the German forests,

* Parts of Chapter IV are reprinted with permission from “Occupying the Environment: German Hunters and the American Occupation” by Douglas I. Bell, 2018 in *Transforming Occupation in the Western Zones of Germany: Politics, Everyday Life and Social Interactions, 1945-55*, edited by Camilo Erlichman and Christopher Knowles, (Bloombury Academic, London, 2018).

¹ Karl Prinz von Curland, 28 November 1946, NACP, RG 260/390/48/2/5/188.

American soldiers sought out ideal game specimens and trophies, but many of them used machine guns, cared little if they wounded an animal, and left carcasses scattered throughout the forests. This situation was already evident in July 1945 when a German hunter asked the Military Government to stop American soldiers from shooting pregnant female deer, leaving wounded animals to die, and killing nursing does whose young were left to starve.² While some Americans criticized the unsportsmanlike practices of their compatriots, many agreed with the statement of their fellow soldiers: they could do whatever they liked.

An examination of hunting in American occupied Germany shows that hunting was directly linked to issues of security, food, and sovereignty. As part of the Allied demilitarization policy, the American occupiers disarmed German civilians by directing Germans to turn in weapons and by going house-to-house in search of hidden rifles and pistols. While the disarmament of German civilians sought to eliminate the possibility of an insurgency and emphasized Germany's total military defeat, it soon led to increased reports of wildlife destroying and uprooting fields and threatening the food supply needed to support German civilians and expellees. Facing this challenge, the American Military Government actively encouraged American soldiers to hunt wild boar and other crop-destroying animals.

American soldiers, however, had been hunting in Germany even before the war ended, with some soldiers risking their safety in search of game animals. Once Germany surrendered, reports from Military Government detachments and the Bavarian Forestry Administration describe soldiers, refugees, and DPs alike participating in an orgy of violence against wildlife. Although most of this violence dissipated following demobilization and the formation of a hunting policy by USFET, the Americans held the monopoly on violence and some soldiers

² Alfred K. Letter to Military Government, 1 July 1945, IfZ, FA/132/5.

continued to hunt in violation of American policies while others hunted for sport and to manage game populations.

Yet, even with Americans hunting, the occupiers appeared unable to reduce crop destruction or to bring order to the German countryside while their behaviors drew strong criticism from Germans. In fact, following a particularly influential critique of American hunting practices by the Bavarian *Jagdreferent*, the head hunting official within the Bavarian government, American hunting was briefly suspended, and the U.S. Army and the American Military Government developed and instituted a Game Warden program, a program that armed more than 700 German hunters in Bavaria. These armed and supposedly closely monitored Game Wardens were tasked with helping to police the countryside, indicating the inability of the American occupiers to establish complete authority across their occupation zone; moreover, the Game Wardens started operating at the same time that the Military Government held the first local elections, suggesting a connection between the return of local governance and the arming of Game Wardens.

Although the Americans rearmed a small number of Game Wardens, Germans remained subject to American authority. This created a situation that provided Germans the notional capacity to govern and police, but their actual capacity remained limited, as Germans could not arrest, disarm, or prosecute Americans in German courts while the American Military Government could and did abrogate laws and decisions made by local and *Land* governments. This circumstance caused tensions between Germans attempting to hold American hunters accountable to Military Government policies and American hunters who rejected the authority of German Game Wardens. Although unable to assert actual capacity over Americans, the arming of Game Wardens enabled Germans, especially those with ties to hunting associations, to subvert

Military Government regulations governing the Game Warden program and to use the program as a source of local power by controlling the distribution of weapons, selecting which individuals could be a Game Warden, and working to increase the number of Game Wardens and thus the number of weapons available in their communities.

Although a number of Americans denounced the Game Warden program, claiming that arming Game Wardens was in effect rearming Nazis, a number of American hunters responded to the Game Warden program by calling for better hunting behavior by American soldiers. Especially important in this regard were the American Rod and Gun Clubs that proliferated across the U.S. Zone in late 1946 and 1947. These organizations shared many similarities with German hunters and sought to educate American occupiers in conservation, sportsmanship, and German hunting seasons and laws. Nonetheless, the effort to teach American soldiers sportsmanship in occupied German also opened a debate over what defined American democratic hunting. While American sportsman admired some aspects of German hunting practices and conservation efforts, other Americans perceived German hunting as inundated with Nazism, lacking skill, and completely undemocratic. The American occupiers' inability to define what democratic hunting looked like allowed Germans to characterize American hunting as violent cruel and to later contest American efforts to alter German hunting laws.

The Development of Hunting Practices

By the end of the Middle Ages, princes in central Europe claimed hunting as an exclusive right while the lower nobility, clergy, and urban elites maintained minor hunting rights.³

Throughout the Early Modern Period, princes and nobles sought to maintain and expand these

³ Wilhelm Eckardt, *Herrschaftliche Jagd, bäuerliche Not und bürgerliche Kritik. Zur Geschichte der fürstlichen und adligen Jagdprivilegien vornehmlich im südwestdeutschen Raum* (Göttingen: Vandenhoeck & Ruprecht, 1976), 17; Werner Rösener, *Die Geschichte der Jagd. Kultur, Gesellschaft und Jagdwesen im Wandel der Zeit* (Düsseldorf: Artemis & Winkler, 2004), 87.

privileges, to limit peasants' forest access, and to control natural resources by introducing legal instruments to "protect" the forests and establish exclusive rights and ownership over wood, minerals, and wildlife.⁴ Within these *Wildbannforst* areas, the foresters and hunt masters who managed the nobles' forests practiced the *Hege* (care/protection) and ensured the continued regeneration of wildlife populations by protecting pregnant females, preventing overhunting, culling predators, providing food in winter, and honoring dead animals through horn music and the *letzten Bissen*, or last bite, whereby a sprig of oak, pine, or alder is placed in the dead animal's mouth.⁵ However, the protection and care of wildlife often came at the expense of peasants who were unable to defend their fields from game animals, received no compensation for damage, and were required to aid in noble hunts.⁶

In the 18th century, courtly hunting culminated in extravagant hunts in "aristocratic playgrounds" and sometimes involved the transportation of live animals to fenced hunting parks.⁷ Yet, individual hunting rights remained a princely favor granted only to aristocratic landowners and nobles while some town founders and patricians were permitted to hunt smaller game such as hares and foxes.⁸ These practices, however, were not only contested by peasants,

⁴ Radkau, 56-92.

⁵ The concept of "care" has recently become a topic of discussion among environmental humanists. When individuals, organizations, or governments care and/or protect certain species, they often exclude others, leading to violence and death toward animals deemed expendable. In this case, German hunters identify and care for species they wished to hunt while culling those species that threaten their game animals. For "care," see Thom van Dooren, "'Care' in the Living Lexicon for the Environmental Humanities" *Environmental Humanities* 5 (2014): 291-294 and The Multispecies Collective, ed. "Troubling Species: Care and Belonging in a Relational World," *RCC Perspectives*, no. 1 (2017). <https://doi.org/10.5282/rcc/7768>.

⁶ Eckert, 17.

⁷ Martin Knoll, "Hunting in the eighteenth century: An Environmental History Perspective" *Historical Social Research / Historische Sozialforschung* 29, no. 3 (2004): 9-36.

⁸ Regina Schulte, *The Village in Court: Arson, Infanticide, and Poaching in the Court Records of Upper Bavaria, 1848-1910* (New York: Cambridge University Press, 1994), 121.

but also by cameralist administrators who viewed the forest as a natural resource and wanted to limit courtly hunts and preserve the forests' economic value.⁹ Despite these efforts, aristocratic hunting privileges continued until the 1848 revolutions when the Frankfurt Parliament abrogated noble hunting rights, permitted hunting by all landowners, and made hunting subject to territorial laws.¹⁰ With the abolition of feudal dues in June 1848, groups of up to 20 peasants, laborers, and woodcutters in rural Bavaria participated in what Regina Schulte calls an “orgy of poaching” that almost resulted in military intervention,¹¹ a situation characterized by opponents of liberal reforms as “*Jagdexcessen*” (hunting excesses),¹² a language landowning German hunters would return to when witnessing the behaviors of American occupiers.

While the 1848 Revolutions failed to create a united democratic Germany, control over hunting laws remained in the hands of the various kingdoms that composed the German lands. In May 1850, Bavaria promulgated a new hunting law that preserved the link between landownership and hunting, but it also enabled individuals to lease hunting grounds, something the growing bourgeoisie desired.¹³ Nevertheless, for landowners to hunt their own property without a hunting lease in Bavaria, they needed to own a cohesive plot of 240 *Tagewerke* (day's work) in the plains and 400 in the mountains.¹⁴ In Prussia, one needed to own a unified plot of 75

⁹ Knoll, 17.

¹⁰ Hubertus Hiller, *Jäger und Jagd: Zur Entwicklung des Jagdwesens in Deutschland zwischen 1848 und 1914* (Münster: Waxmann, 2003), 30-37; Rösener, 367.

¹¹ Schulte, 180-181.

¹² Hiller, 34-35.

¹³ Schulte, 123.

¹⁴ Alois Schlögl, *Bayerische Agrargeschichte: Die Entwicklung der Land- und Forstwirtschaft seit Beginn des 19. Jahrhunderts* (München: Bayerischer Landwirtschaftsverlag, 1954), 694. A *Tagewerk* is roughly 3400 m².

hectares, a requirement met by only 4% of Prussian landowners.¹⁵ Additionally, the growing middle class could, after obtaining a hunting license, collectively form hunting cooperatives (*Jagdgenossenschaften*) and lease game rights from parishes, municipalities, and states and create hunting districts (*Jagdreviere*) on which the members of a hunting cooperative hunted and practiced the *Hege*. Many hunters also belonged to hunting associations (*Jagdvereine*) where noble landlords, military officers, forestry officials, and the bourgeoisie socialized. The largest and most significant was the 80,000 member *Allgemeine Deutsche Jagdschutz-Verein* (later renamed *Reichsjagdbundes*) founded in 1875.¹⁶

The chaos of 1848 combined with the growing ranks of middle class hunters resulted in a stronger emphasis on traditions and practices that revered the *Hege* and the *Waidgerechtigkeit*, a term traced to the 18th century.¹⁷ The *Waidgerechtigkeit* encompassed the *Hege* and involved upholding hunting laws, maintaining and preserving hunting culture, feeding game in winter, protecting animals from poachers, and following hunting ethics, especially efforts to spare game physical or mental suffering.¹⁸ Throughout the 19th century, the *Waidgerechtigkeit* became central to aristocratic and bourgeois hunting practices and hunters frowned upon any hunting actions that violated their practices and traditions. Thus, by the 1930s, hunting in Germany was an activity reserved for the former aristocracy and the wealthy middle class who could afford hunting rents and who developed an ethos devoted to the *Waidgerechtigkeit*.

¹⁵ Rösener, 366-370.

¹⁶ Wolfram Theilemann, *Adel im Grünen Rock: Adliges Jägertum, Großprivatwaldbesitz und die preußische Forstbeamtenerschaft 1866-1914* (Berlin: Akademie Verlag, 2004), 114-119.

¹⁷ Hiller, 132-133.

¹⁸ Hiller, 122-123.

When the Nazis came to power in 1933, as part of their general drive to eliminate any independent groups or institutions, the regime forced independent hunting associations to disband and formed the national German Hunting Association (*Deutsche Jägerschaft*). Although they lost their local organizations, German hunters celebrated the passage of the Reich Hunting Law (*Reichsjagdgesetz*) in 1934 because it created a unified legal structure; transformed Germany's "confusing jumble of hunting decrees" into a single national hunting law that incorporated the *Hege* and the *Waidgerechtigkeit*; and maintained land ownership requirements. Within this framework, the law sought to limit hunting, to promote and restore game populations, and to end snaring and trapping. Yet, the law also adopted the *Blut und Boden* language of the Nazi regime and emphasized that hunting deepened Germans' connection to the soil; linked the protection and management of wildlife to the health of the German people; and created a unified structure under the direction of *Reichsjägermeister* Hermann Goering who was responsible for ensuring that only "worthy" individuals could carry a gun and strictly governed who could obtain a hunting license.¹⁹

Although they developed along different lines, German hunting practices shared some similarities with the American sportsmen's program. In the United States, the concept of sportsmanship developed in the late 19th century to deter the destruction of wildlife and called for the enforcement of game laws that had existed since the colonial period but that "had proliferated into a tangled mass of confusing and often contradictory statutes."²⁰ With the efforts of men like George Bird Grinnell, a zoologist and confidant of Theodore Roosevelt, sportsmen contended

¹⁹ Charles Closemann, "Legalizing a Volksgemeinschaft," in *How Green were the Nazis?*, 31. For the text of the law, see *Reichsjagdgesetz*, BAK, B116/198.

²⁰ John Reiger, *American Sportsmen and the Origins of Conservation*, 3rd ed. (Corvallis: Oregon State University Press, 2001), 91.

that the enactment and enforcement of game laws benefited all hunters because bag limits would increase and perpetuate the overall game populations. Grinnell specifically advocated for better enforcement of existing laws and the introduction of game fees for the employment of constables (game wardens). Grinnell's arguments that hunters start paying a fee to the government for a traditionally free activity and that states regulate the activities of hunters was new and controversial, but, as John Reiger claims, this idea "would become the cornerstone of game management."²¹

During the late 19th and early 20th centuries, individual states and the U.S. federal government started adopting Grinnell's game management principles, spreading the sportsmen's conservation ideas across the United States. The implementation of ideas these ideas was apparent on federal lands where wildlife management was overseen by agencies like the U.S. Forest Service, the National Park Service, and the Division of Biological Survey. By placing wildlife under federal management, they became "public property managed by the state, even on private land" and created conflicts between national authorities and local hunters.²² Moreover, the establishment of nature reserves, bird sanctuaries, and game reserves created new laws and new crimes that local hunters claimed favored elite upper-class hunters whereas sportsmen and government officials considered local hunters poachers who disregarded the law.²³ Even with local hunters challenging this new legal system, the sportsmen's program dominated upper and middle-class hunting and permeated local and federal government game management practices.

²¹ Reiger, 92-93.

²² Louis S. Warren, *The Hunter's Game: Poachers and Conservationists in Twentieth-Century America* (New Haven: Yale University Press, 1997), 12.

²³ Karl Jacoby, *Crimes Against Nature: Squatters, Poachers, Thieves and the Hidden History of American Conservation* (Berkeley: University of California Press, 2001).

On the eve of the Second World War, American sportsmen and German hunting shared some practices, such as maintaining game populations through predator control and hunting seasons; mandating hunting licenses to ensure hunters were properly trained; and developing regulations to prevent poaching and to prosecute those who hunted illegally. Yet, Goering's notoriety as a close associate of Hitler and avid hunter reinforced the perception among Americans that hunting in Germany was "strongly imbued with Nazi ideology and filled with discrimination."²⁴ As one American noted in the 1945, all district *Jägermeister* were appointed "under Hermann Goring, the Reich Jügermeister [sic]. This position was therefore strongly political and usually held by an ardent Nazi."²⁵ With this conviction, many Americans perceived German hunting practices and laws, which had developed over centuries, as inherently tied to National Socialism.

In addition to ideology, German and American legal traditions diverged, especially around ideas of property and game ownership. In the United States, sport hunters paid a fee to the state or the federal government for hunting stamps or permits for individual species, allowing hunters to shoot a certain number of game animals on private and public property; moreover, the American hunter, after shooting the animal, obtained possession of the game. In Germany, each *Jagdrevier* developed a shooting plan (*Abschussplan*) determining the number of each species to be hunted on a property or hunting district that was consolidated and approved by the state; moreover, once shot, the game animal remained the property of the landowner or the cooperative with outside hunters paying a fee to take possession of the hunted animal. These conflicting legal traditions, perceived through the legacy of National Socialism and the American occupation

²⁴ Military Government Control of Food, Agriculture, Forestry and Fisheries for the Region, 18 May 1945, NACP, RG 260/390/47/34/2/16.

²⁵ Detachment H4B3 Forestry, Fish and Game, 28 July 1945, NACP, RG 260/390/48/2/6/192.

project, created significant tension and ultimately became a site where Germans could and did contest the sovereignty of the occupation and assert their own vision of a future state based on German practices, laws, and traditions.

Hunting and Disarmament

Writing in the *American Rifleman* in 1946, R.J. Ackert recounted his adventure hunting deer in Hellenthal shortly after his unit crossed the border from Belgium to Germany in 1944. Ackert assured his readers that he only went hunting when the tactical situation allowed and when artillery fire did not scare the deer away, but he still sometimes found himself wondering if a noise was a deer or a “Kraut.” The first time Ackert shot and killed a roe deer he shared the meat with his fellow officers who enjoyed the meal. After recounting this and another hunting excursion to the magazine’s readers, Ackert concluded that the “combat area may not be ideal for deer hunting, particularly on a high ridge over which passes a steady stream of artillery fire . . . but hunting is hunting no matter where.”²⁶

As Ackert’s anecdote demonstrates, American soldiers started hunting in Germany even before the war ended, but it was right after the war that hunting became a common and often excessive activity for American soldiers. In the first fish and game reports collected by the Military Government in the summer of 1945, the unit in Fürstenfeldbruck reported that 50-70% of game was lost due to the “unhampered shooting of deer and rabbits by American troops.”²⁷ In Moosburg, the Military Government detachment reported that permitting any legal hunting would “only diminish the small stock of game left after the considerable killings by the troops.”²⁸

²⁶ R.J. Ackert, “European Deer Hunt: Yankee Style,” *The American Rifleman*, May 19, 1946, 14-16, 30.

²⁷ Detachment I2F3 Forestry, Fish, and Game report, 25 July 1945, NACP, RG 260/390/48/2/6/191.

²⁸ Detachment I22E3 Fish, Game, Forestry, 26 July 1945, NACP, RG 260/390/48/2/6/191.

The Munich detachment described “much illegal hunting in all areas” and was in the process of contacting leaseholders for accurate estimates of game populations.²⁹ The report from Landau an der Isar noted that because of the American troops’ activities “the amount of game has been gravely depleted.”³⁰

Yet, it was not only American soldiers who hunted excessively, but also former foreign workers and DPs who found themselves within German borders. Writing from Günzburg, the detachment noted that game in the region was “[d]epleted due to illegal hunting and fishing by displaced persons, using machine guns and grenades.”³¹ The detachment in Neunburg vorm Wald reported that DPs “have killed many of the fish with grenades.”³² In Münchberg, the unit noted that since April, “roes have been caught oftenly [sic] in nooses by foreigners (Poles and Latvians), and shot by occupation troops.”³³ The Ebersberg unit report claimed that “wild shooting and catching of game by soldiers, former P.o.w.s [sic] and foreigners may cause the amount of game available to be completely wiped out in a short period . . . Shot-up game found in the woods shows that only a part of the killed animals are brought home.”³⁴

Although not every Military Government detachment reported that wildlife populations were under threat, the evidence indicates that many units believed that American soldiers and DPs were rapidly diminishing game and wildlife populations. Facing this situation, the American

²⁹ Detachment F1F3 Forestry, Fish and Game Report, 25 July 1945, NACP, RG 260/390/48/2/6/191.

³⁰ Detachment H7E3 Forestry, Fish and Game Report, 25 July 1945, NACP, RG 260/390/48/2/6/191.

³¹ Detachment I6C3 Report of Forestry, Fish and Game, 30 July 1945, NACP, RG 260/390/48/2/6/192.

³² Detachment H1H2 Forestry, Fish, and Game report, 25 July 1945, NACP, RG 260/390/48/2/6/191.

³³ Münchberg Fish, Game, Forestry, 25 July 1945, NACP, RG 260/390/48/2/6/191.

³⁴ Report about the forest-chase- and fishery- situation at Landkreis Ebersberg, undated, NACP, RG 260/390/48/2/6/191.

Military Government started relying on forest auxiliary policemen (*Forsthilfspolizisten*) to patrol the forests. Like a number of *Hilfspolizei* organizations formed in 1945, the *Forsthilfspolizisten* aided the thinly spread Military Government in providing security and worked specifically to protect the forests, but they were poorly supplied and only given civilian clothing.³⁵ Moreover, an order issued by Bavarian *Oberforstmeister* Kleitsch encouraged forestry offices to specifically hire individuals who had their own bicycles for transportation and emphasized that they would have to locate their own accommodation and to work at least ten hours days, including Sundays and holidays. To protect the forests, these individuals would only be armed with *Holzknüppel* (wooden clubs) while facing DPs with firearms and armed soldiers that they were unable to impede.³⁶ Directed by the occupiers to police the countryside and forests, the *Forsthilfspolizisten* were given the notional capacity to enforce the law, but unarmed and poorly supplied, they held no actual capacity to assert authority.

In addition to organizing the *Forsthilfspolizisten*, the U.S. Army and the American Military Government disarmed the German civilian population and the Wehrmacht to decrease the number of weapons in circulation and to prevent a potential insurgency.³⁷ The Supreme Headquarters Allied Expeditionary Force (SHAEF) issued these proclamations through various channels, such as the *Military Government Gazette* and the *Handbook for Military Government*, and declared that the possession or control of any firearm, including sport rifles, by Germans was

³⁵ Jose R. Canoy, *The Discreet Charm of the Police State: The Landpolizei and the Transformation of Bavaria, 1945-1965* (Boston: Brill, 2007), 75-76. Canoy notes that the exact nature and composition of the *Hilfspolizei* units remains unclear due to poor documentation during the early postwar months.

³⁶ Verstärkung des Forstschutzes, 22 November 1945, BayHStAM, MELF 4464.

³⁷ Alexander Perry Biddiscombe, *Werewolf!: The History of the National Socialist Guerrilla Movement, 1944-1946* (Toronto: University of Toronto Press, 1998).

a capital offense.³⁸ To ensure this directive was implemented, American soldiers carried out house-to-house searches collecting firearms, communication equipment, and photographic devices.³⁹ In January 1946, the ACC made these wartime measures official with Control Council Order No. 2, an order prohibiting the “carrying, possession or ownership of arms or ammunition by any person.”⁴⁰ Regional commanders notified the German authorities that all arms and ammunition were to be turned over to the nearest Allied commander within ten days to avoid punishment.⁴¹

Despite these efforts, many Germans hid away rifles to avoid confiscation. In January 1946, the American detachment in Landkreis Alzenau imprisoned Adolf Schaupter for possessing a sporting rifle that “was missing a bolt and was in poor condition.” The illegal possession of the rifle combined with Schaupter’s reputation as a poacher, thief, abortionist, and wife-beater led the Military Government to imprison him for one year and fine him 1,500 Reichsmarks.⁴² Another German man admitted to having four hidden rifles and, after leading four Americans to his cache, attempted to commit suicide by poisoning. After he recovered, the Americans sentenced him to four years in prison.⁴³ Particularly notorious were the old hunters

³⁸ *Military Government Gazette Germany, Twelfth Army Group Area of Control*, Ordinance No. 1, 18 September 1944, 2-3. <http://deposit.d-nb.de/online/vdr/rechtsq.htm>. Accessed April 2016; Supreme Headquarters Allied Expeditionary Force, *Handbook for Military Government in Germany*, December 1944, 56, 134. <http://cgsc.contentdm.oclc.org/cdm/ref/collection/p4013coll9/id/11>. Accessed October 2019.

³⁹ David Clay Large, *Germans to the Front: West German Rearmament in the Adenauer Era* (Chapel Hill: UNC Press, 1996), 22.

⁴⁰ “Confiscation and Surrender of Arms and Ammunition,” *Allied Control Authority Germany*,” Vol. II January-February 1946 (Washington, DC, 1948), 1. https://www.loc.gov/frd/Military_Law/enactments-home.html. Accessed on June 6, 2016.

⁴¹ Miesbach Rundschreiben 338, 1 February 1946, StAM, BezA/LRA 217817.

⁴² Landkreis Alzenau Historical Report for January 1946, NACP, RG 260/390/47/19/4/193.

⁴³ Landkreis Alzenau Monthly Historical Report, March 1946, NACP, RG 260/390/47/19/4/193.

who “had valuable hunting rifles and shotguns which they hated to part with.” Yet, once the Military Government started meting out seven-year prison sentences for weapons possession, they witnessed “a virtual epidemic of ‘children’ and ‘honest’ people turning in guns which they had ‘found’.”⁴⁴

While disarming Germans for security purposes was part of the broader demilitarization policy, German disarmament soon left fields in rural Bavaria vulnerable to wildlife. Captain H.B. Miller stationed in Landkreis Alsfeld described the destruction of almost 20,000 pounds of potatoes by wild boar in the first six months of 1945.⁴⁵ In neighboring Landkreis Alzenau, the local detachment unit reported a “boar plague” that uprooted several fields of potatoes that required replanting and concluded that the “pigs increase faster than they can be killed.”⁴⁶ Another unit complained that wildlife was “causing great damage” to crops and that German farmers were already demanding the return of their recently confiscated rifles.⁴⁷ In Bad Kissingen, the detachment called the problem of wild game “disastrous” and endorsed the rearming of trained German hunters to combat wild boars.⁴⁸

The threat posed by wildlife to agricultural production and German rations started appearing in Bavarian newspapers recently licensed by the Military Government. The headlines of these newspapers described the proliferation of wild game and the reduction to German rations, making the connection between wildlife, hunting, and food clear to readers. The

⁴⁴ Landkreis Alzenau Yearly Historical Report 29 June 1945 to 30 June 1946, NACP, RG 260/390/47/19/4/193.

⁴⁵ Weekly Intelligence Report Liaison & Security Office Landkreis Alsfeld, 7 June 1946, NACP, RG 466/250/84/26/06/1.

⁴⁶ Landkreis Alzenau Monthly Historical Report May 1946, NACP, RG 260/390/47/19/4/193.

⁴⁷ Weekly Consolidated Report for U.S. Zone, Württemberg, 14 July 1945, NACP 260/390/41/14/3/680.

⁴⁸ Cumulative Annual History Detachment A-250, 1 July 1946 – 30 June 1947, NACP, RG 260/390/47/19/4/193.

Aschaffenburg *Main-Echo* wrote about the “*Schwarzwildschäden*” (Wild boar damage)⁴⁹ and the food shortage “*500 Millionen Hunger!*” (500 million hungry).⁵⁰ The *Fränkischer Tag* in Bamberg discussed “*Die Kampf der Wildplage*” (The Battle of the Game Plague)⁵¹ and the “*Ernährungskrise verschärft sich*” (Food crisis exacerbating).⁵² In Munich, the *Süddeutsche Zeitung* emphasized the growing concern with calories: “*Wie wird es mit der Kalorie?*” (How will it be with the calorie?).⁵³ One hunter, writing in the *Schwäbische Landeszeitung*, argued that the supply of game meat to the civilian population had completely stopped even though “the German civil population is more than ever dependent upon this meat.” In fact, this hunter claimed that farmers in Lower Franconia were refusing to even plant potatoes because of the boar.⁵⁴

With Germans disarmed and wildlife destroying crops, the Military Government found it necessary to introduce controlled hunts to reduce wildlife populations and protect German fields. According to *Stars and Stripes*, the Military Government started organizing American soldiers to help decrease the wild boar population and “alleviate the food situation” as early as September 1945. To facilitate the hunting of wild boar, they established “hunting parks,” an idea recalling aristocratic practices, where soldiers could hunt and reduce the wildlife populations.⁵⁵ In April 1946, *The Bavarian*, a Military Government newspaper, wrote that “[w]ild boar are rooting up

⁴⁹ “Schwarzwildschäden,” *Main-Echo*, April 3, 1946, 4.

⁵⁰ “500 Millionen Hunger!” *Main-Echo*, March 6, 1946, 1.

⁵¹ “Kampf der Wildplage,” *Fränkischer Tag*, January 10, 1948, 6.

⁵² “Ernährungskrise verschärft sich,” *Fränkischer Tag*, November 20, 1946, 1.

⁵³ “Wie wird es mit der Kalorie?” *Süddeutsche Zeitung*, August 30, 1946, 1,

⁵⁴ Oskar Kellner, “More Meat,” *Schwäbische Landeszeitung*, June 13, 1947, IfZ, FA/132/5.

⁵⁵ “GI Rifles Point at Wild Boars For Food Crop,” *Stars and Stripes*, September 5, 1945, 3.

seeded fields, chiefly because Americans are not enthusiastic enough hunters,” leading “Bavarian authorities” to petition “military government to form hunting parties to combat this menace and augment the meat supply.”⁵⁶ A month later, the USFET directed all Kreis Military Government detachments to assist tactical units “in their efforts to reduce damage to crops by wild animals” by securing “lists of farms and communities where damage to crops is reported.”⁵⁷

In urging American soldiers to protect agricultural production, the U.S. Army also needed to develop policy guidelines to regulate the practice of hunting, and the USFET issued its first policy concerning hunting and wildlife management in October 1945. The “Hunting and Fishing Policy” permitted U.S. military personnel the use of the German forest for sport, including hunting wild game, if they obtained a hunting license. This procedure was relatively simple and only involved receiving permission from the local commander and following instructions about “game laws, good sporting practices, and immediate local conditions.” Under this general rubric, soldiers agreed to accept German game seasons and not to use automatic weapons. The regulation also acknowledged the importance of game as a food source, clarifying that “dead game will not be left in the forests, not sold, but turned over to Army messes” and noted that surplus meat should go to food and agriculture offices for distribution to the German population. The regulation stated that Americans hunters were required to employ German guides to ensure that proper hunting practices were followed, but clarified that only those Germans who received permission from Public Safety Officers could carry weapons, though all Germans were permitted to fish and trap for sport in accordance with German law.⁵⁸

⁵⁶ “Boar Hunting Urged to Get Rid of Crop Pests,” *The Bavarian*, April 4, 1946, 4.

⁵⁷ Crop Damage by Wild Animals, 29 May 1946, IfZ OMGUS 45-46/110/8.

⁵⁸ Hunting and Fishing Policy, 4 October 1945, IfZ, OMGUS 45-46/110/8.

Initially, USFET regulations stated that hunting and fishing by “displaced persons will be permitted as outlined for U.S. soldiers,” but noted that carrying weapons by DPs was “prohibited unless allowed by public safety regulations . . . Hunting by displaced persons is to be discouraged.”⁵⁹ By March 1946, the Third U.S. Army addressed this contradiction by barring DPs from legally carrying weapons and stated that DPs could only legally hunt with permission from the highest headquarters in the jurisdiction.⁶⁰ Nevertheless, reports to the Military Government indicate the many DPs still had access to weapons and moved around rural communities with ease. In Hofolding, the owner of a hunting lease reported that Poles appeared day and night to shoot at game and endangered the lives of villagers who “dare not leave the village” in fear for their lives in “the nighttime and even in the daytime.” The owner noted that the poachers appeared every day for a week and threatened to destroy the game and endangered public safety. Due to this behavior, and Americans’ apparent inability to stop it, the owner requested the return of their hunting rifle for security.⁶¹

Although the U.S. Army established hunting regulations to control American hunting behaviors and end DP hunting, the behaviors of Americans appear relatively unaffected, even as the number and composition of the soldiers changed. By early 1946, the American Military Government, consisting of mostly soldiers and civilians with specific skills to facilitate German reconstruction, reached its peak of around 12,000 individuals. American tactical units in Bavaria, on the other hand, consisted of American soldiers from the U.S. Army. At the end of the war, the U.S. Army in Germany consisted of an estimated 3 million soldiers, but the rapid and chaotic

⁵⁹ Hunting and Fishing Policy, 4 October 1945, IfZ, OMGUS 45-46/110/8.

⁶⁰ Hunting and Fishing Regulations for Bavarian, 22 March 1946, NACP, RG 260/390/48/2/5/188.

⁶¹ Poacher’s activity at Hofolding, 16 November 1946, NACP, RG 260/390/48/2/5/188.

demobilization left 135,000 by 1946. Moreover, many of the soldiers were late war draftees the army had previously passed over for physical and psychological problems and individuals seeking short-term enlistments to escape conscription. This composite force of marginal soldiers who were unable to perform their assigned duties helped make the occupation synonymous with self-indulgence, including theft, crime, and promiscuity.⁶² In fact, writing in the mid-1950s, former Military Government consultant and historian for the American High Commissioner for Germany Harold Zink claimed that the Military Government detachments were “continuously harassed by American tactical units” and spent more time “maintaining some sort of working relations with American tactical units rather than dealing with the Germans.”⁶³

The self-indulgence of tactical units, often associated with black-marketing and high levels of venereal diseases, was also evident in their behaviors towards German wildlife. While Military Government detachments sought to build relationships with local Germans, to help revive agricultural production, and to understand German concerns related to wildlife and hunting, American soldiers, bored with occupation duties, engaged in dangerous and malicious hunting practices. These behaviors brought sharp criticism from locals, German hunters, the Bavarian government, and the American Military Government, and the documented complaints describe an American soldier who frequently hunted in violation of regulations and at times placed civilians in danger.

American Hunting and German Protests

Describing his hunting escapades in occupied Germany to the *American Rifleman*, F.W. Beckert Jr. informed readers that “[t]here was plenty of time for hunting between occupational

⁶² Brian Linn, *Elvis's Army: Cold War GIs and the Atomic Battlefield* (Cambridge, MA: Harvard University Press, 2016), 28-32.

⁶³ Zink, *The United States in Germany, 1944-1955*, 40.

duties.” Recounting his hunting adventures, Beckert often described the numerous rifles he collected and used in hunting game and vividly described the killing effect of each one. While Beckert mostly hunted alone, when his descriptions included others, they were usually fellow soldiers described as “my gang” who also tried out different rifles and ammunition.⁶⁴ Beckert’s description, however, seems to ignore hunting seasons, contains no mention of German hunting guides, and confirms one provost marshal’s assertion that many soldiers were “ignorant of existing game regulations.”⁶⁵

Yet, even if informed of the regulations, American soldiers often disregarded them. This was evident in the report of *Oberforstmeister* Elsner who described an incident with an American colonel near Fischbachau. While the colonel arrived in the town to locate an appropriate hunting guide, Elsner informed the colonel that his quarry, the chamois deer, was not in season, thus he was not permitted to hunt them. According to Elsner, the colonel responded that the game seasons were of no importance to him and that he wanted to hunt the famed chamois deer. Elsner eventually deferred to the colonel and later reported that the colonel successfully hunted and shot two chamois.⁶⁶ This behavior, remarked another forester in the correspondence, was detrimental to hunting sustainability and deprived young deer of mothers.⁶⁷ Yet, as the colonel’s actions demonstrate, there seemed little to limit the desires of an American officer who embodied the sovereign authority of the occupiers.

Additionally, Americans’ desire to hunt often strained German hunting guides. As hunting guides remained suspected of Nazi sympathies, they needed to undergo investigation by

⁶⁴ F.W. Beckert Jr., “Roebuck for Sport . . . and GI Good,” *The American Rifleman*, March 19, 1947, 10-12.

⁶⁵ Report of Investigation of Illegal Hunting, 4 May 1948, NACP, RG 260/390/48/2/2/169.

⁶⁶ Angaben des Hausmeisters Kirchberger Kaspar, 2 July 1946, BayHStAM, MELF 4471.

⁶⁷ Jagdbetrieb, 9 July 1946, BayHStAM, MELF 4471.

Special Branch before receiving permission to lead hunts, significantly decreasing the number of available guides. This problem was evident in October 1945 when Hoepffner wrote to forestry offices in Garmisch, Partenkirchen, and Oberammergau concerning four American officers who wanted to hunt in the region. Hoepffner's letter inquired about the number of available guides and the use of hunting lodges in the region. In response, the office in Partenkirchen confirmed that four guides might lead the hunt, but the investigations into the guides' backgrounds were still under review by the American authorities, thus possibly limiting their availability.⁶⁸

When several American officers requested Heinrich Baetz to conduct a hunt near Coburg, he contacted the owners of several hunting grounds known for having a large number of boars, but each successive farmer reported that they were too busy, as "all hands were urgently needed for gathering the crop."⁶⁹ Although he eventually met with the officers and led them to a deer hunting ground, they were extremely dissatisfied and lodged a formal complaint against Baetz for not finding beaters to lead a boar hunt. Baetz explained that the majority of men were working to bring in the harvest, but one officer, Colonel Susell, apparently had little sympathy and reported him. Baetz argued that the situation was beyond his control and that he previously always guided American officers to their satisfaction, sometimes five nights a week.⁷⁰

Besides officers breaking the rules and bullying hunting guides, American soldiers often hunted violently according to the Bavarian Forestry Administration. One Bavarian forester wrote that American soldiers regularly shot animals out of season and, in one case, he described that after shooting an animal, the Americans poured gasoline "on the rest of the animal and then set

⁶⁸ Jagdausübung durch amerikanische Offiziere, 18 October 1945, BayHStAM, MELF 4471.

⁶⁹ Compliant lodge by Military Government Coburg, 7 September 1948, NACP, RG 260/390/48/2/2/169.

⁷⁰ Compliant lodge by Military Government Coburg, 7 September 1948, NACP, RG 260/390/48/2/2/169.

[it] on fire.”⁷¹ Near Geroldsgrün, the local forestry official wrote that American soldiers were firing their machine guns into trout streams and claimed that “the soldiers played football with the caught trout.”⁷² Sebastian Dürnreuther wrote from Schnaitsee that American soldiers shoot anything with hair and hunt with little regard for safety, firing 30 shots for one animal and coming dangerously close to hitting local farmers.⁷³ The Bavarian forestry office in Bayreuth even placed signs near American barracks and wildlife feeding grounds stating, “This is a feeding ground for starving wildlife! Please do not shoot! It’s unsportsmanlike!” and “Would you shoot a cow for sport? Then do not shoot at starving wildlife in winter!”⁷⁴ In October 1945, the Bavarian Forestry Administration asserted in a memo to the Office of Military Government for Bavaria that stricter measures “must immediately be taken to stop the uncontrolled and unrestrained shooting by American troops.”⁷⁵

The Military Government also emphasized the excessive behavior of American soldiers. Food and Agricultural Officer Willis P. Duruz acknowledged the “uncontrolled hunting by U.S. military personnel” and noted that soldiers disregarded instructions, endangered persons, and damaged property.⁷⁶ A U.S. civilian reported to the Military Government that military personnel “have been observed to be hunting at night, firing from a jeep and using artificial light provided

⁷¹ Wildabschuss, 5 June 1945, BayHStAM, MELF 4479.

⁷² Derzeitige Verhältnisse in Jagd und Fischerei im Staatwaldbezirke Geroldsgrün, 14 June 1945, BayHStAM, MELF 4479.

⁷³ Sebastian Dürnreuther to B. Landesforstverwaltung, 11 August 1945, BayHStAM, MELF 4479.

⁷⁴ Bayerische Landesforstverwaltung an die Regierungsforstämter Oberbayern, Betreff: Wild Plakate, 28 November 1945, StAM, FA 18661.

⁷⁵ Bavarian State Forestry Administration to Military Government of Bavaria, “Hunting Management,” 19 October 1945, BayHStAM, MELF 4471.

⁷⁶ Weekly Detachment Report Unit E1 F3, 8 August 1945, NACP, RG 260/390/4/33/07/3.

by the jeep headlights.”⁷⁷ The detachment near Ebersberg worried that hunting by soldiers with automatic weapons might “wipe out” wildlife populations, and the unit recommended banning unauthorized hunts and the donation of the meat to the local population.⁷⁸ An ensign in the U.S. Navy complained that U.S. officers and enlisted men hunted without licenses, used machine guns, left wounded animals in the forest, and used jeep spotlights at night. The ensign concluded that animal populations would be depleted by winter at the current pace.⁷⁹

Although American hunting angered Germans and worried the Military Government, there was little interest or effort to enforce hunting regulations or to discipline violators. According to all U.S. Army and Military Government regulations, the U.S. Constabulary forces were responsible for policing American hunting behavior. Formed by General Eisenhower in October 1945, the U.S. Constabulary started operations in July 1946 and were responsible for maintaining security, controlling the borders of the U.S. Zone, and working with the different German police forces to stop black marketers, locate former Nazi leaders, and conduct general law enforcement practices. Although allocated 32,000 men, redeployments consistently left the Constabulary undermanned, and the outfit faced 100% turnover in 1946 and 1947.⁸⁰ In working with the Bavarian Forestry Administration, General Hobard Gay, commander of the Constabulary forces, informed Hoepffner that the regional forestry offices should contact passing patrols, inform them of poaching incidents, and report license plate numbers and any other

⁷⁷ Food and Agriculture, 18 November 1946, NACP, RG 260/390/48/2/5/188.

⁷⁸ Forestry, Fish, and Game Report, 22 July 1945, BayHStAM, OMGB 10/185-2/001-004.

⁷⁹ Violations of Hunting Restrictions by U.S. Troops, 24 October 1945, IfZ, FA/132/5.

⁸⁰ Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Fort Leavenworth, KN: Combat Studies Institute Press, 2012), 9-18.

characteristics of the illegal hunters,⁸¹ but American soldiers and officers started disabling license plates by covering them with mud or removing them.⁸² While General Gay declared the Constabulary's willingness to aid the Bavarian Forestry Administration, Berg later commented that the "Constabulary accounted for the largest part of hunting and fishing violations."⁸³

With the Constabulary forces perpetuating rather than stemming American hunting behavior, the Bavarian *Jagdreferent*, Freiherr Wolfgang von Beck, sought to address the issue. As *Jagdreferent*, Beck was the head hunting official within the Bavarian Ministry of Agriculture, Food, and Forestry and, in a long-detailed letter to Minister-President Hoegner, Beck asked that his grievances be passed on to General Muller and General Lucian Truscott, commander of the U.S. Third Army. Beck clarified that his report was not simply a complaint against American soldiers, but a document that he hoped would influence the American generals to revise regulations. Like previous German statements about American hunting, he pointed out that since "the occupation by American troops a wild and reckless shooting of all game started, which is continuing undiminished . . . soldiers and members of the military police . . . are entirely inexperienced in hunting, shoot the game, without any regard what-so-ever to the hunting laws issued by Military Government, in the most unsportsmanlike way." Beck identified many of these unsportsmanlike actions, such as hunting at night with jeep headlights, hunting in closed seasons, and using automatic weapons, practices that he argued were "endangering the country-folk by the wild shooting and the damage caused to the fields." While condemning these behaviors, Beck was careful to complicate his criticism by emphasizing the differences between

⁸¹ Vollzug der Jagdvorschriften durch die Zonenpolizei, 29 August 1947, StAM, FA 18661.

⁸² Monthly Report for January 1948 – Hunting by Americans, 10 February 1948, NACP, RG 260/390/48/2/2/169.

⁸³ Recommended Policies and Procedures for Sport-Hunting and Fishing in Bavaria, 8 March 1948, NACP, RG 260/390/48/2/2/168.

the officers who “hunt in a sportsmanlike manner” and the soldiers who “always give cause to serious complaint.”⁸⁴ Although a calculated and elitist critique by Beck, reports on poaching and illegal hunting included both officers and enlisted men.

Next, in a line of argumentation that would come to dominate the debate over hunting in the coming years, Beck contended that simply altering the current regulations would not solve the problem because they “constitute an unhappy mixture of American and German hunting laws” (underlined in the original). From Beck’s perspective, this “unhappy mixture” included the American tradition of allowing every citizen the ability to obtain a hunting license, what Germans called the *Lizenzsystem*, with the German *Reviersystem* of limiting hunting to landowners or leaseholders who remained responsible for “preservation and breeding.” If the Germans allowed everyone to hunt like in the United States, wrote Beck, “then already long ago the last piece of game would have become a showpiece in a glass-case.” With the limited number of game animals, the American system, in Beck’s opinion, would dramatically affect the wildlife population, undermine generations of Bavarian “conservation, preservation, and care,” and condemn game to extermination.⁸⁵

According to Beck, local efforts to restrain the damaging behavior of American soldiers were unsuccessful. The reporting of license plate numbers to the Military Government detachments had only created friction between occupation soldiers and Bavarian personnel while the signs hung near feeding grounds and barracks were either ignored or torn down. To curb the overhunting of American soldiers, Beck proposed an immediate suspension of all hunting, establishing patrols of U.S. and German personnel, and introducing strict penalties for poaching

⁸⁴ The Jägermeister of Bavaria, 15 January 1946, NACP, RG 260/390/48/2/5/188.

⁸⁵ The Jägermeister of Bavaria, 15 January 1946, NACP, RG 260/390/48/2/5/188.

and breaking regulations. Lastly, while Beck acknowledged that hunters understood their situation was “part of the inheritance left by the Nazi-regime,” he claimed that the moment had arrived for the Bavarian government to request the rearmament of hunters. Recognizing that his request might appear improper, Beck argued that Bavarians were capable of managing hunting grounds, but could not protect them without the ability to defend themselves from poachers.⁸⁶

Hoegner dutifully passed on Beck’s memo to Generals Muller and Truscott who not only read the report, but also put many of Beck’s ideas into action. First, in February 1946, Truscott banned all American soldiers from hunting and fishing until August.⁸⁷ Secondly, the Military Government reorganized the Food and Agriculture Branch and formed the Forestry Section, which assumed responsibility for forests, fisheries, and wildlife.⁸⁸ Thirdly, an addendum to the original Hunting and Fishing Policy was issued to establish “disciplinary control.” These new guidelines stated that soldiers could only hunt in organized parties under the “competent supervision” of a vetted German hunting guide; reiterated that only rifles and shotguns were permitted for hunting; and made American officers responsible for ensuring these rules were enforced.⁸⁹ Finally, and most surprisingly, the USFET agreed to rearm German forestry police and Game Wardens who received American M1 carbines with identifiable serial numbers.

These new policy initiatives in early 1946 indicate that the U.S. Army and the American Military Government recognized that hunting by American soldiers in Germany was dangerous, seemingly out of control, and causing growing alarm among Germans. To address these

⁸⁶ The Jägermeister of Bavaria, 15 January 1946, NACP, RG 260/390/48/2/5/188.

⁸⁷ Befehl des Kommandierenden Generals der 3 Armee vom 4 Februar 1946, 14 February 1946, BayHStAM, MELF 4464.

⁸⁸ Annual Report, Forestry Section, 1 July 1946 – 1 July 1947, NACP 260/390/4/33-34/07/1.

⁸⁹ Crop Damage by Wild Animals and by Hunting Parties, 29 May 1946, IfZ, OMGUS 45-46/110/8.

problems, the occupiers developed a whole suite of new policies to rein in American hunting behavior and demonstrating the seriousness of the issue to soldiers, an idea especially salient in the decision to temporarily ban all hunting. Yet, the most surprising effort was the decision to rearm Germans through the Game Warden Program. The determination to rearm Germans less than a month after the war ended clearly shows that German criticism in the area of hunting resulted in the return of some sovereignty to Germans.

Game Warden Program

The American Military Government developed the Game Warden program in March 1946 to protect crops, prevent poaching, and enforce German game laws. Initially, the Military Government armed five Game Wardens for every Landkreis, a total of 715 in Bavaria (by 1949 they numbered over 2000),⁹⁰ but the Game Wardens were not permitted to use their weapon for hunting unless authorized by the Military Government. To be appointed a Game Warden, the potential candidate underwent a thorough background check and needed permission from an American Public Safety Officer to carry a firearm.⁹¹ Moreover, the policy indicated that Military Government personnel would perform daily weapons inspections to monitor ammunition and weapon use. If the Americans found a Game Warden violating the regulations, they would submit the case to a military tribunal.⁹²

At the time of the program's development, the rearming of Germans appeared to contradict the Allied demilitarization policy, but this program aligned with developments on the ground. During the early chaotic months of the occupation, some American occupation units

⁹⁰ Wild Boar Damage, 21 July 1949, NACP, RG 260/390/48/2/2/169.

⁹¹ Annual Report, Forestry Section, 1 July 1946 – 1 July 1947, NACP, RG 260/390/4/33/07/1.

⁹² Arming of Game Wardens, 19 March 1946, NACP, RG 260/390/48/2/2/168.

chose to temporarily rearm German police forces to help order the chaos that engulfed Germany in May 1945. While initially an emergency decision, it was soon permitted by the ACC with Directive No. 16 in November 1945. This directive stated: “The German police should be armed as speedily as possible in order that it may be able to take an active part in the maintenance of law and order.”⁹³ This order included both city and border police forces, but soon included a plethora of different armed German police, including rail, water, forest, and the *Landespolizei*, or rural police, but these rearmed police forces were not permitted to arrest or interfere with Allied personnel, military or civilian, highlighting the disparity between Germans’ notional and actual authority under American occupation.⁹⁴

Although lacking the ability to arrest or interfere with Allied personal, the Game Wardens monitored the forests and fields and could and did arrest Germans, DPs, and refugees who violated hunting laws, but the Game Warden program remained an American designed operation because Game Wardens were not part of the German hunting tradition.⁹⁵ As the head of one district hunting office wrote, the Game Wardens functioned as “substitutes for the hunting protection” that normally was conducted by landowners and leaseholders who owned or leased hunting districts. In this capacity, Game Wardens, assigned patrol routes through local communities by the head of district hunting offices, entered and monitored *Jagdreviere* and were

⁹³ Legal Division, Office of the Military Government for Germany (US), *Enactments and Approved Papers of the Control Council and the Coordinating Committee, Vol. I* (Berlin, 1946), 182.
https://www.loc.gov/rr/frd/Military_Law/Enactments/Volume-I.pdf. Accessed June 2018.

⁹⁴ Brian Libby, “Policing Germany: The United States Constabulary, 1946-1952,” (PhD diss., Purdue University, 1977), 35.

⁹⁵ Stellungnahme der Jagdbehörden und Jägervereinigungen der einzelnen Länder zu den Richtlinien für Jagd und Fischerei des Headquarters US Forces European Theater Curricular 11 vom 15.2.47, undated, IfZ, OMGUS 1948/186/7.

encouraged “to act in agreement” with the owners and leaseholders who controlled the hunting rights.⁹⁶

Although local Military Government officials supposedly monitored the Game Warden program, an investigation into the Program by the Civil Administration Division revealed its problems. In Middle Franconia, Hans Thomsen’s report found a program “severely handicapped by men who violate the law” and Germans flagrantly flouting Military Government regulations and willfully underestimating game populations. According to Thomsen, a committee consisting of individuals from the forestry office, the farmers’ association, and the hunters’ association were to select the Game Wardens, but instead he found that the head of the regional hunting office directly appointed the Game Wardens himself without forming the committee. Thomsen then noted that the majority of the appointed Game Wardens were older than 65, refused to wear the required white armbands, made no arrests, failed to account for spent ammunition, and worked only an average of five or seven hours a week.⁹⁷

In interviewing the Game Wardens, Thomsen noted that several of them indicated that they did not fulfill their duties because they received anonymous letters threatening to burn down their homes. Threats to Game Wardens appear to have been widespread. A report to the Military Government Intelligence Division from the detachment in Bad Aibling stated that armed poachers often confronted the Game Wardens. This seems to have been a particularly aggressive group of poachers as the report noted that previous accounts described shots being fired at the forester and another Game Warden being chased by armed poachers. Additionally, the district *Jägermeister* complained that it was impossible for five armed Game Wardens to control 53

⁹⁶ Hunting Protection, 9 March 1948, NACP, RG 260/390/48/2/2/169.

⁹⁷ Game Wardens in Mittelfranken, 9 September 1948, NACP, RG 260/390/48/2/2/169.

hunting districts and estimated that he need at least 42 more weapons to decrease game populations and to stop poachers.⁹⁸

In addition to poachers, American soldiers reminded the Game Wardens that they held no actual authority. For example, when Game Warden Schegerer heard shooting in Landkreis Cham, he approached the scene and found a woman sitting in jeep whom he questioned. Moments later, an armed American officer, Captain Tibetot, emerged from the forest and confronted Schegerer, demanding to see his credentials and hunting weapon. After presenting these to Tibetot, the officer took Schegerer's gun license and removed the ammunition from his weapon.⁹⁹ According to a report by the District Game Warden, Tibetot wanted to prosecute Schegerer before a military court and requested Schegerer's termination from his position, an action the District Game Warden found appalling considering that Schegerer was only doing his job.¹⁰⁰

Besides threats of violence, Thomsen found that many Game Wardens worked as teachers, farmers, and merchants because they were not paid, leaving them little time to patrol the forests. Among the merchants, a number of them made their living selling meat and fur, a clear conflict of interest in Thomsen's eyes, especially as one individual had shot over 32 deer in nine months. Along with teachers, farmers and merchants, he also found in the district of Gräfensteinberg that two of the five Game Wardens had previously served prison terms for breaking game laws.¹⁰¹ Another report from Upper and Middle Franconia stated that many of the

⁹⁸ Intelligence Reporting, 17 August 1948, NACP, RG 260/390/48/2/2/168.

⁹⁹ Statement of Evidence, 26 August 1948, NACP, RG 260/390/48/2/2/169.

¹⁰⁰ Report of District Game-Warden, 26 August 1948, NACP, R RG 260/390/48/2/2/169.

¹⁰¹ Bi-Weekly report No. 4 for Regierungsbezirk Oberbayern-Oberpfalz, 16 October 1948, NACP, RG 260/390/48/2/2/165.

Game Wardens were former Nazis. According to this report, 37 of 61 Game Wardens formerly belonged to the Nazi party or its affiliated organizations. Based on the denazification scale, six were followers and 31 were pardoned under various amnesty programs.¹⁰² Although the reporting officer seemed slightly taken aback, according to one document, any Game Warden without a criminal record could carry a weapon as long as “their Fragebogen had been screened by Special Branch.”¹⁰³

Thomsen, along with other reports on the Game Wardens, also pointed out that the ammunition given to Game Wardens was barely controlled and was often “not be accounted for.”¹⁰⁴ In fact, it seemed to American investigators that the Germans in charge of distributing rifles paid little attention to where the weapons went. This was evident in a report from Lower Bavaria that stated, the “supervision and use of weapons and ammunition has not been exercised by any official Bavarian agency,” a statement disregarding the fact that the Military Government was in charge of monitoring ammunition. Instead, the report claimed the weapons were distributed by a “semi-private organization” connected to the former Nazi *Deutsche Jägerschaft*. A field report from Lower Bavaria noted that the district forestry office admitted that the issued weapons “could not – under the present system – be controlled properly.” Rather, the office stated that the weapons for Game Wardens were issued to those hunters “serving solely private interests supported by Baron von Gumppenberg.”¹⁰⁵

The power to distribute weapons was important and seemed to represent a local power base. A later investigation suggested that Gumppenberg was an avid supporter of the *Bayerische*

¹⁰² Game Wardens in Mittelfranken, 9 September 1948, NACP, RG 260/390/48/2/2/169.

¹⁰³ Procurement of weapons for forest-, game- and fish protection, 6 April 1946, BayHStAM, MELF, 4464.

¹⁰⁴ Game Wardens in Mittelfranken, 9 September 1948, NACP, RG 260/390/48/2/2/169.

¹⁰⁵ Extracts from Field Team Reports, 26 October 1948, NACP, RG 260/390/48/2/2/169.

Jagdschutz & Jägerverband (Bavarian Hunting Protection and Hunters Association, BJV), an organization the Military Government considered hostile to local interests and American policy, and that in Castle Deining, Gumpfenberg refused to cooperate with local officials and dealt only with “unknown persons of an unknown Section of the Ministry of Food and Agriculture.” According to the report, Gumpfenberg’s “chief mission” was to actively combat the policy of the Military Government.¹⁰⁶ While Gumpfenberg was particularly notorious, other local elites also sought to take advantage of the program. In Regensburg, Count Leo Walderdorff was awaiting trial for ordering local German Game Wardens to accompany him on hunts.¹⁰⁷ The power of local elites was also evident in Schongau where a Game Warden knew that a landowner was shooting deer, but refused to report or arrest the landowner because he hired and paid the Game Warden.¹⁰⁸ One Game Warden felt particularly perturbed by a local elite and government official, Herrn von Ritter, who sought to periodically change Game Wardens, perhaps in a scheme to allow more Germans to hunt and create patronage, but the Game Warden contended that his actions were against the rules and resulted in inexperienced Game Wardens.¹⁰⁹

Some American soldiers in Germany also remained opposed to and critical of the arming German Game Wardens, especially following a case where an armed German hunter held two American officers at gun point.¹¹⁰ In response to this event, one soldier wrote that it was “a timely warning and an argument against the issuance of rifles to Germans;” moreover, he

¹⁰⁶ Civil Administration Bi-Weekly Report No. 14, 5 March 1949, RG 260/390/48/2/2/167.

¹⁰⁷ Bi-Weekly report No. 4 for Regierungsbezirk Oberbayern-Oberpfalz, 16 October 1948, NACP, RG 260/390/48/2/2/165.

¹⁰⁸ Salary of Game wardens, 28 October 1948, NACP, RG 260/390/48/2/2/169.

¹⁰⁹ Hunting Protection, 9 March 1948, NACP, RG 260/390/48/2/2/169.

¹¹⁰ “Judge Rules No German May Point Gun at Yank,” *Stars and Stripes*, August 25, 1948, 5.

asserted that the “clamor about the damage to crops by wild schwein is greatly exaggerated . . . it is common knowledge that in many cases the farmers were digging potatoes for the black market and attributing the digging to the boar.” Although admitting that he was often “well treated by the jaegers,” the author saw the program as a transfer of power back to Germans, which he vigorously opposed, writing this “is clearly a case of give them an inch and they will take a mile.”¹¹¹

Additionally, the Wiesbaden Rod and Gun Club contacted the Military Government Legal Division in November 1948 to protest the arming of German hunters. After affirming their dedication “to the furthering of hunting and fishing as democratic sports,” the club argued that German hunting was “a privilege of a chosen few wealthy persons” and that they “were largely members of the Nazi party and/or its affiliate organizations.” Moreover, they claimed that the arming of German hunters created “unceasing and increasing . . . bickering for weapons between German hunting organizations, principally led by former Nazis.” With this conclusion, the Rod and Gun Club concluded that the Military Government should not increase the number of armed Germans and only issue firearms “when the evidence clearly justifies” cases of crop damage.¹¹²

Although the Military Government field reports placed the Game Wardens in a bad light, the head of the Bad Neustadt/Saale hunting district sought to clarify some of the problems. He wrote that the Game Wardens, facing threats and violence, did an admirable job, especially as “they do not get any pay whatsoever.” He also rejected complaints that the Game Wardens were not doing enough to limit game damage to crops, writing they have attempted “everything within human power” with the means provided to them to limit game damage and that neither the Game

¹¹¹ “German Jaegers Hindering Hunters,” *Stars and Stripes*, September 11, 1948, 15.

¹¹² Resolution of the Wiesbaden Rod and Gun Club, 15 November 1948, IfZ, OMGUS 1948/186/7.

Wardens nor the District Hunting Office were at fault. Rather, he asserted: “If any party must be blamed for such a trend of things, it can only be National-Socialism along with its big and little adherents” who brought “ruin on Germany and German hunting matters.”¹¹³

The U.S. Army and the American Military Government developed and supported the Game Warden program because the occupiers proved incapable of policing the forests and managing wildlife on their own. With this decision, the Americans gave local Germans the notional authority to govern and police swathes of the German countryside; however, their actual authority was challenged by American occupiers and their small numbers made them vulnerable to threats and groups of armed poachers. On the other hand, in some locations, local elites sought to exploit the transfer of power by ignoring Military Government regulations and controlling the selection of Game Wardens to build support and to ensure that only those whom they trusted received firearms.

Although the policy was contested and exploited, American officials claimed that the Game Warden program “has been fairly successful.”¹¹⁴ In seeing the program as successful, the Military Government officials conceded that returning some hunting authority to Germans at the local level helped reduce crop damage and decrease instances of illegal hunting and poaching. The decision to rearm Germans, however, was not only faced by the Americans. The other occupation powers also considered this question in their zones. A brief investigation into the British, French, and Soviet occupation zones reveals the similarities and differences across the occupied Germany.

¹¹³ Hunting Protection, 9 March 1948, NACP, RG 260/390/48/2/2/169.

¹¹⁴ Wild Boar Damage, 21 July 1949, NACP, RG 260/390/48/2/2/169.

Hunting Across the Occupation Zones

All the occupying powers needed to address the issue of hunting, game management, and the decision whether or not to rearm German hunters. The policies across the zones corresponded in many ways because the four occupiers agreed in late 1945 to prevent all German hunting, to establish game seasons, to ban the use of automatic weapons, and to take the necessary measures to combat “vermin.”¹¹⁵ Yet, while these regulations explain some similarities, the Allied powers also agreed to allow zonal commanders to implement or depart from any rules needed to manage their zone.¹¹⁶ The decision to allow commanders the leeway to govern as they saw fit helps explain the different approaches to hunting taken by the occupiers and shows the different ways the Allied occupiers dealt with wildlife and sovereignty.

The British occupiers developed a hunting policy in early 1946 that sought to respond to local conditions. On designated game reserves, a British occupier needed a permit and a hunting license from the Commanding Officer to engage in hunting,¹¹⁷ but the Zonal Shooting Committee (ZSC), an inter-service organization, oversaw hunting at the local level in each hunting district (*Jagdreviere*).¹¹⁸ In this capacity, the ZSC sought to balance the hunting interests of the numerous units that composed the British occupation, including the Royal Air Force, Army, and Navy, the Control Commission for Germany (CCG), and the NGTC. A designated British Game Warden led the ZSC, and the committee itself was composed of British personnel from Hannover, Westfalen, Schleswig-Holstein, and North Rhineland. In turn, regional

¹¹⁵ Minutes of Forestry Sub-Committee Meeting, 11 December 1945, IfZ, FA/145/2.

¹¹⁶ Draft Regulations for Hunting and Shooting for Germany as a whole, 26 January 1946, IfZ, FA/124/2.

¹¹⁷ Rules and Regulations for Shooting and Fishing in the British Zone, 12 February 1946, NACP, RG 260/390/48/2/2/169.

¹¹⁸ Zonal Shooting Committee Minutes of Fourteenth Meeting, 8 June 1949, TNA, FO 1014/966.

committees oversaw each of these areas. Within these regions, the British formed hunting syndicates, a group of British hunters who were responsible for wildlife management and hunting in a designated area.¹¹⁹

According to the ZSC, the lack of a coordinated game policy in the British Zone during the first year of the occupation had resulted in “serious damage to food resources” by game and wild boar; the “suffering and virtual extinction of game;” and the lowered “prestige of the occupying powers by lack of knowledge of the rudiments of sportsmanship.”¹²⁰ The ZSC’s main objective focused on addressing these problems by protecting agriculture from “vermin,” reducing stocks of deer and wild boar, and conserving game where populations were “unduly depleted.” The need to protect agriculture also led the British to eventually arm qualified German hunters in April 1947 to reduce the wild boar population, but they had no power over Allied personnel.¹²¹ The British also considered hunting important to their image as occupiers:

Sport in any country depends ultimately on the goodwill of the country and all ranks should realise that unless they maintain strict adherence to the ethics of good sportsmanship their own sport will suffer and that they will be lowering the prestige of British sportsmen and the occupying Forces.¹²²

This statement clearly demonstrates that the British considered good sportsmanship central to the legitimacy of the occupation, but the British also faced challenges and difficulties from personnel who failed to follow the regulations. A meeting in Schleswig-Holstein in April 1946 noted that “many hundreds of dead and rotten deer have been found in fields and forests . . .

¹¹⁹ Decentralization of Game Control Chart, 30 May 1946, TNA, FO 1014/966.

¹²⁰ Game Control, 30 May 1946, TNA, FO 1014/966.

¹²¹ Minutes of the Meeting of the Hamburg District Shooting Association, 2 May 1947, TNA, FO 1014/966.

¹²² Minutes of the Meeting of the Hamburg District Shooting Association, 2 May 1947, TNA, FO 1014/966.

these animals have died after some days of suffering and the meat has been wasted.”¹²³ In January 1947, reports indicated that many members of the NGTC were caught hunting without licenses, an egregious problem since “members of this organization have greater opportunities for obtaining information about Game . . . render[ing] it essential that an example is set and maintained by them.”¹²⁴ The NGTC was singled out again for poaching in a report emphasizing the consequences of their behavior on British relationships with local Germans: “These incidents create a good deal of ill feeling which is bound to react upon our relationship with the communities amongst whom we live.”¹²⁵ Eventually poaching became such a problem that the ZSC asked for and received instructions from the British Control Commission to bring poachers before a military court.¹²⁶

While adhering to the agreements reached among all of the occupiers, the French Zone limited hunting to only “high ranking” French soldiers. Yet, by limiting hunting to a small group of soldiers, the French Zone soon faced an overwhelming problem with “vermin,” leading to new regulations that permitted the hunting of certain animals such as wild boar and foxes with “war weapons.” In essence, this regulation permitted the French to use automatic weapons to protect crops from wildlife. While particularly vocal in 1945 about divorcing game ownership from the land, when reintroducing hunting laws in 1949, the French permitted the re-adoption of the *Reichsjagdgesetz* (Reich Hunting Law) with only minor alterations,¹²⁷ but they retained the

¹²³ Shooting of Game Animals and Small Game in Schleswig-Holstein, 23 April 1946, TNA, FO 1014/966.

¹²⁴ Discipline – Breaches of the Game Laws, 18 January 1947, TNA, FO 1014/966.

¹²⁵ Poaching of Game, 15 October 1947, TNA, FO 1014/966.

¹²⁶ Zonal Shooting Committee Minutes of the Seventh Meeting, 25 January 1947, TNA, FO 1014/966.

¹²⁷ Cai Niklaas E. Harders, *Das Bundesjagdgesetz von 1952 sowie die Novellen von 1961 und 1976: Vorgeschichte, Entstehung des Gesetzes sowie Problemfelder* (Frankfurt am Main: Peter Lang, 2009), 84-85.

ability to control hunting weapons and to approve or disapprove of a German's ability to possess a rifle.¹²⁸

In the east, the Soviet occupiers quickly confiscated all weapons for security purposes and designated hunting an activity solely for the Red Army and SMAD.¹²⁹ A directive issued by Marshal Gregory Zhukov announced in October 1945 that former German hunting grounds, especially those frequented by Goering, were preserved for Soviet military hunting parties while hunting in other parts of Germany was only permitted by members of the Soviet occupying forces who possessed a hunting license.¹³⁰ As in the western zones, Soviet hunters were banned from hunting without a license and using machine guns, and they were required to follow hunting seasons, but Soviet soldiers often violated these regulations.¹³¹

As in the western zones, the Soviet Zone soon faced increasing complaints of crop destruction by wild boar. A report from Eberswalde claimed that the game damage was immense, a threat to nutrition, and asked about the potential of rearming German foresters.¹³² A report from the German authorities in May 1947 detailed the number of hectares destroyed in the Soviet Zone during 1946 and noted that the cost of this destruction was estimated at over 6 million Reichsmarks. Mecklenburg suffered the largest amount of damage with more than

¹²⁸ Ordinance No. 131 from the Military Governor of the French Zone in Germany, 18 July 1949, NACP, RG 260/390/48/2/2/169.

¹²⁹ Harders, 91.

¹³⁰ Für die Einrichtung eines Jagdreviers, 2 October 1945, Bundesarchiv Berlin-Lichterfelde [hereafter BAL], DK 1/8121.

¹³¹ Jagdausübung durch die Angehörigen der Besatzungsmacht, 18 March 1946, Brandenburgisches Landeshauptarchiv [hereafter BLHA], Rep. 258 KW.

¹³² Wildschaden, 30 July 1946, BHLA, Rep. 258 Eberswalde.

14,000 hectares destroyed or damaged and the damage to the other *Länder* varied between 1,000 and 4,000 hectares.¹³³

As crops continued to suffer, Germans sought permission from the Soviet occupiers to once again hunt. In fact, in late 1945, the German Central Administration for Agriculture and Forestry in the Soviet Zone (*Deutsche Zentralverwaltung für Land- und Forstwirtschaft in der sowjetischen Besatzungszone*) drafted a regulation to authorize German hunters to pursue wild boar with strict limitations. It proposed only one hunter per 100 hectares and the individual would need to undergo a thorough background check and have the support of a local German official and the regional Soviet military official. This licensed individual would be required to follow German game seasons and turn over all hunted game to central food offices but could keep every fifth piece of game.¹³⁴ Although seeking to arm a small number of vetted Germans, the Soviet authorities did not permit the rearming of Germans for crop protection until April 1946 when the *Länder* received permission to temporarily arm “proven anti-fascist” (*bewährte antifaschistische*) German hunters.¹³⁵ Yet, even with this approval, it seems that Germans had difficulty acquiring hunting weapons. In April 1947, the Thuringian Office of Agriculture and Forestry complained that the local SMAD official blocked the request to arm Germans. Already reporting crop losses of 305,000 double zenter (or 61,000,000 kg) in 1946, the office warned that without receiving approval soon, the game damage would prove considerable.¹³⁶

¹³³ Schreiben der SMAiD Nr. 53 vom 6.2.1947 Wildschäden, 6 May 1947, BAL, DK 1/8439.

¹³⁴ Die Ausübung der Jagd, 30 November 1945, BAL, DK 1/8121.

¹³⁵ Dezimierung des Schwarzwildbestandes, 16 April 1946, BAL, DK 1/8439.

¹³⁶ Aufstellung eines Jagdkommandos zum Abschuss von Schwarzwild, 23 April 1947, BAL, DK 1/8439. The measurement used to weight potatoes was the double zenter (dz), an obsolete German unit of measurement that is equal 100 kilograms.

In 1948, the Soviet occupiers issued order No. 98 regarding hunting rules and regulations for Germans in the Soviet Zone, and this document permitted the formation of *Jagdkommandos* to control wildlife. The order stated that all members of a *Jagdkommando* must be politically sound and that their leaders must receive additional approval from the state forester, the state boards of the Free German Trade Union Federation (*Freier Deutscher Gewerkschaftsbund*), and the Peasants Mutual Aid Association (Vereinigung der gegenseitigen Bauernhilfe, VdgB). The hunting commandos received weapons from the state police departments (*Landespolizeibehörden*), but only smoothbore hunting weapons (*glattläufige Jagdgewehre*). In addition, the commandos were required to make available half the hunted game animals to hospitals and old people's homes.¹³⁷

When the Soviet occupation officially ended on 7 October 1949, the use of *Jagdkommandos* remained in effect, but their efforts proved incapable of managing the wild boar problem. A memo from the East German Forestry Administration described these measures as “completely inadequate,” noting that only 100 firearms were made available for all of East Germany, and advocated more intensive local shooting and working with the VdgB to increase the number of politically flawless individuals.¹³⁸ Nonetheless, the SED maintained strict control over hunting and firearm ownership in East Germany. While the party passed a hunting law in 1953 encouraging collective hunting (*Kollektivjagd*) among the people, high-level party members continued to practice feudal hunting traditions of German hunters on large reserves, a practice that contrasted sharply with regime's claims to social equality.¹³⁹

¹³⁷ Durchführungsbestimmungen zum Befehl Nr. 98 der SMAD vom 1.6.1948, 1 October 1948, BLHA, Rep. 258 KW.

¹³⁸ Richtlinien für die Aufstellung der Schwarzwild, 27 February 1950, BAL, DK 1/9206.

¹³⁹ Meike Haselmann, “Die Jagd in der DDR – Zwischen Feudalismus und Sozialismus,” <https://www.bundesstiftung-aufarbeitung.de/uploads/pdf/haselmann.pdf>. Accessed July 2018.

As these comparisons indicate, hunting and wildlife control was very similar across all the occupation zones. All four occupiers disarmed Germans, established hunting regulations for occupation soldiers, and faced difficulties with crop destruction. With a food crisis undermining Germans' health, all the occupiers had to consider whether or not to permit the rearmament of German hunters, a relatively fraught decision considering Germans had been shooting at the occupiers months earlier. Yet, even with this concern, the American, British, and Soviet occupiers permitted the rearmament of some German hunters to help protect crops, manage wildlife populations and stop poaching, a decision indicating that crop protection was worth the risk of returning some power back to Germans and rearming their former foes.

Hunting Disputes among the American Occupiers

The reckless hunting behavior by American soldiers in Germany did bring criticism from some U.S. Army officers and members of the Military Government who considered the behaviors of soldiers bad for the occupation and a failure to meet the standards of sportsmanship. By denouncing their compatriots and contacting higher-level officers, these Americans sought to establish stricter regulations and to ensure that the regulations were enforced. Yet, a vocal contingent of American soldiers saw nothing wrong with their hunting behaviors, felt their critics' ideas aligned more with German hunters, and argued that German hunting remained aristocratic, undemocratic, and inundated with Nazism. With this viewpoint, they asserted that their actions reflected good democratic hunting, something that German hunters should learn.

The most vocal American hunting reformer was Colonel Frank Chamberlin, a 20-year veteran of the Medical Corps and commander of the 279th Station Hospital in Berlin. In December 1946, Chamberlin wrote a thirteen-page letter concerning the hunting conditions in the American zone to General Joseph T. McNarney, commander of U.S. European Command

(EUCOM). After touring hunting areas, meeting with German foresters and farmers, and talking with American officers, Chamberlin decided that he needed to inform McNarney about the disgraceful actions of American officers and enlisted men, noting that the “unsportsmanlike practices conducted by our officers in the forests of Germany are on a par with the V.D. rate.”¹⁴⁰

Chamberlin first claimed that the “hunting license is a joke” because the licenses were simply handed out by commanding officers to any soldier who requested one. Chamberlin asserted that hunting seasons and licenses were meaningless as no authority, including the U.S. Constabulary, enforced game seasons or checked the game shot by American hunters. He emphasized that most banned practices, such as hunting at night, using automatic weapons, and leaving maimed animals in the forest were common practices for American soldiers, even though hunting regulations were printed inside American occupiers’ hunting licenses. As for the new regulations recently introduced in 1947, Chamberlin saw them as insufficient, writing that the organized hunts usually involved soldiers surrounding a section of woods and shooting “anything that can crawl” with all types of weapons. In addition, he argued that the Germans assigned to guide and police hunting practices seemed happy to allow these actions because they received a portion of the meat which they could sell or use for their families.¹⁴¹

In criticizing American hunting, especially comparing it to the rate venereal disease, Chamberlin clearly saw the actions of his fellow Americans as a moral failure. To correct these problems, Chamberlin listed solutions to improve sport hunting in Germany, including banning certain ammunitions, hunting at night, and automatic weapons, but this list only sought to strengthen the already existing laws, offering no suggestions to radically alter American soldiers’

¹⁴⁰ Col. Frank Chamberlin to Gen. Joseph McNarney, 7 December 1946, IfZ, OMGUS 47/191/6.

¹⁴¹ Col. Frank Chamberlin to Gen. Joseph McNarney, 7 December 1946, IfZ, OMGUS 47/191/6.

behavior. Perhaps the most original idea focused on requiring soldiers to attend a training course before receiving a license. Yet, while providing a detailed list of infractions, Chamberlin never made clear how his proposals would rein in American soldiers' behavior.

Shortly after Chamberlin sent his letter to McNarney, his private worries emerged on the pages of *Stars and Stripes*. On 8 February 1947, an article celebrated the hunting abilities of Sergeant Glen Davison who shot 128 deer during his time in Germany. In his interview, Davison said that his success was based on developing a good technique and following all the rules. When asked about hunting in Germany, he used the anti-aristocratic language common among many American soldiers and Americans when discussing German hunting, declaring that "only the rich people hunt" because they "buy hunting rights for certain tracts of land." While owning rights normally limited the number of hunters, Davison remarked that for Americans "there is no restriction . . . if [a soldier] had MG permission." Davison's only disappointment in his significant hunting history was his inability to kill boar, "I have hit a bunch, but never managed to bring one home."¹⁴²

The exploits of Davison irritated some Americans who wrote to *Stars and Stripes* to criticize his actions. OMGUS Forestry official W.F. Bond commented "that seasonal bag limits must be established and enforced" and stingingly stated that he will do "everything in my power to see to it that this record never again is equaled-even though the sergeant does have to stay 30 years in the ET [European Theater] to get that boar." Bond was followed by Master Sergeant Rudolph who asked the newspaper to "take same time out and tell some of these trigger-happy

¹⁴² Dexter Freeman, "ET Happy Hunting Ground Sgt. Gets 128 Deer, 10 Elk," *Stars and Stripes*, February 8, 1947, 7.

officers and men what became of the millions of buffalo, sea otter, antelope, passenger pigeon and dozens of other birds and animals we once had with us in the States?”¹⁴³

The strongly worded rebukes encouraged Davison to publish a defense of his record and to criticize his detractors as neither “hunters” nor cognizant of the facts. First, he clarified that the majority of his hunting occurred during or shortly after the war— “Remember the war?” he asked rhetorically. Stationed near Aachen and tiring of K-rations, Davison and his unit sought out “fresh venison at the enemy’s expense.” Davison asserted that hunting not only fed himself and his unit, but also deprived the enemy Germans of food during the last phases of the war. He suggested that his hunting was a humanitarian effort and declared that many of the deer he shot “helped fill the empty stomachs,” especially those they liberated from Nordhausen where “German deer helped save a few of the pitifully starved inmates.” Finally, he emphasized the relationship between wildlife, crops, and the postwar food crisis, writing that the German forests were overstocked with deer, that “crops were being laid waste by whole herds,” and that both the Germans and American officers encouraged hunting. Since the end of the war, Davison claimed that he “killed no more than my normal share under MG supervision.”¹⁴⁴

After defending his record, Davison denounced German hunting traditions, arguing that “[i]n America and all other democratic nations sportsmen hold that the German hunter is the poorest sportsman in the world today [sic].”¹⁴⁵ He justified this by pointing out the numerous hunting stands that allowed Germans to shoot animals from behind. This type of hunting was only possible, suggested Davison, because hunting in Germany was for the rich who “can buy up

¹⁴³ Bill Boni, “Readers Fire Both Barrels At Game Hogs,” *Stars and Stripes*, February 21, 1947, 9.

¹⁴⁴ Bill Boni, “Davison Files His Defense of Record Bag,” *Stars and Stripes*, March 22, 1947, 9.

¹⁴⁵ Bill Boni, “Davison Files His Defense of Record Bag,” *Stars and Stripes*, March 22, 1947, 9.

the hunting rights of a whole area” whereas “a poor man goes to jail if he is caught hunting.” Directing his ire at Bond, Davison criticized current hunting policies and, in a final jab, Davison wrote: “Mr. Bond can stop worrying about my being here for 30 years. I got my boar the other day—and not from a stand. I stalked it, American style.”¹⁴⁶

In response to the excessive and illegal hunting practices of some Americans, those who considered themselves sportsmen soon started organizing Rod and Gun Clubs to educate Americans in the sportsmen’s ethics and the laws of hunting in Germany. The first club was formed at the Wiesbaden military post in November 1947 and others quickly sprouted up throughout the American Zone.¹⁴⁷ Based in a former Shooting Club Lodge (*Schützenheim*) that once belonged to an international hunting club, the Wiesbaden Rod and Gun Club aimed to “stop game law violations . . . and others who invade the forests and kill and dispose of game illegally.”¹⁴⁸ This included lessons in sportsmanship, weapon usage, and instructions in planning, organizing, and leading hunting parties. According to the constitution of the Munich Chapter, all members were to conduct themselves so “that no act or omission on their part can be construed as violating the principles of propriety, good taste and good sportsmanship.”¹⁴⁹ The clubs described themselves as representing democratic practices, claiming that they did not recognize rank or social class and were open to all American military and civilians as well as Allied

¹⁴⁶ Bill Boni, “Davison Gives Further Info on Hunting,” *Stars and Stripes*, March 23, 1947, 9.

¹⁴⁷ “Rod & Gun Club In Wiesbaden Has Le May as Member,” *Stars and Stripes*, November 14, 1947, 9.

¹⁴⁸ For an image of the Wiesbaden Schützenheim with still visible wartime damage see “Wiesbaden Rod & Gun Club,” *The American Rifleman*, June 1948, 43-44.

¹⁴⁹ Constitution Bavarian Rod and Gun Club Munich Chapter, 18 April 1949, NACP, RG 260/390/48/2/2/169.

personnel. The *Stars and Stripes* noted that this made the Rod and Gun Clubs “one of the most popular organizations of its kind in occupied German.”¹⁵⁰

With their emphasis on sportsmanship and legal hunting, the Rod and Gun Clubs became a place where German and American hunters could find common ground, even after the club described German hunting as privileged and strongly linked to Nazism. Some members of the club started “encouraging qualified German jaegers to accept membership” while the club in Ulm established a pay scale for “beaters and jaegers” to compensate them for their time and refused to hire German guides that “allowed for excessive kills.”¹⁵¹ With similarly held ideas about hunting practices, the cordial relationship between the Rod and Gun Clubs and the Germans is unsurprising, though GIs were still warned about those German guides who would direct them away from the prized game animals as a form of “passive, delicate” resistance.¹⁵²

The Rod and Gun Clubs, Chamberlin’s letter, and the debate over Davison’s hunting exploits reveal the discussions around hunting within the American occupation forces. Those who identified as sport hunters found the actions and behavior of many American soldiers in Germany deplorable and little more than poaching. In fact, one American wrote to a journalist that in the forests of Wisconsin he often “saw many dead animals,” but that “[y]ou do not see these conditions here in Germany . . . they have men trained in game management . . . and always keep a healthy breeding herd and produce the maximum of each species each year.”¹⁵³ As these comments indicate, some of those Americans who considered themselves sportsmen viewed German hunters positively. They believed the excessive hunting by some U.S. soldiers

¹⁵⁰ “With Rod and Gun at Wiesbaden,” *Stars and Stripes*,” September 4, 1948, 7.

¹⁵¹ “Pay Established for Beaters, Jaegers,” *Stars and Stripes*, November 19, 1948, 11.

¹⁵² “German Jaegers Hindering Hunters,” *Stars and Stripes*, September 11, 1948, 15.

¹⁵³ Leslie Bean to Robert Higgins, 26 September 1947, IfZ, FA/132/5.

were not only unsportsmanlike, but also created difficulties between the German and American officials attempting to reconstruct Germany.

On the other hand, soldiers like Davison found these criticisms unwarranted for several reasons. First, they asserted that their actions were legitimate because wild animals posed a threat to crops and that these hunted animals could be used for food purposes during a period of scarcity. Secondly, they felt that German hunting practices and traditions were craven because the hunters fed animals at certain locations, knew where the game would be, and waited in stands for the animals to arrive. For Davison and his supporters, waiting for game in stands rather than stalking the game through the woods, indicated a lack of hunting skill. Thirdly, many soldiers asserted that the wartime victory gave them permission to do as they pleased, including hunting and shooting wildlife with little regard for regulations or its effect on conservation. Finally, many, including the Rod and Gun Clubs, saw a strong connection between aristocratic hunters and the Nazi regime.¹⁵⁴

The division within the American forces was not a problem exclusive to Germany. In Japan, American soldiers also hunted with little regard to sportsmanship and viewed hunting as a right of the occupier. These actions resulted in internal conflicts as well, and the Natural Resources Section of the U.S. occupation in Japan sought to curtail the actions of reckless American hunters. Yet, members of the U.S. Army, Navy, and Army Air Forces hunted “regardless of the impact on the local people and their wildlife.”¹⁵⁵ The disregard for locals indicates that many American soldiers hunting in both Germany and Japan thought little of how their actions reflected upon themselves as occupiers or upon the efforts of the occupation project.

¹⁵⁴ Resolution of the Wiesbaden Rod and Gun Club, 15 November 1948, IfZ, OMGUS 1948/186/7.

¹⁵⁵ Christopher Aldous, “A Tale of Two occupations: Hunting Wildlife in Occupied Japan, 1945-1952,” *Journal of American-East Asian Relations* 22, no. 1 (July 2015): 132.

Ultimately, the actions and behaviors of American servicemen in Germany meticulously described in Chamberlin's letter directly resulted in the development and implementation of new regulations by the U.S. military. Issued in February 1947, USFET Circular No. 11 (later adopted as Circular 58 by U.S. European Command [EUCOM] and referred to by this number), while more comprehensive than earlier regulations, basically re-emphasized the already established rules, especially regarding type of firearms permitted, banning night hunting, requiring a license, and following German game seasons. What Circular 58 also did do was to make the regulations more detailed. To receive a license, soldiers had to demonstrate satisfactory proficiency with weapons, familiarity with game laws, and good sporting practices. In order to hunt in a specific area, a hunter needed to obtain permission from the local commander and submit a description identifying the location of the hunt and the type of game sought. For big game hunting (deer or boar), applicants could only hunt in groups. This required that the hunting party be accompanied by a German Game Warden or forestry police member identified by the local commander, that all members hold a valid license, and that one member, designated the leader, was responsible for disarming anyone who broke the rules. Concerning bagged game, the soldiers could consume small amounts of meat in military messes, but were required to turn the majority over to Kreis food officials."¹⁵⁶

Although new and slightly more comprehensive than the original hunting and fishing policy, Circular 58 only reinforced the already established regulations. The document did not try to truly consider the issues discussed by Chamberlin or to better control the behavior of American soldiers who flaunted the rules. Instead, the army simply rebranded the existing policy in the hopes of placating Germans and Americans who felt the existing policy was too vague and

¹⁵⁶ Circular 11: Hunting and Fishing Policy, 15 February 1947, IfZ, OMGUS 47/191/6.

wanted stricter enforcement. The new circular did neither of these things. Obtaining a license was not subject to any testing, getting hunting permission simply required gaining an officers' permission, and soldiers were to self-police. Additionally, punishments for violations were not included until the circular was amended in May 1948, whereby soldiers found guilty by Military Government Courts faced fines of \$75.00 per violation and suspension of their hunting license.¹⁵⁷ Finally, as American officer Quarles wrote, the new policy was issued too late to have any effect, and reports from several Landkreise signaled that "drastic action is necessary in order to stop the unlawful shooting."¹⁵⁸

Circular 58's ineffectiveness was not lost on Chamberlin who continued criticizing American hunting regulations in private letters to Dr. James Newman, Military Governor of Hessen. These comments eventually reached the desk of General Lucius D. Clay, the Military Governor of the entire American Zone, who thanked Chamberlin for his detailed letters that inspired the establishment of Circular 58. In response to his ongoing criticism, Clay wrote that he believed the new regulations "will be sufficient" if really enforced. He informed Chamberlin that he had asked General Hugh B. Hestor, Chief of the U.S. Food and Agriculture, to discuss the hunting problems with the *Länderrat*, and he told Chamberlin that he planned to establish an advisory committee of German and American sportsmen to recommend changes to the German hunting law and invited him to participate. Concluding, Clay defended the hunting soldiers, writing, "I do not believe that the wanton killing of wildlife has been malicious but rather has

¹⁵⁷ Hunting Regulations Bavaria, 28 May 1948, NACP, 260/390/46/24/2/287.

¹⁵⁸ Semi-Monthly Briefing Report Covering Period 15-31 August 1947, 28 August 1947, NACP, RG 260/390/47/33/7/1.

resulted from thoughtlessness and from our failure to have adequate regulations really enforced.”¹⁵⁹

At the same time Clay was defending the new policy, the chief forester of the Englische Garten, Munich’s large centrally located public park (akin to New York City’s Central Park), notified the Bavarian Forestry Administration that American soldiers were hunting in the park. In one instance, a forester observed two American soldiers enter the park in the evening hours near the Effnerbrücke, shoot a roe deer, skin the animal, and take the meat. The report gives no indication whether or not the forester confronted the hunting soldiers. The second case involved two officers hunting near the *Seehaus*, a central location in the park by an artificial lake. The two officers then proceeded to shoot an estimated four to five pheasants, two rabbits, and two ducks.¹⁶⁰ Both hunting actions were illegal according to Circular 58 and dangerous to civilians, considering the location, but as these examples indicate, some American soldiers either remained unaware of hunting regulations or blatantly ignored the rules and continued hunting without fear of punishment.

Conclusion

In February 1947, the German Hunting Authorities and Hunters’ Associations of each *Länder* (*Jagdbehörden und Jägervereinigungen der einzelnen Länder*) within the American Zone met to discuss Circular 58. During their discussion, the German hunters lamented that “hunting conditions have fallen into complete disarray since the spring of 1945.” According to the hunters, this resulted in complete legal uncertainty, a threat to public safety, an increase in wildlife damage, a loss to the food industry, and a total loss of the economic value of hunting.

¹⁵⁹ Gen. Lucius D. Clay to Col. Frank T. Chamberlin, 6 March 1947, IfZ, OMGUS 47/191/6.

¹⁶⁰ Jagdfrevel im Englischen Garten, 8 March 1947, BayHStAM, MELF 4471.

For the German hunters, the only way to truly improve the situation was to speedily re-implement the provisions of the *Reichsjagdgesetz*, to ensure that American soldiers adhered to the guidelines in Circular 58, to approve German hunting clubs and organizations for reorganization, and to allow German hunters to hunt according to the *Reichsjagdgesetz* as soon as possible. After stating these recommendations, the German hunting authorities and hunters' associations ultimately concluded that Circular 58 was appropriate if properly enforced.¹⁶¹

Nevertheless, in the years preceding the development of Circular 58, the actions of many American soldiers offered no indications that they respected any hunting policies developed by the U.S. Army. Instead, a substantial number of American soldiers saw themselves as the victors and believed that they could do as they pleased in the German forests without worry of repercussions. With this mindset, they hunted all game with little thought towards conservation or sportsmanship as they were practiced in the United States. Those soldiers and members of the occupation who considered themselves sportsmen criticized the behavior of their compatriots whose actions they believed deviated from sportsmanship. While these criticisms led officers like Clay and Muller to strengthen and reinforce American hunting regulations, their efforts proved ineffective. In fact, the continual need to update and strengthen policies indicates that they seemed to have little impact.

The event with the most immediate impact was Baron von Beck's 1946 memo 1946. Although subsequent events demonstrated that Americans continued to hunt destructively, Beck's memo outlined the problem and made several policy proposals for Muller and Truscott. While Muller and Truscott neglected Beck's observation concerning the incompatibility of

¹⁶¹ Stellungnahme der Jagdbehörden und Jägervereinigungen der einzelnen Länder zu den Richtlinien für Jagd und Fischerei des Headquarters US Forces European Theater Circular 11 vom 15.2.47, undated, IfZ, OMGUS 1948/186/7.

American and German hunting laws, they recognized and implemented several of Beck's recommendations, including temporarily banning all hunting, strengthening hunting regulations, and, most surprisingly, arming German Game Wardens, even at the objection of many Americans who claimed crop damage was overly exaggerated.

By arming Game Wardens, the American occupiers acknowledged the limits of the demilitarization effort, acknowledged their inability to create order and properly police the German countryside, and chose to cede some authority to Germans at the local level to help protect crops and reduce poaching. As reports on the program indicate, although Germans were armed and given the authority to police the countryside, they did not have the actual authority to police or control American personnel who intimidated and defied the Game Wardens. Additionally, many Germans used the authority given to them by the program for their own benefit, whether monetarily or politically. This was especially true in those areas where local elites with connections to hunting associations oversaw the Game Warden program and used it to control the distribution of weapons as a way to consolidate local power. Moreover, as the example of the other occupation zones indicates, all of the occupiers faced decisions over how to manage the wildlife problem, especially as food shortages increased throughout 1946. In all cases but the French Zone, the occupiers chose to rearm a number of German hunters to prevent crop damage. Although this took different forms depending on the occupiers, it demonstrates all the occupying powers' efforts to balance demilitarization, security, and food protection.

In terms of agricultural production, the harvest of 1948 proved the first successful agricultural season of the occupation, and the harvest along with Marshall Plan aid would help western Germany overcome the postwar food crisis. The Game Warden Program, in combination with a new effort called the Wild Boar Program, started in May 1948, also contributed to the

improved harvest.¹⁶² This improvement was evident in reports investigating wild boar damage throughout Bavaria. In his own field report, Berg found “only small patches” near forests where boar dug up crops or trampled wheat, and he remarked that “damage reported by forestry and hunting officials was greatly exaggerated.” Yet, Berg also suggested that perhaps wild boar damage was never as substantial as Bavarian farmers alleged, writing “the total food production has not been reduced to the extent claimed.”¹⁶³

While Berg’s report suggests that arming Germans helped reduce crop damage, the majority of German hunters in the American Zone remained unable to legally hunt without special permissions from the occupiers, but they did not remain silent or inactive. In fact, they organized and contested American policies, working especially hard to preserve the *Reichsjagdgesetz* and to regain control over their hunting leases. Yet, as the hunters started mounting a campaign to regain hunting rights and to preserve the *Reichsjagdgesetz*, General Clay and his staff were preparing to repeal the law and have the German *Länder* draft new laws under American supervision. The future of German hunting created political conflict as the American and Germans proved unable to rectify the contradictions between the American *Lizenzsystem* and the German *Reviersystem* identified by Beck. These differences, in combination with the American occupiers’ hunting behaviors, provided space for Bavarian and West German hunting associations to contest American efforts to fundamentally altering German hunting laws and to actively strive to ensure that any future hunting laws encompassed German legal traditions.

¹⁶² Wild Boar Control, 26 April 1948, NACP, RG 260/390/47/34/2/16.

¹⁶³ Wild Boar Damage, 21 July 1949, NACP, RG 260/390/47/34/2/16.

CHAPTER V
“ANCIENT RIGHTS AND MALE FREEDOM”:
DEMOCRACY, SOVEREIGNTY, AND GERMAN HUNTING LAWS,
1948-1952

On 18 December 1948, members of the *Bayerische Jagdschutz & Jägerverband* assembled in Nuremberg for the first time in fifteen years. Although the gathering was celebratory, the speech given by President Oskar Kellner emphasized the obstacles facing German hunters. For Kellner, the hunters confronted two significant challenges. First, Kellner denounced American Military Government laws prohibiting Germans from hunting and argued that these laws encouraged destructive behaviors by poachers, trappers, and American soldiers. Secondly, he criticized the American Military Government’s recent repeal of the *Reichsjagdgesetz* and their plans to replace the cherished law with American influenced hunting laws. Facing the loss of their beloved hunting law and believing that the occupiers sought to impose American laws on Bavaria, Kellner urged the Bavarian hunters to protest American efforts and encouraged the Bavarian government to block the American proposals.¹

As Kellner’s words indicate, the future of hunting in Germany was not only a point of contention between the occupiers and the occupied, but it was also a space where Germans could contest the authority the occupiers and articulate a distinct political vision. In Bavaria, the BJV played a large and vocal role in criticizing the American Military Government. The association, with influential contacts, sought to dominate hunting and defend hunters in postwar Bavaria,

¹ “Die Jagdverhältnisse in Bayern,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 1 (January-February 1949): 2. NACP, RG 260/390/48/2/2/168.

even attempting to undermine the Bavarian *Jagdreferent*. Moreover, when the American Military Government sought to alter the *Reichsjagdgesetz*, the BJV, as Kellner's speech indicates, proved to be a fierce critic of the American occupiers.

The American Military Government sought to abrogate the *Reichsjagdgesetz* because the German hunting law was aristocratic, undemocratic, and tainted with Nazism, but many German hunters and politicians defended the principles in the law and rejected the American claims, arguing that the law reflected hunting principles and ideas that had developed over centuries. This debate over the future of hunting in Bavaria was also a contest over sovereignty and whose ideas, values, and practices would define the future of hunting in Bavaria. Although the occupiers retained authority over Bavaria and could use force if they chose, by the time they focused on this issue in 1949, the occupation was coming to an end and, rather than assert American authority, the occupiers instead chose not to intervene, a decision that enabled the Bavarian government to pass and enact a new hunting law based on the principles of the *Reichsjagdgesetz*.

Although this political victory preserved German hunting laws and traditions in Bavaria, West Germans still lacked sovereignty over their nation and remained unable to legally own weapons under the Allied High Commission. As an avid hunter, the American High Commissioner John J. McCloy took an active interest in the hunting situation and agreed to grant West Germans permission to legally own sporting weapons, but he simultaneously implemented new hunting regulations for American soldiers and maintained American hunting privileges that disregarded German private property rights. These regulations infuriated West Germans who saw these ordinances as an infringement of West German sovereignty, and German politicians delivered scathing diatribes against McCloy that spurred the High Commissioner to quickly enter

into negotiations. The outcome was a new ordinance, one that subjected American hunters to West German hunting laws and showed the West German government's ability to contest the Allied High Commission and assert sovereignty.

Although the Federal Republic successfully defended private property laws, the lack of a uniform West German hunting law led the federal government and German hunting associations to seek a new national law. These efforts, however, faced political challenges from Bavaria. After only recently drafting and implementing its own hunting law under the occupiers, the Bavarian government, a strong advocate of federalism, argued that a new hunting law would violate the authority of the *Länder*. This challenge, based on provisions in the Basic Law, forced the federal government to constantly refine and hone the law to make it palatable to both the West German hunters and the *Länder*. Working through the legislative process established by the West German constitution, a new national hunting law was promulgated and, while German hunters did not achieve all they desired, the law retained many of the cherished principles from the *Reichsjagdgesetz* and subjected American soldiers who wanted to hunt in the Federal Republic to German law and traditions.

Bayerischer Jagdschutz & Jägerverband and the Reichsjagdgesetz

The BJV received permission to organize at the *Land* level in the summer of 1948, but the American occupiers were aware of the association well before it received official recognition.² The American Military Government first encountered the BJV in early 1946 when officer Earl Kennamer recommended reestablishing Bavarian hunting associations in concert with the implementation of the Game Warden program to develop “sportsmanlike tactics” and

² Re-organization of the Bavarian Hunters' Association, 18 October 1948, NACP, RG 260/390/48/2/2/169.

maintain “efficient game management and wildlife conservation.”³ Nevertheless, only weeks later, Kennamer directed Minister-President Hoegner to dissolve the BJV for attempting to dislodge Baron von Beck from his position as Bavarian *Jagdreferent*. Kennamer found this effort astonishing and subversive considering that he “personally selected” Beck and considered him an ardent supporter of “good conservation practices in wildlife management and hunting.”⁴

Although the BJV was temporarily disbanded, those linked to the association remained active, especially in the Lower Bavaria-Upper Palatinate area where Baron von Gumpenberg sought to control the distribution of hunting rifles and where Kellner worked for a time as the regional *Jägermeister*. Although removed from his position for undisclosed reasons, Kellner initially wrote a pamphlet urging cooperation between hunters and the occupiers:

Let us do everything through clarification, discipline, and cooperation in the reconstruction of our hunting system. Then, sooner or later, we will convince the occupying forces that the rearmament of the hunter is not a threat to public safety, but on the contrary, an essential factor in maintaining peace and order.⁵

Nevertheless, Kellner’s words contradicted American reports from the region describing the insubordination of Gumpenberg and the BJV. The American Military Government detachment in the region characterized the BJV as an organization that “disseminated hostile political propaganda” and saw “democratization [as] something by which only the stupid shall be affected.”⁶

³ Kennamer to Minister of Agriculture, 15 January 1946, NACP, RG 260/390/48/2/5/186.

⁴ Bayerischer Jäger- und Jagdschutzverein, 28 February 1946, NACP, RG 260/390/48/2/5/186.

⁵ An die Jäger von Niederbayern-Oberpfalz, 3 November 1946, Staatsarchiv Landshut, BezA/LRA Wolfstein (Rep. 164/22) 5043.

⁶ Bi-Weekly report No. 4 for Regierungsbezirk Oberbayern-Oberpfalz, 16 October 1948, NACP, RG 260/390/48/2/2/168.

Although some in the Military Government considered the BJV subversive and disbanded the association, when the Military Government permitted the reauthorization of hunting associations in 1948, the former members of the BJV quickly reorganized and submitted their application to the Military Government. In the questionnaire, Kellner portrayed the BJV as a “voluntary association” that promoted the “the moral idea of a sportsmanlike practice of hunting and to effectively look after hunting interests.”⁷ Yet, the Military Government’s subsequent inquiry into the BJV depicted Kellner only as a “financially well off” individual who owned a light filter corporation (LIFA-Lichtfilterfabrik) in Augsburg, appointed himself president of the BJV, and started organizing the association as early as November 1946.⁸ Regarding the BJV’s claim to be voluntary, the investigation noted that the BJV automatically enrolled any Bavarian who received a hunting license, a claim supported by a member of the Munich Hunting Club who attended a BJV meeting in Bad Aibling where the chairman, Hans Hintermeier, announced that all hunters would obtain membership in BJV with their hunting license. When questioned about the automatic enrollment, Hintermeier claimed that unlike the Munich club, the BJV was better developed.⁹ Additionally, the Military Government inquiry not only reported that the BJV had former Nazis as officers, including Wilhelm Koller, the *Gaujägermeister* of Upper Bavaria during the Nazi period, but also insinuated that the association reflected Nazi tendencies, noting that Kellner, as director of the BJV, had “assumed dictatorial powers” over the association.¹⁰

⁷ Farm Organization Questionnaire and Enclosures, 6 September 1948, NACP, RG 260/390/48/2/2/169.

⁸ Re-organization of the Bavarian Hunters' Association, 10 October 1948, NACP, RG 260/390/48/2/2/169.

⁹ Auszug aus dem Schrieben des Jagdschutz- und Jägerverbandes München, 16 June 1948, NACP, RG 260/390/48/2/2/169.

¹⁰ Re-organization of the Bavarian Hunters' Association, 10 October 1948, NACP, RG 260/390/48/2/2/169.

Once the BJV reorganized, the association wasted no time in again trying to remove Baron von Beck. In criticizing Beck publicly, the BJV used the language of democracy, claiming that Beck, with the backing of the Bavaria government, oversaw hunting in an authoritarian manner and appointed regional hunting officials without consulting the hunters or holding an election. By using these “authoritarian” powers, the BJV argued that Beck silenced the voice of Bavarian hunters, enforced denazification too strictly, and failed to preserve German hunting laws and traditions.¹¹ Claiming that the BJV represented the voices of the Bavarian hunters, they demanded the removal of Beck and, through the association’s political connections, forced the Bavarian government to hold an inquiry into Beck’s tenure, an investigation that, according to Alois Schlögl, the Bavarian Minister of Food, Agriculture and Forestry, had originated with the complaints of those who “had once been big Nazis.”¹²

The infighting between the BJV and Beck proved so contentious that it spilled onto the pages of the *Süddeutsche Zeitung*, the major daily published in Munich. An unattributed article criticizing the BJV asserted that Kellner’s organization was contaminated with Nazism and contained many former high-level Nazis. In addition to labeling the BJV a Nazi organization, the article sought to shame Kellner by asserting that he was untrustworthy, had been removed from his position as *Jägermeister* in Lower Bavaria, and was an inexperienced hunter, only receiving his hunting license only 1942. By describing Kellner as inexperienced, untrustworthy, and associated with Nazis, the article sought to discredit Kellner and BJV. The article encouraged Bavarian hunters to join the new national hunting association, the *Deutsche Jagdverband*

¹¹ “Die Jagdverhältnisse in Bayern,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 1 (January-February 1949): 2-4. NACP, RG 260/390/48/2/2/168.

¹² Excerpt from Bayerischer Landtagsdienst, 22 September 1948, NACP, RG 260/390/48/2/2/168.

(German Hunting Association, DJV), and claimed that this association would more effectively advocate on behalf of Bavarian hunters.¹³

The combative Kellner could hardly shy away from such a personal attack, and the BJV responded with their own article. It acknowledged Kellner's youth and recently-acquired hunting license, but contended that age was not a decisive factor in leading the hunters and that Kellner's performance demonstrated his abilities. It also refuted the assertion that Kellner's removal from his position made him untrustworthy, claiming that the previous article did not address the facts, but this article also did not clarify the reasons for Kellner's dismissal. Finally, regarding accusations of Nazism, the BJV stated that vice-president Koller was never a regional *Jägermeister (Gaujägermeister)* during the Nazi period and never a member of the Nazi Party, but the BJV's own publication stated that Koller was previously *Gaujägermeister* of Upper Bavaria.¹⁴ The BJV ended by noting that a small number of "Munich men" were trying to damage their reputation and their authority as the largest hunting organization in Bavaria.¹⁵

As the investigation into Beck commenced, Schlögl stressed that it involved examining volumes of files, but he felt confident that none of the accusations would be substantiated and stated that Beck had only banned the publication of certain hunting journals due to their rhetoric and political leanings.¹⁶ Moreover, many members of the investigation committee felt that it was a waste of time, driven by a small clique of men, and important to only a few "influential

¹³ "Was geht in der bayerischen Jägerschaft vor?" *Süddeutsche Zeitung*, March 31, 1949, 3.

¹⁴ "ORR Koller 50 Jahre Jäger," *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 4 (May/September 1949): 54.

¹⁵ "Was geht in der bayerischen Jägerschaft vor?" *Süddeutsche Zeitung*, April 14, 1949, 3.

¹⁶ Excerpt from Bayerischer Landtagsdienst, 22 September 1948, NACP, RG 260/390/48/2/2/168. Claus-Peter Lieckfeld, *Tatort Wald: Georg Meister und sein Kampf für unsere Wälder* (Westend Verlag: Frankfurt, 2012), 63.

individuals.”¹⁷ When the Landtag presented the outcome of the investigation several weeks later, it declared the BJV’s efforts to remove Beck inappropriate and found no legitimate reason for the organization’s desire to dislodge him.¹⁸ Yet, while the government vindicated Beck, the investigation hurt his image, and the majority of Bavarian hunters had lost confidence in him. Although the hunters apparently no longer supported Beck, in the midst of the investigation, the Military Government had repealed the *Reichsjagdgesetz* and issued guidelines for a new Bavarian hunting law. Beck clearly found the repeal of the hunting law insulting and resigned in protest, claiming, “nobody has to teach us how to walk.”¹⁹

Even with Beck’s resignation, the BJV remained unsatisfied and blamed the repeal of the *Reichsjagdgesetz* on Beck, stressing his “excellent relations” with the Americans,²⁰ but the Americans never fully supported or trusted Beck. One Military Government detachment claimed that Beck had organized the illegal transfer of hunting rifles “from one hunter to another” and asserted that Beck had instructed local Germans where Americans could and could not hunt, a situation that caused “American hunters much embarrassment.”²¹ Berg, who oversaw Beck in Munich, wrote that Beck consistently underestimated the game population in order to keep the game numbers high, an assertion also made by Military Government officials and German farmers who had to protect fields from game populations.²² When Berg confronted Beck about

¹⁷ Baron von Beck, 10 November 1948, NACP, RG 260/390/48/2/2/168.

¹⁸ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 94, Band III, 2 December 1948, 353.

¹⁹ Bayerndienst No. 3, 4 February 1949, NACP, RG 260/390/48/2/2/168.

²⁰ R.A. Strobel, “Zum Rücktritt von Baron Beck,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 1 (January-February 1949): 9, NACP, RG 260/390/48/2/2/168.

²¹ Weapons Shakedown, 5 February 1948, NACP, RG 260/390/48/2/2/168.

²² Extracts from Field Team Reports, 2 July 1948, NACP RG 260/390/48/2/2/169.

the discrepancies in game population numbers, Beck apparently remarked, “What is the use?! The Americans will keep on hunting illegally any way!”²³

As Berg’s narrative indicates, Beck hardly retained the occupier’s support, and Berg seriously considered Beck’s removal for insubordination. However, Beck did implement and reinforce American Military Government policy, worked to prevent former Nazis from obtaining Game Warden positions, and banned the publication of incendiary hunting publications. In taking these actions, Beck angered Bavarian hunters, but the hunters could not criticize Beck publicly for enforcing denazification policies and instead adopted the language of democracy to attack the Bavarian *Jagdreferent*. This tactic was evident when the BJV argued that Beck was not elected by Bavarian hunters and prevented the hunters from electing regional *Jägermeister*. For the BJV, the ability of Beck even to hold elections was irrelevant because their main objective was to remove the *Jagdreferent* who prevented hunters formerly belonging to the Nazi party from holding positions as Game Wardens or *Jägermeister*.

Yet, Beck, like the majority of Bavarian hunters, was also angered by American policy and American hunting behaviors. According to the American occupiers, he clearly worked to increase game populations by underreporting their numbers, perhaps believing that this would help them survive the American hunters. Beck, like Gumpfenberg, also worked to distribute and circulate hunting rifles among a wide number of German hunters, providing them opportunities to hunt during the occupation. He also directed German hunting guides to lead American hunters away from popular hunting grounds. Lastly, Beck’s devotion to German hunting traditions proved evident when he abruptly resigned following the abolition of the *Reichsjagdgesetz*. Beck,

²³ Comments on Baron von Beck, 26 May 1946, NACP, RG 260/390/48/2/2/168.

like the majority of Bavarian hunters, now viewed it as his duty to defend the inviolable principles he believed the Nazi era hunting law preserved.

Democratic Hunting and the Bayerisches Jagdgesetz

The 1947 debate over what characterized American democratic hunting within the occupation forces revealed the different interpretations held by the American occupiers, but the challenge of defining “democratic” hunting took on larger significance during the debate over the future Bavarian Hunting Law when Bavarians described their own hunting traditions and laws as democratic. Bavarians, after witnessing American hunting over the last two years claimed that their laws already embodied the sportsman’s ethics and advanced conservation practices. Although they admitted that German hunting laws limited the number of hunters, they asserted that anyone who desired could obtain a hunting license and rejected American arguments claiming that not all Germans could hunt. On the other hand, American occupiers refuted this claim and saw Bavarian and German hunters’ defense of the *Reichsjagdgesetz* as seeking to restore aristocratic and Nazi influenced hunting laws. Although a debate over hunting laws, it reveals how German authorities asserted sovereignty and how power relations changed in the transition from occupation to semi-sovereignty.

The debate over the nature of democratic hunting started in April 1948 when Murray Van Wagoner, similarly to General Truscott in 1946, temporarily banned American hunting in Bavaria. As Military Governor of Bavaria and an active hunter, Van Wagoner, perhaps persuaded by Germans hunters, found the behavior of American soldiers excessive.²⁴ In his order banning hunting, he wrote: “For thousands of years Germany has followed a policy of

²⁴ Van Wagoner seems to have been often accompanied by Bavarian hunters, including Kellner, on his outings. See Kellner to Van Wagoner, 30 May 1949, NACP, RG 260/390/46/24/2/278. One German even memorialized a hunting trip of Van Wagoner and his daughter in a painting. See Bergmann to Van Wagoner, 26 November 1948, NACP, RG 260/390/46/24/2/289.

conservation and game management,” but that “this good hunting is threatened. Here in Bavaria much of the fault lies squarely with the occupation forces.” The occupiers were guilty of numerous violations, including “dynamiting of fish, the slaughter of pregnant does, illegal hunting at feeding grounds stations and on restricted grounds and mass drives with automatic weapons at a terrible risk to human lives.” Van Wagoner contended that these alarming behaviors carried obvious dangers: the “game supply is threatened, good sportsmanship suffers and our prestige in the performance of the occupation mission is lowered. We are not behaving like good Americans or good sportsmen.” Due to these violations, Van Wagoner asked all commanders to vigorously prosecute any individual who violated his orders and stated that hunting would remain banned until new regulations were developed.²⁵

Van Wagoner’s memorandum not only highlights the continued troubles with American hunting behavior, but also reveals that he believed the hunting issue was undermining American credibility. American hunters, as Van Wagoner stressed, continually violated hunting regulations and the sportsman’s ethic. By violating these principles, American soldiers’ behavior negatively reflected on the entirety of the occupation project. For Van Wagoner, the Germans’ stress on conservation and good game management reflected his understanding of democratic hunting more than the behaviors of American soldiers. These factors led Van Wagoner to revoke all American hunting privileges until the development of new regulations in an effort to rebuild trust between German and American hunters.

At the end of May, Van Wagoner issued new guidelines for hunting and fishing in Bavaria. Although they simply reiterated that American personnel must strictly adhere to Circular 58, which remained the policy of the U.S. military, they also closed over a dozen

²⁵ Restricted Game Season in Bavaria, 22 April 1948, NACP, RG 260/390/48/2/2/168.

Landkreise to all hunting. The closure was the most drastic action taken by Van Wagoner to prevent overhunting and occurred in regions such as Berchtesgaden, Freising, Landsberg, Garmisch-Partenkirchen, and Munich where larger numbers of American personnel were located.²⁶ While Van Wagoner banned American hunting in areas with a critical mass of American soldiers, the reversion to Circular 58 shows that the Military Government did not see a reason to develop or implement a better hunting regulations and that they believed this regulation, if enforced, remained a satisfactory policy.

Shortly after Van Wagoner issued the new guidelines, Minister-President Ehard sent a memo to the Military Government concerning the future of hunting and fishing in Bavaria. This ten-page document detailed many of the German complaints against American hunters over the last three years. It specifically discussed the different legal conceptions of game ownership in Germany and the United States and stressed that the German *Reviere* system bounded ownership of game to the land while the American *Lizenz* system viewed wildlife as separate from the land, a conception that allowed hunters to take “possession of an unclaimed object” by paying a fee to the state. The memorandum also implied that the suspension of German hunting in May 1945 led to “the introduction of the American law” and “created conditions which urgently require revision, unless hunting and sport fishing shall be fully exposed to ruin.” The memo worriedly claimed that the imposition of American game laws, laws the Bavarians associated with the over hunting of the occupiers, in a small region like Bavaria where the population was much denser would “lead to the game certainly becoming extinct within few years [sic].” Finally, regarding Bavarian hunters, Ehard insisted that the disarmament of Bavarian hunters had resulted in “an unnormal permanent situation” that undermined game protection on hunting grounds and leases,

²⁶ New Hunting Regulations, Bavaria, 2 June 1948, NACP, RG 260/390/48/2/2/168.

leases that Bavarians continued to pay rents on even as they were barred from hunting. While acknowledging the Game Warden program, he firmly felt that the program was “powerless. One man cannot supervise an area covering 10,000 [hectares].”²⁷

Within the Military Government, Berg reviewed the Bavarian memorandum and sent a detailed point-by-point response to Kenneth W. Ingwalson, who succeeded Quarles as director of the Bavarian Food, Agriculture and Forestry Division in February 1948.²⁸ Throughout his analysis, Berg rebuked the Bavarian arguments and defended American policy and hunting practices. In terms of German and American property conceptions, Berg acknowledged the legal differences regarding game animals as private property, but rather than parse out these differences, he simply stated that American personnel “may hunt and fish on any lands,” a response clearly ignoring the centrality of property rights to American ideas of democracy and governance. Regarding German fears that American hunting laws would result in overhunting, he conceded that “possibly one-third to two-thirds of the game was killed” in the early months of 1945, but asserted that “since 1947 at the beginning of the season the killing of game has been carried out according to a shooting plan prepared by the Bavarian Ministry.” With these plans, Berg concluded that “it is not believed that game will become extinct.” Berg also downplayed the idea that only a few American hunters followed the rules, even though Van Wagoner had just suspended American hunting, and asserted that “[m]ost of the US personnel which has been hunting since 1945 has been hunting legally. The illegal hunting by American personnel has not been done on a large scale except during the first few months of the occupation period.”²⁹

²⁷ Petition Concerning Hunting and Sport Fishing in Bavaria, 30 July 1948, NACP, RG 260/390/48/2/2/168.

²⁸ Weisz, 264.

²⁹ Petition Concerning Hunting and Sportfishing in Bavaria, Submitted by the Bavarian Minister President, 10 August 1948, NACP, RG 260/390/48/2/2/168.

After defending American practices and personnel, Berg rejected the idea that German hunting was democratic. While Ehard emphasized hunting's cultural value and defended Bavarian hunters, Berg wrote that German hunting held "cultural and ethical value" for only "a small group of privileged people." For Bavaria, he estimated this to be "22,000 privileged characters" in a total pre-war population of 6.5 million. Moreover, he accused these individuals of undermining the American game management programs, claiming that "[f]rom the very start the ugly head of the old German hunting aristocracy was popping up. The gentlemen with the 'Gemsbart' [chamois hat decoration] wanted to run this show." In response to Ehard's claim that "hunting and fishing mean so much to this country," Berg claimed this should instead read "mean so much to that privileged small group which can afford to lease hunting grounds." In conclusion, Berg remarked that German hunting, by limiting the number of hunters through landownership and leasing laws, was undemocratic, stating that "[a]ccording to the American democratic principles anyone should be allowed to go hunting."³⁰

The Bavarian memorandum was only the beginning of what Ingwalson described as a "definite campaign" by the Germans "to regain control over hunting."³¹ In the BJV's publication, Kellner argued that the American "free hunting" system was both dangerous and illegal. He based this argument on a comparison between population size and landmass in the United States and Germany, stating that the population density in Bavaria was 130 people per square kilometer in contrast to the United States' 17 individuals per square kilometer. To Kellner, the United States' "immense vastness" protected game animals, a reality that was impossible in Bavaria due its small size and large population. Instead, Bavaria required stricter hunting laws and adherence

³⁰ Petition Concerning Hunting and Sportfishing in Bavaria, Submitted by the Bavarian Minister President, 10 August 1948, NACP, RG 260/390/48/2/2/168.

³¹ Return of Hunting and Fishing Privileges, 21 September 1948, NACP, RG 260/390/48/2/2/168.

to game seasons and shooting plans to protect game from overhunting.³² This type of comparison also appeared in the pages of the *Süddeutsche Zeitung*. Citing a *Time* magazine article, the *Süddeutsche Zeitung* recounted the recent hunting season in Colorado, a region with approximately 4.2 inhabitants per square kilometer, where 100,000 hunters killed over 28,000 animals, 17 hunters died from accidents, and 13 were wounded. “How would this system of free hunting,” asked the *Süddeutsche Zeitung*, “affect the over populated areas of the western zones?” Answering its own question, the newspaper claimed that with an American system, German “nature is destined for destruction.”³³

In the midst of this debate, the American Military Government was reviewing all German legislation to ensure that any remaining National Socialist laws were repealed. One prominent law remaining was the *Reichsjagdgesetz*.³⁴ To investigate this law in Munich, Van Wagoner formed a committee under the direction of Civil Administration Division head Albert Schweizer. Meeting in October 1948, the committee reemphasized the arguments developed by Berg several months earlier and condemned Germany’s “feudalistic system.”³⁵ At a second meeting, Schweizer’s committee made several policy recommendations, including that Bavarian hunting be “democratized” and open to all qualified and licensed hunters regardless of land ownership; that all wild game “while still in its natural state and until reduced to actual possession, should be considered as animals *ferae naturae*, not the property of any individual or individuals, but as property in the public domain;” and that the implementation of these proposals required the

³² Oskar Kellner, “Amerikanisches Jagdrecht in Bayern?,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 2 (March 1949): 3. NACP, RG 260/390/48/2/2/168.

³³ “Die Jägerei war nie das Privileg einer Kaste’,” *Süddeutsche Zeitung*, March 17, 1949, 3.

³⁴ Repeal of Reich Hunting Act, 8 October 1948, IfZ, OMGUS 1948/186/7.

³⁵ Meeting on Hunting Regulations, 19 October 1948, NACP, RG 260/390/48/2/2/168.

repeal of the *Reichsjagdgesetz*, an action that would result in “resistance by the German *Jagdwirtschaft* [hunting community] and the German administration.”³⁶

At the same time Schweizer’s committee was meeting in Munich, General Clay’s staff in Frankfurt was also discussing the future of hunting. They considered the *Reichsjagdgesetz* “strongly Nazi and militaristic” and “unsalvageable because of the Nazi phraseology.”³⁷ They particularly honed in on three aspects of the law. First, they argued that the law was based on the “Führer principle” whereby state hunting officials could interfere on private property to manage wildlife. Secondly, they contended that the law extended “the Nazi concept of the corporate state” by forcing all hunters to join the *Deutsche Jägerschaft*, the sole hunting association permitted under the Nazi regime. Thirdly, they asserted that the *Reichsjagdgesetz* safeguarded hunters’ actions through “Hunter Honor Courts” that could cancel or suspend hunting licenses and created “exaggerated pride and solidarity similar to that which existed in German military units.” Finally, they maintained that the law was “built around the Nazi catchword ‘blood and soil,’” making it the “embodiment and vehicle of Nazi ideology.”³⁸ Based on these features, Clay’s staff recommended repealing the law and returning control of hunting “to the individual state[s].”³⁹ Clay agreed and issued the “Repeal of the Reich Hunting Act” on 15 November 1948, reverting all German hunting legislation back to those laws that were in power before 1934.

³⁶ Staff study on Proposals for the New German Hunting and Fishing Laws, 8 November 1948, NACP, RG 260/390/48/2/2/168.

³⁷ Repeal of Reich Hunting Act, 7 October 1948, IfZ, OMGUS 1948/186/7.

³⁸ Repeal of Reich Hunting Act, 10 August 1948, IfZ, OMGUS 1948/186/7.

³⁹ Repeal of Reich Hunting Act, 7 October 1948, IfZ, OMGUS 1948/186/7.

Clay's repeal entered into effect on 1 February 1949, giving the German *Länder* in the American Zone two months to draft and develop new hunting laws.⁴⁰

As Schweizer's committee predicted, the repeal of the *Reichsjagdgesetz* brought immediate protest from German hunters. A Bizonal association of German hunters, the Working Group of the Hunting Associations in the American and British Occupation Zones in Germany (*Arbeitsgemeinschaft der Jagdverbände in der amerikanischen und britischen Besatzungszone Deutschland*), led by Kellner and John Friedrich Krohn of Hamburg, developed a white paper outlining the hunters' positions and philosophy. These proposals demanded the "restoration of hunting sovereignty," "the liberation of German hunters from restrictive ordinances," and "permission to take up again import and export, trading manufacture, repairing and storing of hunting weapons." The German proposals also emphasized that hunting remained an individual right linked to property and those entitled to hunt must possess a hunting ground or lease a hunting ground.⁴¹

Additionally, according to the German hunters, the only way to ensure the future of hunting was through the hunting associations which would "prevent unsuitable and unreliable persons from hunting." The hunters maintained that associations educated hunters in "customs and traditions, to hunt in a sportsmanlike way" and were never organized to "pursue political or religious aims, physical training, sport shooting, or para-military training." Rather, hunting associations only functioned to promote "the old tradition of German hunting and customs and the ideals of conservation." These associations, they asserted, remained crucial for Germans and Americans "as experience has shown that only these associations are able to impose

⁴⁰ Law No. 13 Repeal of the Reich Hunting Act, 15 November 1948, NACP, RG 260/390/48/2/6/192.

⁴¹ Proposition of German Hunters Association, 7 October 1948, NACP, RG 260/390/48/2/6/192.

sportsmanlike hunting, carrying out game breeding, respect for game management, and observance of hunting laws.”⁴²

Within the BJV’s publication, Kellner praised the *Reichsjagdgesetz*. According to him, the law was something Germans could take pride in and he asserted “there are undoubtedly areas where we Germans lead.” He even went as far as to suggest that Americans secretly admired the *Reichsjagdgesetz* and would soon adopt a similar law in the United States. Regarding American efforts to democratize German hunting by allowing all Germans to hunt regardless of landownership or status, Kellner denounced the idea that German hunting was for a small privileged class and claimed that “[m]ost Bavarian hunters are farmers, small craftsmen and businessmen and only a small part of hunting is controlled by the former nobility.”⁴³ This position was also voiced in the *Süddeutsche Zeitung*. The newspaper acknowledged that the law was repealed because of its National Socialist language, but alleged that its cherished principles developed much earlier than 1933, claiming that the Nazi state simply “garnished” the law with their ideology.⁴⁴

The ideas and practices defended by the *Süddeutsche Zeitung* were the same traditions that the German hunters sought to preserve in the *Reichsjagdgesetz*, the law’s codification of the *Hege* and the *Waidgerechtigkeit*. These traditions remained central to German hunters’ identity and relationship with the environment and they believed these traditions not only set German hunting apart from the rest of the world, but also made it superior. Kellner acknowledged that the war destroyed centuries of hunting traditions, but he argued that these traditions should be

⁴² Proposition of German Hunters Association, 7 October 1948, NACP, RG 260/390/48/2/6 /192.

⁴³ “Die Jagdverhältnisse in Bayern,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 1 (January-February 1949): 5, NACP, RG 260/390/47/22/07/168.

⁴⁴ “Platonische Jagdgesetze,” *Süddeutsche Zeitung*, November 20, 1948, 3.

restored because “sport shooting” was destroying wildlife.⁴⁵ Americans, in Kellner’s opinion, hunted without knowledge or understanding of Germany’s “centuries old hunting tradition.”⁴⁶ For the German hunters, the only way to re-establish healthy populations and protect fields from destruction was to follow the German traditions which had created the well-stocked forests that the Americans hunted in occupied Germany. As Kellner told the German hunters, we “have not only the right but also the grave duty to preserve what we inherited from our fathers for future generations.”⁴⁷

As the Bavarian and American positions indicate, Americans’ and Germans’ perception of the other’s hunting culture diverged widely even though they shared many characteristics. In witnessing the violence and overhunting of the American occupiers, even if it was only in the months right after the war, German politicians and hunters concluded that American hunting practices could never be applied to Germany because they were brutal, unsustainable, and violated German conceptions of private property. For those Germans with a stake in hunting, the *Reichsjagdgesetz* reflected the pinnacle of sustainable hunting that valued private property and caring for wildlife. Even if Germans respected those Americans who defined themselves as sportsman and who voiced a respect for conservation, Germans and Americans remained fundamentally opposed on questions of private property and who could hunt.

For Americans, the *Reichsjagdgesetz*’s bounding of hunting rights to landownership and the leaseholder system appeared inherently undemocratic because it prevented farmers from

⁴⁵ “Alliierte und deutsche Jagdausübung,” *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 4 (May/September 1949): 41-44.

⁴⁶ “Die Jagdverhältnisse in Bayern,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 1 (January-February 1949): 2, NACP, RG 260/390/47/22/07/168.

⁴⁷ “Die Jagdverhältnisse in Bayern,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 1 (January-February 1949): 5, NACP, RG 260/390/47/22/07/168.

hunting on their own property and permitted members of a *Jagdrevier* to interfere on the farmer's property to manage game populations; moreover, they consistently denounced the German legal tradition that made game animals private property. Americans examining German hunting believed that the hunter held the right to claim any shot game. Why should a landowner, who did not shoot the animal, retain possession? On the other hand, German landowners, who cultivated and provided feed for the game populations, believed that the care they provided to game animals gave them the right to claim them as a possession.

While German and American hunting laws shared more similarities than differences, the differences were contentious and evident in the debate over the future Bavarian hunting law. The discussion over a new Bavarian hunting law started in late 1948 following the repeal of the *Reichsjagdgesetz* when Van Wagoner stated during a hunting trip to Franconia that he would welcome a new law.⁴⁸ As the Bavarian government started discussing this possibility, Van Wagoner's office provided the Bavarian government with guiding principles for drafting the new law. The guidelines reasserted many of the statements already made by the Military Government concerning their positions on German hunting and clearly sought to reorient German hunting to reflect American hunting laws. Any new hunting law "must be democratized" allowing for the greatest number of hunters; must guarantee that occupation personnel be permitted to hunt under Circular 58; must ensure that hunting and fishing remain a prerogative of the *Länder* and not the federal government; must state that wildlife will no longer be considered private property; must allow hunting and fishing on public lands to all who hold a hunting license; and must confirm that all *Jägermeister* be publicly appointed. While recognizing that the guidelines would cause

⁴⁸ Excerpts from Report of Landtag Meetings, 22 December 1948, NACP, RG 260/390/48/2/6/192.

resistance from the *Jagdwirtschaft*, the Military Government believed that keeping silent would “impel prompt regulation on the German side.”⁴⁹

During the first meeting between the Military Government and Bavarian officials in January 1949, the Americans emphasized the ideas described in the guiding principles for a new Bavarian hunting law, but the Bavarians remained steadfast in their support for the *Reviersystem* and declared any further meetings futile “if the principles outlined in the policy of the military governor” were incorporated in new hunting legislation.⁵⁰ Facing this impasse, Ingwalson, heading the Americans, and Minister Schlögl agreed to meet at the end of March and work through their disagreements by reviewing a draft law developed by the Bavarian government.

At this meeting, the Americans recognized that the draft “had taken cognizance of the Guiding Principles,” but they also contended that “on a number of points the draft law failed to consider these guiding principles.” Specifically, they noted that the draft did not permit hunting on public lands, that the *Jägermeister* was not a publicly appointed official, and that the law did not “establish and safeguard the principle that the average man will have the opportunity to hunt.” After reviewing the draft, Ingwalson declared that “the basic problem” remained assuring “good conservation and game management principles” while allowing “all those persons who desire to hunt” the ability to exercise this right. In closing, Ingwalson acknowledged that the Bavarian officials “should be commended” for their draft and that “we should try to persuade them now to perfect it;”⁵¹ moreover, he announced that “he did not intend to interfere with

⁴⁹ Policy of Land Military Government on New German Hunting and Fishing Law, 20 December 1948, NACP, RG 260/390/48/2/6/192.

⁵⁰ Stenographischer Bericht über die Verhandlungen des bayerischen Landtags, 16 September 1949, Anlage: Rede des Staatsministers Dr. Schlögl zum Bayerischen Jagdgesetz, Veröffentlicht im Bayerischen Staatsanzeiger Nr. 29 vom 22 July 1949, 649-653.

⁵¹ Notes on Conference on Draft of New Bavarian Hunting Law, 29 March 1949, NACP, RG 260/390/48/2/6/192.

internal matters of the Ministry by making any impositions regarding the formulation of the law.”⁵²

Following this meeting, the ministry developed a second draft law, but this too proved unsatisfactory. Military Government official Jack Fleischer commented that, in reading the draft, he got the impression “that under this law privat Jagd-Reviere will almost inevitably be the privilege of wealthier persons” and that he did “not see anything in the law establishing that wild game in its natural state belongs to the public domain, as I believe was proposed by Military Government.” Fleischer also pointed out that the proposed law still prevented farmers from hunting on their own property unless their property was a certain size and would force farmers to lease their land for hunting purposes. Preventing farmers from hunting on their own property undermined American efforts to eliminate the leasing system and to open hunting to all individuals. In his final comment, Fleischer felt “this law is probably too long and detailed regarding technical matters while at the same time fundamental principles which Military Government hoped to have incorporated into the law are glossed over or ignored.”⁵³ Essentially, Fleischer concluded that the Bavarians were only appearing to address American concerns, but not fully incorporating American suggestions into the law. Instead, he claimed that the Bavarians, seeking to preserve the German legal tradition, were using long detailed explanations that often complicated the statutes the Americans wanted in the law.

The final meeting between Ingwolson and Schlögl occurred in June 1949, a month after the Basic Law went into effect, and they attempted to address the issues raised by Fleischer in order to submit a draft to the Bavarian Landtag before its summer recess. Opening the meeting,

⁵² Discussion of the New Hunting Law, 31 March 1949, NACP, RG 260/390/48/2/6/192.

⁵³ Bavarian Hunting Law, 12 May 1949, NACP, RG 260/390/48/2/6/192.

Ingwalson noted that this was an informal meeting and that he hoped to reach an agreement on the articles requiring further clarification. The first major issue raised by the Military Government concerned whether a farmer could legally hunt on his own property. In response, the Germans stated that the farmer could hunt only if he was “authorized to use the hunting rights on his own ground if the area is big enough.” If not, “the farmer has to join a hunting co-operation.” Like Fleischer, the Americans at the meeting found this practically troublesome and claimed that a “farmer can not be forced to lease his hunting rights to anybody coming on his land to hunt . . . and can not be forced to join a hunting co-operation.” Ingwalson even went as far as stating that he would withhold his endorsement for any law in “which a farmer will be forced to join a hunting co-operative.” The second major issue discussed in the final meeting concerned hunting on public lands owned by the state. As delineated in the guiding principles, Military Government believed hunting should be open to anyone with a hunting license and not leased to hunting cooperatives. The Bavarians attempted to counter this argument, even pointing out that the U.S. Zone of Austria permitted the leasing of state lands for hunting, but this left the Americans unconvinced.⁵⁴

At the meeting’s conclusion, Schlögl declared his hopes of continuing this discussion with Ingwalson to reach an agreement on the final details, but this would not be the case. Surprisingly, after pressuring the Bavarians for the last six months, Ingwalson made it clear that he would no longer express the “approval or disapproval” of the Military Government over the new hunting law, a declaration that essentially permitted the Bavarian Hunting Law to proceed through the legislative process and to come under consideration by the Bavarian government in

⁵⁴ Discussion of the Second Draft of the Bavarian Hunting Law, 8 June 1949, NACP, RG 260/390/48/2/6/192.

July.⁵⁵ While Ingwalson's announcement appears surprising after pressing the Bavarians to incorporate American influenced hunting laws, his decision reflects the withdrawal of the Military Government from intervening into German legal issues once the Basic Law, the West German constitution, entered into effect in May 1949. With the Basic Law taking affect, the power of the occupiers, while still present, lost some of its influence as sovereignty was shifting back to the Germans. Facing this reality, the American occupiers chose not to assert their authority in this situation and allowed the Bavarian government to move forward with a hunting law based on the German legal tradition. While a seemingly dramatic turn for an occupying force that consistently stressed the "undemocratic" nature of German hunting, it provides an example of Military Government's withdrawal from German domestic politics and the transfer of sovereignty.

Schlögl introduced the hunting law into the Landtag for debate in July 1949, even inviting Ingwalson, who demurred, claiming his appearance might demonstrate support for the law.⁵⁶ Standing before the Landtag, Schlögl described the new law as a combination of the 1850 Bavarian hunting law and the Nazi *Reichsjagdgesetz*, stating "it is self-evident that the draft of the new *Bayerisches Jagdgesetz* has taken over both the proven hunting regulations of the Law of 1850 as well as the recognized principles of the *Waidgerechtigkeit* in the *Reichsjagdgesetz*." The new law thus combined two important and valued hunting laws: the 1850 law that abolished noble hunting rights and the *Reichsjagdgesetz*, which, according to Schlögl, brought significant advances and innovations "apart from its Nazi content," including increasing the minimum area

⁵⁵ Stenographischer Bericht über die Verhandlungen des bayerischen Landtags, 16 September 1949, Anlage: Rede des Staatsministers Dr. Schlögl zum Bayerischen Jagdgesetz, Veröffentlicht im Bayerischen Staatsanzeiger Nr. 29 vom 22 July 1949, 649-653.

⁵⁶ Session of the Bavarian Diet with regard to the Hunting Law, 6 July 1949, NACP, RG 260/390/46/22/2/201.

for hunting districts, extending lease periods, and introducing hunting exams. Most importantly for Schlögl, the new law “stressed the principles of *Waidmännischen* hunting and of careful game management, placing greater personal demands on the hunter.”⁵⁷

The Landtag Committee for Food and Agriculture passed the Bavarian Hunting Law shortly after Schlögl’s speech and five months later, it passed into law. The Preamble of the Law reads:

For the Bavarian People, wildlife in the native mountains, forests, and fields is a national property, and sportsmanlike hunting a constituent part of their culture. It is imperative that . . . the conservation of a species-rich and healthy game population be ensured for future generations. . . The hunting right, in conformity with its historical development, is recognized as an inviolable private right inherent in the ownership of landed property.⁵⁸

The ability of the Bavarian government to ensure the link between hunting rights and property ownership was praised by *Landgerichtspräsident* Dr. Behr who stated that “animals are no longer purely the plunder of capriciousness, amateurism and greedy undisciplined pseudo hunters and meat makers, but largely protected as valuable national and cultural assets.”⁵⁹

German nature writer Claus-Peter Lieckfeld suggests the Americans were “impressed” by the hunters’ lobbying effort and conceded to the *Reviersystem*,⁶⁰ but, rather than being impressed, the American occupiers faced resistance from Bavarian hunters and politicians who maintained the centrality of their laws and traditions. Yet, while maintaining that their hunting laws and traditions contained a set of core principles that existed before the Nazis, German

⁵⁷ Stenographischer Bericht über die Verhandlungen des bayerischen Landtags, 16 September 1949, Anlage: Rede des Staatsministers Dr. Schlögl zum Bayerischen Jagdgesetz, Veröffentlicht im Bayerischen Staatsanzeiger Nr. 29 vom 22 July 1949, 649-653.

⁵⁸ Bavarian Hunting Law, 15 December 1949, NACP, NACP, RG 466/250/84/21/05/4.

⁵⁹ “Das neue bayerische Jagdgesetz,” *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 7 (February/December 1950): 29.

⁶⁰ Lieckfeld, 64.

hunters, the press, and government officials acknowledged that the *Reichsjagdgesetz* was tainted by Nazism and publicly rejected portions of the law that contained racialized language and *Blut und Boden* ideology. In developing a new hunting law in Bavaria under the American occupiers, Germans eliminated the Nazi language from their hunting law, but still defended its aristocratic principles. By holding firm on this position, Germany's aristocratic influenced hunting law survived the occupation, but the debate around it forced German hunters to confront their Nazi past and denounce German hunting's close ties to the Nazi regime.

German Hunters and the American High Commissioner

Although Bavaria passed a new hunting law, the new law, as *Die Neue Zeitung* noted, was "virtually ineffective . . . because the practice of hunting in Germany lies in American hands under the provisions of the American Land Commissioner for Bavaria."⁶¹ The provisions identified by this article refer to the fact that the western Allies, even after the occupation formally ended in September 1949, still retained sovereignty over the West German government headed by Chancellor Konrad Adenauer (CDU) through the Occupation Statute. The Occupation Statute affirmed but limited the sovereignty of the Federal Republic by permitting the Allied High Commission to oversee and intervene in West German foreign affairs and domestic politics.⁶² Through the Occupation Statute, the three Allied High Commissioners, looking down on the Bonn government from their headquarters on the Petersberg, also retained unilateral legislative power in their respective zones and joint legislative authority through the Council of the Allied High Commission where they could review and disapprove of West German legislation. Moreover, the Occupation Statute gave the AHC control over West German foreign

⁶¹ "Bayerische Jagdgesetz verabschiedet," *Die Neue Zeitung*, November 10, 1949, 8.

⁶² For the text of the Statute: U.S. Department of State, *Germany 1947-1949: The Story in Documents* (Washington, D.C., U.S. Government Printing Office, 1950), 89-91.

affairs, the Ruhr, external trade, DPs, reparations, and security. The authority of the AHC was also based on the continued stationing of soldiers in Germany and the power to eventually bring about the end of the Occupation Statute.⁶³

The High Commissioner of the American Zone was officially part of the State Department rather than the recently organized Department of Defense, but the first American High Commissioner, John J. McCloy, was a former army officer and previously served as Assistant Secretary of War. For Bavarian hunters, McCloy was one of the most important and controversial Americans in the hunters effort to regain hunting sovereignty and to subject American soldiers to German law. McCloy, an avid hunter himself, readily met with the leaders of West Germany's various hunting associations, including Kellner and Gustav Mitzschke.⁶⁴ In fact, McCloy often received invitations to accompany Germans on hunts, a practice that allowed both sides to express their opinions and discuss the political situation. Kellner even sent McCloy a photo of a fourteen point stag that he "had reserved" for him and invited him to hunt chamois in the near future, an invitation McCloy politely declined.⁶⁵

As an experienced hunter, McCloy was eager to improve the relationship between American and German hunters, and he directed the Military Security Board (MSB) to produce a report on the rearmament of German hunters.⁶⁶ At a meeting between the three Allied High

⁶³ Stirk, 106.

⁶⁴ Dr. Gustav Mitzschke was a high-level official in the Ministry of Justice during the Nazi period and worked on the drafting of the *Reichsjagdgesetz*. In the postwar years, Mitzschke became a close associate of Kellner and the BJV, helping to draft the hunting laws in Hessen and Bavaria as well as the eventual *Bundesjagdgesetz* for West Germany. See Harders, 63n227.

⁶⁵ Kellner to McCloy, 25 October 1951, in John J. McCloy Papers Box 31, Folder 121 [Old: Box HC5, Folder 111], Amherst College Archives and Special Collections, Amherst College Library.

⁶⁶ Peter Berger, "Amerikanische Jäger wollen Deutsche an der Jagd teilnehmen lassen," *Die Neue Zeitung*, November 23, 1949, 8.

Commissioners in January 1950, the MSB revealed that German firearm ownership differed in all three zones and, after some discussion, the three High Commissioners agreed in principle to allow Germans to own, possess, purchase, and use hunting rifles and shotguns that conformed to certain specifications.⁶⁷ While agreeing in principle, the negotiations between the AHC and the U.S. Army over security issues and the number of firearms permitted into circulation took eight months. Finally, in August 1950, two months after the start of the Korean War, the AHC published Law No. 24 permitting Germans to own and possess firearms, though the total number in circulation was restricted to 25,000 rifles and 50,000 shotguns for all of West Germany.⁶⁸

Concurrently, McCloy's office addressed American hunting regulations in semi-sovereign West Germany by rescinding Circular 58 and issuing Ordinances Number 5 & 6.⁶⁹ Although these ordinances contained many of the provisions within Circular 58, the West German hunters found them particularly demeaning because they maintained the American authority over German hunting. Ordinance No. 5 allowed Americans to hunt on any hunting ground in the American Zone, private or public; granted Americans 80% of the annual hunting quota derived from the shooting plan on public land and 40% on private hunting grounds; and authorized occupation personnel to take possession of the hunted animal without paying a fee. Ordinance No. 6 required all Germans to apply in advance for hunting permits, even to hunt on their own property, and subordinated all German hunting laws to the High Commissioner's ordinances.

⁶⁷ Sale of Sporting Firearms, 12 January 1950, NACP, RG 466/250/68/9/2/6.

⁶⁸ "Deutsche Jäger zugelassen," *Fränkischer Tag*, August 24, 1950, 1.

⁶⁹ See Ordinance 5 and Ordinance 6, NACP, RG 466/250/84/21/05/5.

The maintenance of American hunting authority made these ordinances deeply unpopular with West German hunters who considered them a “humiliation” because they only appeared to return hunting rights while still keeping German hunters under American authority.⁷⁰ Particularly troublesome were provisions requiring Germans to seek and receive permission from an American Resident Officers five days in advance to hunt on their own *Jagdrievers*. Moreover, the fact that American soldiers could claim a significant portion of the wild game, even on private property, insulted Germans who considered game private property. While German hunters were not against Americans hunting, they believed the ordinances violated “*Waidmännische* comradeship” and Bavarian law.⁷¹ Unable to challenge the Americans, the hunters appealed to the West German government and, like the protest over the German forest, cited the Hague Conventions and the rules governing private property, arguing that wildlife in West Germany belongs to the landowners.⁷² By allowing American soldiers to hunt and claim game anywhere, the new ordinances violated private property rights which the Hague Convention protected.

Describing the impact of these ordinances in the *Süddeutsche Zeitung*, Max Oestreicher, the editor of the hunting magazine *Die Pirsch*, called the ordinances a violation and discussed how he believed they would impact his property. Oestreicher stated that if one day he decided to go hunt a stag, he could not simply go. He would have to go to the responsible American district officer, register the planned hunt, and ask for a hunting permit. Additionally, claimed Oestreicher, if an American wanted to hunt on his property, then the American had precedence and “I shall have to help the American shoot the stag that I myself would like to shoot.” Refusing

⁷⁰ “Bayerns Jäger lehnen Jagdverordnungen ab,” *Fränkischer Tag*, September 26, 1950, 2.

⁷¹ Verordnung Nr. 5 und 6 des Hohe Kommissar der Vereinigten Staaten für Deutschland, 21 September 1950, BayHStAM, MELF 6937.

⁷² “Die Jagdverhältnisse in Bayern,” *Sonderdruck Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 1 (January-February 1949): 6. NACP, RG 260/390/47/22/07/168.

to help the American was also not an option because “if I refuse, I can be punished with imprisonment up to six months or with a fine up to 2000 DM.” These laws, in his view, violated international and private law, including the Hague Convention and the Occupation Statute, which guaranteed the right of private property.⁷³

The new ordinances also dismayed Bavarian politicians. Hermann Etzel of the Bayernpartei (Bavaria Party) stated “We thought after McCloy’s Stuttgart Speech that the change from ‘a’ to ‘o’ from Clay to Cloy would change Germany from an occupied country to a country with equal rights.”⁷⁴ Etzel’s remark referred to McCloy’s speech given on 6 February 1950 that discussed the future of West Germany. In this speech, McCloy, recently returned from meetings in Washington, D.C., not only rejected the idea of “collective guilt” for the German people, but also emphasized that the role of the United States in West Germany was “to help the German people establish a political democracy.” Given in Stuttgart, McCloy’s speech sought to echo and update Secretary of State Byrnes’ Stuttgart speech from September 1946, a speech that signaled a shift in American policy toward German rehabilitation. McCloy’s speech built upon this idea and encouraged Germans to continue building democracy by taking “an increasingly active part themselves in the political and economic organization of Europe.” Although encouraging the development of political democracy, McCloy also reaffirmed the American government’s right to intervene in German politics and stated, “[w]e shall not hesitate to use all our power and influence to expose and counteract any subversive influences.”⁷⁵ In stressing this point, McCloy’s speech, while encouraging the German people to continue working towards a healthy

⁷³ “Wer Schießt den Hirsch im grünen Wald?” *Süddeutsche Zeitung*, September 4, 1950, 3.

⁷⁴ “Bavarians Protest Zonal Hunting Law,” *New York Times*, 17 November 1950, 14.

⁷⁵ John J. McCloy, “The Future of Germany: Part of a Great World Problem” in *Department of State Bulletin* 22, no. 555 (20 February 1950): 275. <https://catalog.hathitrust.org/Record/000598610>. Accessed June 2016.

democracy, also made clear that he could and would intervene in domestic issues where he saw fit.

Yet, for Germans, McCloy's hunting ordinances threatened democracy and private property rights, concepts West Germans believed Americans should defend. The outrage over the ordinances was apparent in Bavaria where the Landtag issued an interpellation, or formal legal question, to challenge them, stating that they were "an unjustified interference with the right to private property."⁷⁶ The justification of the interpellation was given by Wilhelm Nagengast (CSU) who declared that the actions of the High Commissioner "represent nothing other than a total disregard and practically a repeal of all the German state hunting laws guaranteed by the Americans."⁷⁷ These ideas were echoed by Heinrich Franke (SPD) who not only denounced the ordinances' intrusions into private property, but also lamented the loss of the Military Government, stating that he "expected more from the civilian administration" and that if General Clay were still present "we could probably expect more."⁷⁸ Finally, in a challenge to the authority of the High Commission, Schlögl informed the government that he had directed his ministry before the promulgation of the new ordinances to govern "according to the development of German legal order and law," recognizing that only the person "legally entitled to hunt" can acquire property based on their "right of appropriation." Any rejection of this, according Schlögl, violated private property rights upheld by "article 46 of the Hague Rules on Land Warfare,

⁷⁶ Interpellation, September 28, 1950, BayHStAM, MELF 6937; "Weidmanns-Unheil" – sagt der Landtag," *Süddeutsche Zeitung*, September 29, 1950, 2.

⁷⁷ Begründung der Interpellation durch Herrn Landtagsabgeordneten Nagengast (CSU), September 28, 1950, BayHStAM, MELF 6937.

⁷⁸ Rede des Herren Landtagsabgeordnete Dr. Franke (SPD), September 28, 1950, BayHStAM, MELF 6937.

which enjoys the special protection of the Bavarian Constitution approved by the occupying powers and the Bonn Basic Law.”⁷⁹

The comments were so fierce that McCloy sent a cable back to Washington, D.C. concerning the criticism. He especially highlighted the comments of the Bundesminister of Food and Agriculture Wilhelm Niklas (CSU). According to McCloy, Niklas claimed that the ordinances “violate to great extent private property rights and . . . are based neither on provisions of occupation statute nor on recognized international law.” After summarizing the comments from various German politicians, McCloy emphasized that “the hunting law debate is probably the most vituperative attack on US HICOM in the Bundestag to date . . . In each case resolutions had overwhelming support of Bundestag including responsible cabinet ministers.”⁸⁰

The vituperative response made it very clear to McCloy that this explosive issue needed to be redressed or he would have a minor rebellion that would make it difficult to secure German accommodation on other important issues, especially following the start of the Korean War in the summer of 1950. With this in mind, McCloy soon convened meetings with the *Jagdreferent* of the Bundesrepublik, Graf von Dönhoff, and other representatives of DJV to revise Ordinances 5 & 6.⁸¹ These discussions, however, dragged on and were often delayed for months due to McCloy’s schedule. Much of the debate again focused on the importance of private property and the percentage of game American hunters could claim during the hunting seasons. With West German politicians affirming that American personnel could hunt as long as they followed German hunting laws and American regulations, the High Commissioner’s office redrafted the

⁷⁹ Rede des Herrn Staatsministers Dr. Alois Schlögl, September 28, 1950, BayHStAM, MELF 6937.

⁸⁰ HICOM Control No. 40582, 18 November 1950, NACP, RG 466/250/68/9/2/21.

⁸¹ “Revision der US-Jagdverordnungen Nr. 5 und 6,” *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 8 (January/March 1951): 154.

hunting regulations to better reflect this understanding and to coincide better with *Länder* hunting laws. This resulted in Ordinance Number 15 in the summer of 1951, and the new regulation entered into effect on 1 September 1951.⁸² For West German hunters, the revocation of Ordinances 5 & 6 signaled the return to greater control over hunting activities as American hunters were now subject to German hunting laws, banned from hunting freely on private property, and agreed to “the unwritten laws of the German Waidgerechtigkeit.”⁸³

The subordination of American hunters to German law was a political victory for West German sovereignty, but Germans did not stop trying to further limit American hunting, especially the percentage of game animals Americans could hunt in the annual shooting hunting plan. For example, while Ordinance 15 permitted Americans 80% of hooved animals on unleased public lands and 70% on leased public lands, the *Länder* hunting authorities and the Federal Ministry of Food, Agriculture and Forestry asserted that these percentages were unsustainable and believed that 25-30% was a fairer percentage.⁸⁴ The efforts to reduce the amount of game Americans could hunt was especially important in areas where a critical mass of American soldiers were stationed, like the military bases of Wildflecken, Hohenfels, and Grafenwöhr that the U.S. Army took over from the German Wehrmacht and leased from the West German government.

In Grafenwöhr, the U.S. army started using the base for training in 1947 and expanded the base in 1948, constructing kitchen huts, administration facilities, sanitary buildings, a

⁸² “Die neue Jagdordnung für die US-Zone,” *Wild und Hund* no. 13 (September 1951): 241; See Ordinance 15, NACP, RG 466/250/84/21/05/5.

⁸³ “Waidwerk heute und morgen,” *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 24 (September 1952): 367.

⁸⁴ Niederschrift über die Besprechung von Jagdfragen, 4 March 1952, BayHStAM, MELF 6937.

headquarters, and 8,000 winterized tents.⁸⁵ As the number of Americans grew, the local forester informed Schlögl that in the five-ten kilometer zone around the base, the “illegal” hunting “severely damaged” the wildlife, leading Schlögl to ask the Military Government, “for the sake of conservation,” that the army provide better directives to the troops at Grafenwöhr.⁸⁶ By 1952, after an expansion of the base, a decision which dislocated almost 1,000 people, the regional forester described the continued “exploitation of the game” and complained that forestry officials had to act as hunting guides for the larger number of American soldiers, an assignment he felt beneath their status.⁸⁷

With continued examples of overhunting persisting, German hunters eventually succeeded in lowering the percentage of game animals allotted to Americans in the annual shooting plan. By October 1952, the renegotiated levels permitted Americans 40% of hooved animals on unleased grounds and 25% on leased grounds.⁸⁸ Although successful, the debate over American hunting permissions near bases persisted and the constant changes and revisions to ordinances created confusion among Germans. One forester, writing shortly after the late 1952 changes, stated irritatingly that “the frequent changes in regulations, the different treatment of state hunts and private hunts, the fight for the revision of the shooting quota . . . and the recent reorganization of the occupying power . . . results in misunderstandings and difficulties.”⁸⁹

⁸⁵ Robert P. Grathwol and Donita M. Moorhus, *Building for Peace: U.S Army Engineers in Europe, 1945-1991* (Washington, D.C.: Center of Military History and Corps of Engineers, 2005), 42, 70, 73.

⁸⁶ Hunting Regulation/ Jagdordnung, 2 September 1948, BayHStAM, MELF 4479.

⁸⁷ Jagdausübung auf dem Truppenübungsplatz Grafenwöhr, 5 December 1952, BayHStAM, MELF 6937.

⁸⁸ USHC Ordinance No. 15, 29 October 1952, BayHStAM, MELF 6937.

⁸⁹ Jagdausübung durch Angehörige der Besatzungsmacht, 24 October 1952, BayHStAM, MELF 6937.

At the same time the AHC and the West Germans were developing Ordinance 15, they also engaged in discussions about where and how West Germans could purchase sporting rifles and what to do about the rifles many German hunters hid away in 1945. Initially, discussions focused on importing sporting weapons into West Germany from other European nations, as the AHC did not want Germans manufacturing arms, but the idea of a weapons amnesty soon emerged, as it was an open secret that many German hunters stored away their family firearms rather than turn them over to the occupiers.⁹⁰ Though these Germans had violated Military Government laws, McCloy recognized the practicality of an amnesty to ensuring that illegal arms were not circulating, and his office worked with the West Germans to create a policy agreeable to both sides.

After the AHC agreed to an amnesty in May 1951, they needed to find a method to induce individuals to surrender hidden illegal arms and allow Germans to retain those weapons deemed non-military.⁹¹ The AHC and the Federal Republic's representatives met throughout summer and fall of 1951 to address these questions as well as the types of weapons Germans could own, the fee or fine for registering weapons, the total number of weapons permitted in West Germany, and who could register a weapon. Both the West Germans and the Americans quickly agreed that Germans with criminal pasts would be excluded from the amnesty, but the MSB remained worried that the number of weapons would surpass the legally permitted number of 25,000 rifles and 50,000 shotguns, especially as the West Germans were pushing to increase this number.⁹² Nevertheless, a subsequent report indicated that only around 8,000 weapons were

⁹⁰ Oskar Kellner, "Jagdwaffen-Amnestie - das Gebot der Stunde," *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 8 (January/March 1951): 155.

⁹¹ Illegal Possession of Sporting Weapons in Germany, 23 May 1951, NACP, RG 466/250/84/21/05/4.

⁹² Request for authorization of increase in Sporting Firearms for the Territory of the Federal Republic, 9 July 1951, NACP, RG 466/250/84/21/05/4.

licensed since the AHC approved German weapon ownership. The officer writing the report claimed that “the number of illegal weapons held” would be well below the threshold established earlier and concluded that if the amnesty sought “to get these illegal weapons out in the open, there should be the assurance that if a German holding an illegal weapon brings it forward it will be legalized.”⁹³ In the end, the MSB asked the West German Government for an assurance that lawfully held sporting weapons not exceed 20,000 shotguns and 5,000 rifles by the end of November 1951 to ensure that the total number of firearms would not surpass the quota.⁹⁴

Besides focusing on the quantity of weapons circulating in West Germany, there were negotiations about the fairness of the amnesty. The AHC wanted to ensure that those who illegally retained their weapons by “ruse and trickery” should not be in a better position than those who turned in their weapons during the occupation or those who served sentences for violating the law. Conversely, the West German representatives from the Ministry of Justice, while acknowledging the inequity, replied that those individuals who were “deeply attached to their weapons . . . will hardly be prepared to surrender them, unless they are given sufficient encouragement to do so.” While unfair, the ministry admitted that the owners who refused to turn over the weapons during the occupation would “be placed in a considerably better position than if they surrendered the weapons at once or had been punished later.”⁹⁵

The representatives from the Ministry of Justice further argued that the AHC could not confiscate any weapons surrendered during the amnesty, unless they were military weapons, for three reasons. First, they were not forfeited because they had been used in “an international

⁹³ Illegal Retention of Sporting Weapons in Germany, 19 July 1951, NACP, RG 466/250/84/21/05/4.

⁹⁴ Unlawful Possession of Sporting Weapons in Germany, 31 October 1951, NACP, RG 466/250/84/21/05/4.

⁹⁵ Comments on the Amnesty for Sporting Weapons, 22 August 1951, NACP, RG 466/250/84/21/05/4.

major or minor crime (*Verbrechens oder Vergehens*), or . . . for the purpose of committing an intentional major or minor crime.” Secondly, citing Article 4 of the Basic Law, the West Germans stated that “ownership could be divested only by means of a new law to be enacted” and only when confiscation ensured “the welfare of the general public.” In this case, the Federal Republic would need to draft and pass new legislation specifically to confiscate firearms, a long and difficult process. Finally, citing the Hague Convention, the owners of sporting weapons were protected against confiscation “since these weapons are not likely to be considered as war material.”⁹⁶

In September 1951, the AHC and the West Germans agreed to the majority of these issues and specified that the amnesty would include the following provisions. First, no German reporting a sporting weapon to the authorities would be prosecuted; second, any reported weapon would be returned to the owner if the weapon was a verified sporting rifle, if the owner held a hunting license, if the owner paid a registration fee, and if the owner complied with all laws; and finally, that the Federal Republic would include a penalty for those who possessed an illegal weapon after the end of the amnesty period.⁹⁷ After agreeing to these provisions, the Secretary General of the High Commission wrote to Adenauer that “the Allied High Commission now sees no reason why the Federal Government should not avail itself of the opportunity provided . . . to enact appropriate legislation regarding the surrender, registration and restitution to former possessors of illegally retained sporting weapons.”⁹⁸

⁹⁶ Comments on the Amnesty for Sporting Weapons, 22 August 1951, NACP, RG 466/250/84/21/05/4.

⁹⁷ Illegal Possession of Sporting Weapons in Germany, 12 September 1951, NACP, RG 466/250/84/21/05/4.

⁹⁸ Illegal Possession of Sporting Weapons in Germany, 25 September 1951, NACP, RG 466/250/84/21/05/4.

The biggest point of contention between the German hunters and the AHC remained the fee for individuals to register their weapons. The West Germans wanted a relatively low fine to ensure that all available weapons were registered whereas the French, British, and Americans desired a high fine as a type of punishment. This was particularly true among the Americans who initially suggested a 150 DM fine while the French and British proposed 50 DM. To compromise, they collectively agreed to a 100 DM fee. The West German hunters considered this cost too high, and the federal government proposed using a tiered fee system depending on the type and condition of the weapon, ranging from 15 DM to 100 DM. While this suggestion was discussed, the American, French, and British agreed to maintain the flat 100 DM fee for all sporting weapons. As the report clarified, the West German government viewed the payment “as a tax on unregistered weapons” while the American saw it “as a fine imposed on persons who have been violating the law.”⁹⁹ All parties agreed to a 25,000 DM fine for anyone possessing an unregistered weapon following the amnesty.

After reaching an agreement over the fee structure, the amnesty still needed to be implemented as a West German law. Already facing domestic criticism about possible West German rearmament, the Adenauer government, while supporting the amnesty, recognized the political challenges of guiding this law through the legislative process and suggested that it would take six months and create high levels of public dissent. Instead, the West German government requested that the AHC publish the law in its official gazette, thus relying on the sovereignty of the AHC to enact politically charged legislation.¹⁰⁰ Agreeing to the government’s request, the AHC published Law 70 concerning the Possession of Sporting Weapons in

⁹⁹ Draft AHC Law on Possession of Sporting Weapons, 20 December 1951, NACP, RG 466/250/84/21/05/4.

¹⁰⁰ Unlawful Possession of Sporting Weapons in Germany, 31 October 1951, NACP, RG 466/250/84/21/05/4.

December 1951, and the West German government adopted the weapons amnesty in 1952.¹⁰¹

The amnesty went into effect on 3 April 1952 and gave those harboring illegal rifles two months to register their weapons and pay the registration cost, a period that was later extended to three months.¹⁰²

For hunters, the amnesty was heartily welcomed, but many argued that the registration fee was too high and that the punishment for possessing an unregistered rifle was too severe. According to Kellner, the Americans initially proposed a fee of 200-300 DM to register a weapon, but the Germans had negotiated this down to 50 DM. In this case, Kellner both exaggerated the American's initial figure and failed to discuss the tiered structure proposed by the West German government. From Kellner's perspective, it appeared that the Americans had reneged on an agreement to decrease the fee when in fact they never approached 50 DM in any of their proposals. Kellner further argued that fee was especially high for forestry officials who needed their weapons to perform their jobs. How could they scrape together 100 DM if they could not work? Essentially, Kellner and the BJV saw the fee as inefficient and too costly, especially for those individuals unable to afford the amnesty price. The result, in his opinion, would be the imprisonment and fining of the least well-off individuals, making the law insufficient.¹⁰³

Responding to German hunters' complaints, the Bavarian Landtag agreed to provide 70,000 DM to help state employees register their weapons. Additionally, the Bavarian Ministry for Food, Agriculture, and Forestry proposed a further 2.5 million DM from the state to help

¹⁰¹ "Amnestie für Besitz von Sportwaffen," *Süddeutsche Zeitung*, December 27, 1951, 2.

¹⁰² "Zur Jagdwaffen Amnestie," *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 18 (March 1952): 290.

¹⁰³ "Alliierte Hoch Kommission verabschiedet Amnestiegesetz für Jagdwaffen," *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 14 (November 1951): 242.

hunters pay the amnesty fine; a proposal heartily supported by the BJV. For the Bavarians, this was not simply about helping hunters maintain family rifles inherited from grandfathers, but also an investment. They argued that this subsidy would allow hunters to once again properly manage game and prevent crop damage as poor management had cost the state millions of DMs since 1945. The modest investment of 2.5 million DM was nothing compared to the significant cost incurred by Germans since the surrender of firearms and could only benefit the state.¹⁰⁴ Nevertheless, the Bavarian government never allocated the 2.5 million DM to reduce the costs to civilian hunters. Instead, discussions between the government and the hunters eventually resulted in an agreement in April 1952 that permitted the hunters to pay the 100 DM registration fee in installments rather than in a lump sum.¹⁰⁵

The debates over weapons ownership and Ordinances 5 & 6 show the growing authority of West Germans in the semi-sovereign Federal Republic. When McCloy simultaneously granted Germans the ability to own and possess a rifle and instituted new hunting regulations, he returned some authority to the Germans while maintaining American sovereignty over German land and property by ensuring that American soldiers could hunt anywhere and claim game animals without a fee – actions that clearly violated German hunting laws. German outrage was instant and sharp, and even McCloy recognized the fury he caused and he quickly entered new into negotiations. These discussions resulted in new regulations that now subjected American hunters to German hunting laws and forced American hunters to recognize German private property. Additionally, the weapons amnesty also indicates the growing authority of the West German government. Although the AHC initiated the weapons amnesty process, the Federal

¹⁰⁴ “Neubeschaffung von Jagdgewehren,” *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 15 (December 1951): 255.

¹⁰⁵ “Zur Jagdwaffen Amnestie,” *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 19 (April 1952): 311.

Republic made very clear its demands for implementing the amnesty and stipulated that the AHC recognize all hunting rifles as private property to ensure that the occupiers did not confiscate the weapons. In making these demands, the West Germans solidified their positions and ensured that the AHC implemented the weapons amnesty on their terms, even as they relied on the sovereignty of the AHC to enact the law.

The West German and American effort to work together in finding solutions to ensure hunting for both Germans and Americans in West Germany was also apparent in their cooperation to help game populations. In the winter of 1952, when heavy snows prevented German hunters from providing fodder to wildlife, the U.S. military answered the Bavarian government's request for aid and quickly purchased hay bales and sent them to the airfield at Fürstenfeldbruck where C-47s carried and dropped them near Unterammergau and Jachenau. In the Alps, German foresters reported that American officers offered to clear paths to the feeding grounds. The mobilization of American forces to aid German wildlife so impressed the German hunters that they compared the event to the Berlin Airlift, calling it the *Heuluftbrücke* or Hay Lift.¹⁰⁶

A New West German Hunting Law

Speaking at the annual rally of the DJV in April 1952, in front of thousands of hunters and the DJV's new president, Albert Freiherr von Boeselager, Kellner again lamented the decline in German *Waidwerk* over the last seven years, a situation that had created challenges not seen since 1848. He once again complained of Americans emptying German hunting grounds, abolishing the *Reichsjagdgesetz*, and confiscating German hunting rifles. Although McCloy brought some positive changes, Kellner argued that it was now time for the adoption of a

¹⁰⁶ "US.-Luftwaffe hilft notleidendem Bergwild," *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 17 (February 1952): 278; Sven Riepe "Heuluftbrücke fürs Rotwild," *Jagd in Bayern* (March 2016): 44-45.

national hunting law. Only a national hunting law, he claimed, could reestablish German hunting sovereignty.¹⁰⁷

The initiative to develop a new hunting law stemmed from the fact that the *Reichsjagdgesetz* remained in effect across large parts of West Germany. Only in the American Zone was the law repealed, creating legal heterogeneity. This situation left many hunters desiring another uniform national hunting law that would enshrine their hunting ethics and traditions across West Germany. In seeking a new national hunting law, the hunters stressed that Article 75 of the Basic Law granted the West German government the power to develop a new hunting law. Drawing on this authority, the federal government agreed to work towards a new national hunting law, but the process of navigating the legislative process took two years because Bavaria and other *Länder* believed that the new law violated federalism and states' authority.

The federalist challenge argued that a national hunting law violated Article 72 of the Basic Law which granted the federal states powers to legislate on issues where no federal law existed. In Bavaria, a hunting law clearly existed, and they viewed the federal government's efforts as an infringement on their powers. Moreover, according to Article 72, the federal government could only form a new national law if it sought to establish equality throughout the states. For Bavaria and other proponents of federalism, hunting conditions varied across the Federal Republic and they argued that no national law could create equality or account for regional variations. With these two positions, Bavaria would actively seek to prevent promulgation of a new national hunting law.

The initiative to write a new hunting law started when the working group of hunters from all the western *Länder* met in 1950 and drafted text for a new national hunting law that adopted

¹⁰⁷ "Referat des geschäftsführenden Präsidenten des DJV Kellner" *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 20 (May 1952): 315-319.

the first 50 paragraphs of the *Reichsjagdgesetz*, though they carefully removed the Nazi rhetoric. After designing a draft law, the DJV presented it to the Hunting Subcommittee of the Committee for Food, Agriculture and Forestry (*Ausschuss des Bundesministerium für Ernährung, Landwirtschaft und Forsten*) in early 1950, and the committee members reworked the draft throughout the spring and summer of 1950. The subcommittee specifically reduced the size of cooperative hunting districts from 250 hectares to 150 hectares and eliminated many articles adopted from the *Reichsjagdgesetz* that no longer functioned with the reduced powers of the Federal Republic.¹⁰⁸

Following endorsements by the Minister for Food, Agricultural and Forestry and the Minister for Justice, Adenauer's cabinet discussed and gave their support to the draft law at the end of July 1950.¹⁰⁹ With this support, the draft law went to the Bundesrat, the upper chamber of the West German parliament, where the Agricultural and Legal Committees collectively proposed over 45 amendments to the law and approved the draft law for a vote by the entire Bundesrat. Although recommended by the two committees, the majority of the Bundesrat, led by Bavaria, voted against the law in August 1950, reasoning that it went beyond the powers of the federal government and that the *Länder* could better regulate hunting.¹¹⁰

The government did not respond to the Bundesrat's rejection until early 1951, but believed the Bundesrat's opinion misinterpreted the draft law and claimed that the law did not violate the states' prerogatives. With this position, the Adenauer government decided to continue working on the draft and adopted all the amendments proposed by the Bundesrat's Agricultural

¹⁰⁸ Harders, 102-111.

¹⁰⁹ Vermerk für die Kabinettsitzung, 31 July 1950, BAK, B136/2657.

¹¹⁰ Deutscher Bundesrat Sekretariat to Herrn Bundeskanzler, 19 August 1950, BAK, B116/200.

and Legal committees before submitting the law to the Bundestag.¹¹¹ In the Bundestag, the law went to the Hunting Subcommittee where it would stay for almost a year. Here, the subcommittee members and the hunters discussed and debated many of the amendments added by the government, but certain issues proved more contentious than others, specifically the size of hunting districts, the length of hunting leases, and who would solve problems if discrepancies between property owners and lease holders emerged over shooting plans. Concerning these issues, the hunters wanted large cooperative hunting districts at 250 hectares, 12-year hunting leases, and an advisory council appointed by each *Land* to mediate shooting plan discrepancies, but the subcommittee altered all of these proposals by reducing cooperative hunting districts to 150 hectares (while allowing for larger districts in mountains), agreeing to 9-year hunting leases, and clearly stating that representatives from hunting, agricultural, forestry, and nature conservation should compose the advisory boards.¹¹² These alterations, unsurprisingly, caused much consternation amongst the West German hunters who did not support the changes.¹¹³

Despite the hunters' opposition, the draft law went to the Food, Agriculture and Forestry Committee in late 1951. The committee first changed the law to protect more crops from wildlife damage, damages the hunters would pay for through purchasing licenses and other fees. Additionally, the committee included a growing number of tree species also to be covered for potential damages. In both cases, the law stated that landowners would have one week to file a complaint against the hunters. The committee also agreed to allow elected hunting boards

¹¹¹ Rede zur Einbringung des Bundesjagdgesetzes im Bundestag, 29 January 1951, BAK, B116/200.

¹¹² Harders, 118-136.

¹¹³ "Das Bundesjagdgesetz vor dem Parlament," *Wild und Hund* no. 23 (March 1951): 485.

(*Jagdvorstände*) to represent hunters in court cases and supported the use of hunting advisory boards to mediate disagreements between hunters and landowners.¹¹⁴

The expansion of damage coverage, along with the earlier changes made by the Hunting Subcommittee, created anxiety within the DJV. In fact, in March 1952, they sent a letter to the Committee outlining their main concerns, including the size of hunting districts, the legislation specifying the composition of the advisory board, the increasing number of plants covered for potential damages, and the requirement that the issuance of a daily hunting license for visiting hunters must be approved by authorities in each *Land*. As the letter stated, the DJV objected to other articles in the law too, but specifically identified these for consideration. In closing, the DJV asserted that the committee failed to consider their earlier proposals to draft a “modern” hunting law based on sound hunting principles, and that if the committee refused to address the issues raised, the DJV would dissociate themselves from the current draft at their April gathering.¹¹⁵

In April, Kellner discussed the law currently before the Bundestag and again clarified that the West German hunters would reject any law that did not meet their specifications. The current draft, he claimed, not only failed to meet the hunters’ requirements, but was also a step backwards and thus made the law “unacceptable to German hunters.” He informed the hunters that the DJV, that very day, once again, sent a list of their grievances to the Bundestag for consideration and that the members of the Bundestag now held the responsibility for addressing the draft’s deficiencies and developing a law acceptable to the hunters.¹¹⁶

¹¹⁴ Harders, 137-155.

¹¹⁵ Deutscher Jagdschutz-Verband to Ernährungsausschusses, 11 March 1952, BAK, B116/vorl.2738.

¹¹⁶ “Referat des geschäftsführenden Präsidenten des DJV Kellner” *Mitteilungen / Bayerischer Jagdschutz- und Jägerverband* no. 20 (May 1952): 315-319.

Against the wishes of the DJV, the law went to the Bundestag, the West German Parliament, for its second reading in April. During the discussion about the law, the Bundestag voted on the amendments and language of the law that various committees had drafted over the last year. The two major changes that occurred during the debate included wording that allowed the *Länder* to increase the size of individual hunting districts within their jurisdiction and to change the composition of the hunting advisory boards. Although some representatives wished to abolish the boards, other members defended them as a form of local democracy. In the final discussion, the Bundestag agreed that the advisory boards consist of a district or city administrator, a representative from agriculture, a representative from the non-state foresters, a representative from the hunting association, and a representative of the individual hunter involved. While reaching agreements on these issues and passing the other amendments, Michael Horlacher (CSU) voiced the opinion that the *Länder* in the former American Zone had already drafted hunting laws.¹¹⁷ He thus saw no need for the federal law and urged the Bundestag to send the law back to committee, but this proposal was rejected.¹¹⁸

A month later, the law came before the Bundestag for its third and final reading and faced two challenges. First, Heinrich-Wilhelm Ruhnke (SPD) argued that the draft of the law was too detailed and interfered in local decision-making because it specified the members of the advisory boards. Horlacher again stated that the law was not a framework law, assumed uniform hunting conditions across West Germany, and hindered the ability of the *Länder* to make their own

¹¹⁷ Horlacher studied law and political science. He was dismissed from military service in 1914 for invalidity and worked in the Bavarian Statistical Office and later as an economic journalist. From 1924 to 1933, he was a member of the Reichstag for the Bavarian People's Party and voted for the Enabling Act. In 1933, he retired from politics and after being imprisoned by the Nazis in 1933, he retired to Bad Tölz where he worked as a tax consultant. He was again arrested and imprisoned in 1944 and spent the last months of the war in Dachau. Johann Kirchner, "Michael Horlacher – Ein Agrarfunktionär in der Weimarer Republik," (PhD diss., Universität Regensburg, 2008).

¹¹⁸ Verhandlungen des Deutschen Bundestages, 206 Sitzung, 24 April 1952, 8936. <https://dipbt.bundestag.de/doc/btp/01/01206.pdf>. Accessed April 2018.

decisions. On the other hand, Martin Schmidt (SPD) contended that the law permitted landowners to contest shooting plans to advisory boards and gave landowners a say for the first time, a significant advancement for democracy. Moreover, Paul Gibbert (CDU) claimed the law represented a compromise between the game management and the interests of agriculture and forestry to protect crops and trees from game damage, making the law acceptable. Ruhnke and Horlacher's motion to return the law to committee was voted down and the entire Bundestag then voted to pass the *Bundesjagdgesetz*.¹¹⁹

Although the Bundestag passed a new hunting law, the Bundesrat still needed to ratify the law. In early June, the Bundesrat Legal and Agricultural Committees again reviewed the law and pointed out some areas where the Bundestag draft conflicted with the powers of the *Länder*. Recognizing these conflicts, the Bundesrat debated on whether or not to send the law to a mediation committee (*Vermittlungsausschuss*) to address the issues raised by the Agricultural and Legal Committees. Günter Klein (SPD) endorsed the law and contended that drafting a hunting law that did not in some way interfere with the *Länder* was difficult; moreover, he argued that the law must contain criminal and civil laws due to the nature of hunting, thus making the hunting law more than a simple framework law. On the other hand, Schlögl, speaking for Bavaria, again rejected the drafted hunting law, contending that the *Länder* could better legislate hunting and that the law interfered in the states' legislative powers. While using a defense that worked two years earlier, the Bundesrat voted to send the law to mediation.¹²⁰

¹¹⁹ Verhandlungen des Deutschen Bundestages, 216 Sitzung, 29 May 1952, 9482-9489. <https://dipbt.bundestag.de/doc/btp/01/01216.pdf>. Accessed April 2018.

¹²⁰ Bundesrat Plenarprotokoll, 87 Sitzung, 20 June 1952, 280-283. https://www.bundesrat.de/SharedDocs/downloads/DE/plenarprotokolle/1952/Plenarprotokoll-87.pdf?__blob=publicationFile&v=2. Accessed April 2018.

The mediation committee adopted 17 of the 19 proposed changes with no debate. The other two issues, both concerning the shooting plan, focused on relations between the *Länder* and the federal government. Here, the mediation committee mostly focused again on the composition of the advisory boards and the configuration of the shooting plan. The mediation committee agreed that each *Land* should decide the composition of its advisory board and allowed each *Land* to decide the shooting plan for deer, boar, and foxes. Following these changes, the hunting law returned to the Bundestag, which promptly voted against the law because of the lack of specification on the advisory boards, particularly who was on it and how much individual votes were weighted. With this rejection, Klein tried to get the Bundesrat to pass the Bundestag law from May, but this too was voted down.¹²¹

With the Bundesrat refusing to pass either version of the hunting law, the Federal Government used its powers to invoke another meeting of the mediation committee. The Federal Government worked on rewording certain articles, such as the size of hunting districts and the composition of hunting advisory boards to make them more palatable before once again submitting the new draft to the mediation committee at the end of September 1952. In October, the mediation committee agreed to all of the government's proposals except one, sending the law to the Bundestag.¹²² In the Bundestag, on October 30, Klein summarized the problem concerning the size of hunting districts and the hunting advisory boards, explaining that the law before the Bundestag allowed for individual hunting districts under 100 hectares, permitted landowners the right to consult on the formation of shooting plans, and enabled the *Länder* to expand the size of

¹²¹ Bundesrat Plenarprotokoll, 90 Sitzung, 30 July 1952, 334-335.
https://www.vermittlungsausschuss.de/SharedDocs/downloads/DE/plenarprotokolle/1952/Plenarprotokoll-90.pdf;jsessionid=6D44AC9A94DBA35481205B1461D96B06.2_cid365?__blob=publicationFile&v=2. Accessed April 2018.

¹²² Harders, 172.

the hunting advisory boards, but the boards must contain representatives from forestry, agriculture, and the hunting association. With these changes, the Bundestag passed the *Bundesjagdgesetz*.¹²³ On 7 November, the law went again before the Bundesrat which approved the law with only Bavaria dissenting.

The passage of the *Bundesjagdgesetz* demonstrates West German democracy at work as the law went through drafts, revisions, amendments, and mediation to ensure that enough members of the Bundestag and the Bundesrat would approve the law. Bavaria, with its own law passed in 1949, denounced the law for violating federalist principles and for applying a uniform law across a country with varying landscapes and ecosystems, but the government and German hunters desired a new national law and overcame federalist critiques. The hunters, while threatening to withhold their support at one point, played an active role in this process and ensured that many of the key features of the *Reichsjagdgesetz* were preserved in the new law. The hunters' characterization of the process was evident shortly after the law passed when *Wild und Hund* stated: "Although not all of our wishes have been fully considered, we can certainly be satisfied."¹²⁴

One of the main features of the law celebrated by the hunters was that the occupying soldiers were now completely subjected to the West Germany hunting law. American hunting licenses remained valid until the end of March 1953, when the *Bundesjagdgesetz* entered into effect, and then Americans needed to pass West German hunting classes and obtain new hunting licenses.¹²⁵ Commenting on the transition in February, the *Washington Post* discussed many

¹²³ Verhandlungen des Deutschen Bundestages, 236 Sitzung, 30 October 1952, 10845-10846. <https://dipbt.bundestag.de/doc/btp/01/01236.pdf>. Accessed April 2018.

¹²⁴ "Bundesjagdgesetz verabschiedet!" *Wild und Hund* no. 17 (November 1952): 361.

¹²⁵ "Entwicklung In der US-Zone," *Wild und Hund* no. 19 (December 1952): 422.

American hunters' difficulties in adapting to the West German hunting law. The article noted that Americans can no longer "go out to bang away at game" and "strap it onto the fender and hurry off home." They must follow the Germans who "court it [game], and each step is as carefully worked out as a ballet." Although the article described German hunting as "lazy," it also reported that "some Americans" have started following the required rules and embraced German hunting traditions, following hunt masters to scouted locations, waiting for the animals' arrival, and the blowing of horns. The only major complaint the article noticed was an issue that German and American officials had debated for years: in Germany, game remained the private property of the landowner and must be purchased by the hunter. This sentiment was expressed in the article's conclusion when it pointed out that Americans "attending German hunting schools admire the vast knowledge of forest lore" and "have learned how not to be Sunday hunters," but the "business of paying for the game . . . that hurts."¹²⁶

Conclusion

Looking back on the occupation in 1954, Schlögl remarked that during this period, the German hunting community was disarmed and "hunting sovereignty was transferred to an occupying power . . . the wildlife was shot by the occupying power with strange hunting practices – other countries, other customs . . . in retrospect, it must be said that we have possibly experienced a second 1848."¹²⁷ The loss of hunting sovereignty and social status angered and humiliated German hunters. For the hunters, the unruly hunting by American soldiers and DPs who cared little for German traditions and practices convinced them that their own times were comparable to the mid-19th century when the privileges of the nobility were abolished and the

¹²⁶ "German Hunts Follow Ritual After Lessons," *Washington Post*, February 26, 1953, 32.

¹²⁷ Schlögl, *Bayerische Agrargeschichte*, 703.

forests and fields briefly opened to all who possessed a rifle. Like 1848, hunters in postwar Germany focused on maintaining hunting laws and traditions because these laws and traditions reflected their own power and authority over hunting. By insisting that American soldiers recognize and follow German laws and traditions, they were contesting the sovereignty of the occupiers.

These assertions emerged early and often throughout the occupation as German hunters sought to inform American occupiers about the difference between American and German hunting laws, but disarmed and regarded as Nazis, German hunters' claims had little effect. While unable to regulate or limit American hunting, the seemingly insurmountable problem of protecting crops from game damage provided an opportunity for German hunters not only to rearm, but also to report and confront American soldiers, even if they could do little to oppose them. Nevertheless, with Germans complaining about and reporting American soldiers who violated U.S. regulations, higher-levels of the Military Government became more aware of American hunting behavior, and the regulations were drafted and continuously updated in an effort to control American behavior.

The efforts to regulate American hunting soon gave rise to the discussion over what constituted American democratic hunting, especially in comparison to German hunting. This debate proved especially relevant following the repeal of the *Reichsjagdgesetz* in late 1948. With the repeal of this law, Germans asserted the primacy of the German hunting system that stressed conservation, care, and the centrality of private property while rejecting the American system that they perceived as brutal, destructive, and violent. Conversely, American occupiers claimed that German hunting reflected aristocratic and Nazi tendencies and was inherently undemocratic because a German could not hunt on their own property if they wished. While not rejecting this

claim, German hunters asserted that these regulations did not bar anyone who wanted from obtaining a hunting license and prevented the overhunting they associated with the occupiers. Refusing to negotiate away the *Revierjagdsystem* in Bavaria, the Bavarian government essentially outwaited the American occupiers who chose not to intervene as sovereignty shifted from the occupiers to the West Germans.

The inability of the American Military Government to fundamentally change the German hunting system in Bavaria might be considered a political failure, but their efforts played a role in reorienting German society. To prevent the implementation of American designed hunting laws, German hunters and politicians challenged the occupiers, engaged in the democratic process, framed their own laws and traditions in democratic rhetoric, and negotiated with the American Military Government. Although the occupiers repealed the *Reichsjagdgesetz*, German efforts successfully prevented the implementation of the American *Licenzsystem*. In defending their legal and cultural traditions and enshrining them into a new national hunting law, German hunters played an active and vocal role in postwar politics, a role that helped contribute to the re-emergence of civil society.

This role was clearly evident when McCloy attempted to reform American hunting regulations while simultaneously authorizing Germans to again own a sporting rifle. The ordinances issued by McCloy perpetuated Americans' almost limitless hunting rights and blatantly violated private property laws. West German politicians and hunters so vigorously protested and denounced the ordinances that McCloy chose to quickly renegotiate with the Germans, and the outcome proved a political victory for German hunters as the new ordinance forced American soldiers to acknowledge and respect private property laws. In contesting the

AHC and achieving a political victory, the West Germans succeeded in exerting their authority while still remaining subject to the AHC.

Although several *Länder* developed hunting laws and held hunting sovereignty at the federal level, German hunting sovereignty only completely returned when the *Bundesjagdgesetz* went into effect in March 1953. This new national hunting law annulled the *Reichsjagdgesetz* where it still existed, created uniform statutes across the country that allowed for regional variation, and established the West German government's authority over hunting. Moreover, with this law, American soldiers now stationed on bases scattered across the Federal Republic could no longer hunt at will and had to adhere to the German hunting law and learn German hunting practices by taking classes, passing exams, participating in traditions, and paying for hunted game.

CHAPTER VI

IN GARDEN BAVARIA:

AGRICULTURAL COLLECTION AND FOOD POLITICS, 1945-1947

On 3 August 1947, the president of the Bavarian Farmers' Association (*Bayerische Bauernverband*, BBV) Konrad Frühwald addressed the Bavarian public over the radio to discuss the collection of food from farmers.¹ According to Frühwald, this process involved local food office inspectors visiting farmers and ensuring that farmers met the quotas assigned to them by the Bizonal authorities in Frankfurt. Yet, for Frühwald, this procedure created an intrusive situation whereby inspectors made every effort to “collect by all means the last kernel of grain and the last potatoes.” This invasive procedure, Frühwald noted, created hostility between farmers and the state which had only intensified after inspectors received the authority to issue penalties to farmers for lagging deliveries. In fact, he stressed that the farmers' animosity was “not surprising at all” because the farmer endured daily “inspections all over his farm, from the attics to the cellar, getting prices for his products which are out of all proportions compared with the prices he is supposed to pay . . . and being constantly haunted by persons who want to barter for food items.” The only way to alleviate the situation and increase farmer deliveries, according to Frühwald, was to allow farmers to retain a portion of their crop and sell it at market prices.²

¹ Frühwald was born in Middle Franconia and fought on the Western Front from 1914-1918. Following the war, he ran the family farm and became president of the Chamber of Agriculture. During the Nazi period, he left politics and worked a shepherd. From 1945-1967, he was a leader of the BBV and as a member of the FDP, he served in both the Bavarian Senate and as a member of the Bundestag from 1949 to 1957. Ernst Frühwald, *Der Bauernphilosoph. Das Lebensbild eines Politikers aus Franken* (Sennfeld, Gochsheimer Weg 32: E. Frühwald, 1989).

² For the Farmer, 3 August 1947, NACP, RG 260/390/47/34/5/39.

As Frühwald's comments indicate, by the latter half of 1947, the policies and procedures for collecting and distributing food in occupied Bavaria had become contentious and political. Initially, the American occupiers sought to feed German civilians by maintaining much of the agricultural collection and distribution machinery used by the Nazi regime, but officials fled, storehouses were raided, and occupation policies undermined efforts to feed Germans, DPs, and refugees. The maintenance of strict rationing and price controls aimed at equalizing rations among German civilians resulted in a flourishing black market where food was exchanged for goods rather than currency; policies ensuring that Jewish survivors and DPs received higher rations than German civilians created resentment and a sense of victimization among German civilians; and American directives aimed at maximizing agricultural production were undermined by Allied demilitarization and deindustrialization policies that left occupied Germany short of tools, equipment, machines, tractors, seeds, fertilizer, and coal.

With agricultural production declining and the specter of starvation hanging over the occupation, food collection and distribution became a space where Germans contested the authority of the American occupiers. This was especially true in Bavaria where politicians and farmers became increasingly hostile to food collection and distribution directives, particularly after the Bizonal fusion in January 1947. The formation of this unelected bureaucracy created another power center with claims to control and direct agricultural production and distribution in Bavaria. From the Bavarians' perspective, the Bizone represented a return to centralized government and the methods used by Imperial Germany and the Nazi state to appropriate Bavarian agriculture. Bavaria's agricultural politicians, seeking to secure calories for Bavarians during the food crisis, increasingly resented the claims made by the occupiers and the Bizonal Administration on Bavarian agriculture and demanded that Bavarian crops feed Bavarians.

This conflict centered on the Potato War (*Kartoffelkrieg*), a dispute that stretched throughout the latter half of 1947 and involved the collection and distribution of the Bavarian potato harvest. Much of the debate revolved around the estimated size of the harvest and whose statistical evidence was used in calculating the harvest: the one taken by the Bavarian government which showed a bad harvest year or the one taken by the American occupiers that indicated a better harvest than the Bavarians' claimed. This was contentious because the estimated size of the harvest indicated how many potatoes Bavaria would have to contribute to the wider Bizonal ration scheme. The debate over the harvest was further complicated by inclement weather, a drought that had deepened the food crisis, and growing tensions over the division of labor between the American and British Zones. For Bavarian farmers and politicians, the industrial British Zone's failure to send goods and coal south along with the decline in the potato harvest led them to demand the right to secure food supplies for Bavarians before sending agricultural products north.

Already frustrated with the Bizone, Bavarian rhetoric intensified over two emerging issues in the last months of 1947. The first was the growing political challenge the governing CSU faced on the right from the hyper-federalist Bavaria Party (*Bayernpartei*), a party that appealed to large and medium sized farmers who considered the continued requisition regime and constant violation of their farms by Bizonal inspectors a reason for Bavaria to assert sovereignty and control over Bavarian agriculture. The second issue was the Military Government's decision to transfer responsibility for feeding DPs to Germans, thus further increasing the number of people fed from German agricultural production. Already resentful of the DPs and seeing them as privileged foreigners, the Bavarian government neglected to meet DPs' needs. As the Bavarian government spurned DPs and denounced Bizonal quotas, the

American Military Government halted all food imports into Bavaria until they met DP requirements. By taking these authoritative steps that threatened the food supply to civilians, the occupiers forced Bavaria to meet the needs of Nazi victims and to comply with the increasingly powerful Bizonal Administration that was to serve as the nucleus for a future West German government.

The Search for Order

In the autumn of 1946, in the lead up to the first Bavarian state election after the war, Joseph Baumgartner stood before a gathering of Bavarian farmers in the Kongresssaal of the heavily bombed Deutsches Museum in central Munich to address farmer concerns. Standing before the farmers in the shell of a museum devoted to science and technology, Baumgartner fretted over rumors suggesting that the Nazis, while instituting invasive collection policies, proved more capable of keeping German stomachs full. Baumgartner, perhaps hoping their presence in the damaged building would remind them of the consequences of the Nazi regime, argued that blaming the current Bavarian government for the problems plaguing agriculture and low rations was like blaming a fire on the firefighters and not the arsonists. Nazi agricultural policy, he claimed, was aimless and haphazard, and the war they started had completely upended agricultural production. Although frustrated with these rumors, rumors he would denounce quite often in 1946, Baumgartner argued that the current Bavarian government under the CSU was dedicated to aiding farmers and considered them the foundation of Germany's recovery.³

The rumors among Bavarian farmers in late 1946 that life was better under the Nazis reveal not only farmers' growing dissatisfaction with occupation policies and their implementation by the Bavarian government, but also a nostalgia among farmers for the

³ "Bayerische Bauern treffen in München," *Süddeutsche Zeitung*, September 10, 1946, 4.

relatively stable supply of food that had depended on extracting foodstuffs from Eastern Europe. The desire for stability and a fair income for agricultural products was something that German farmers and peasants had been seeking since the start of the Great War. Prior to the outbreak of hostilities in 1914, German farmers and large estate holders remained protected behind high tariffs that the imperial government enacted following the economic downturn of 1873, an economic depression resulting from globalization and industrialization that radically altered markets and allowed cheap grain from North America to flood Europe.⁴ Behind the tariffs enacted by the coalition of “iron and rye,” farmers remained insulated from cheap imports and, except for a brief effort to lower the tariffs under Chancellor Leo von Caprivi, the tariffs remained in effect until the First World War.⁵

Although frequently portrayed as submitting to large landholders, farmers and peasants did not blindly follow the wishes of large landowners or rely solely on grain prices supported by the tariff. Many farmers worked hard to diversify production, improve fertilizer use, expand livestock holdings, and embrace mechanization. Additionally, the expansion of German industry, often placed at odds with the supposedly “backward” agricultural sector, helped grow agriculture

⁴ David Blackbourn, *History of Germany 1780-1918: The Long Nineteenth Century*, 2nd ed., (Oxford: Blackwell Publishing, 2005), 143-144.

⁵ Some historians have argued that the coalition of iron and rye defended conservative class interests and was hostile to consumers and modernization and that it ultimately contributed to Germany’s entrance in the First World War, the fall of Weimar, and the rise of National Socialism. This *Sonderweg* theory was first proposed by Eckart Kehr, *Schlachtflottenbau und Parteipolitik 1894-1901* (Berlin: Ebering, 1930) and fully developed by Alexander Gerschenkron, *Bread and Democracy in Germany* (Berkeley: University of California Press, 1943); Hans Rosenberg, *Grosse Depression und Bismarckzeit. Wirtschaftsablauf, Gesellschaft und Politik in Mitteleuropa* (Frankfurt: Ullstein, 1976), and Hans-Ulrich Wehler, *The German Empire, 1871-1918*, trans. Kim Traynor, (Leamington Spa: Berg Publishers, 1985).

as factories produced tools and equipment that helped increased crop yields and feed the growing number of workers.⁶

The instability that would hinder and frustrate German agriculture until the mid-1950s started with the Great War and the imposition of a controlled economy, not unlike the controlled economy enforced by the Nazi regime and the American occupiers. Initially, this plan sought to control production through strict price controls and encouraged farmers to grow crops the government identified as important to the war effort. Nevertheless, the wide-ranging and ambitious program proved “disorganized and often chaotic.”⁷ Perhaps most troublesome was the imperial government’s failure to control livestock feed which rapidly increased in price and led many farmers to feed livestock with crops meant for human consumption. To address this problem, the government introduced grain requisitioning and started a cattle-slaughtering program, including the pig massacre (*Schweinemord*) of 1915 that killed five million pigs and unwittingly reduced the amount of fertilizer available. These efforts proved intrusive, inconsistent, and created a growing resentment among German farmers and peasants towards the government.⁸

In 1916, the German government doubled down on these practices and instituted a set of comprehensive pricing policies, delivery quotas, and confiscation directives, but the lack of manpower meant the government was unable to implement this program thoroughly. In the last year of the war, agricultural production continued to decline due to the lack of labor, fertilizer,

⁶ Robert Moeller, “Economic Dimensions of Peasant Protest in the Transition from Kaiserreich to Weimar” in *Peasants and Lords in Modern Germany: Recent Studies in Agricultural History*, ed. Robert Moeller (Boston: Allen & Unwin, 1986), 144-147.

⁷ Robert Moeller, “Dimensions of Social Conflict in the Great War: The View From the German Countryside,” *Central European History* 14, no. 2 (June 1981): 147-148.

⁸ For the *Schweinemord* see Robert Chickering, *Imperial Germany and the Great War, 1914-1918*, 2nd ed. (New York: Cambridge University Press, 2004), 42-43.

replacement parts, and draft animals, a situation that engendered a black market that provided an alternative to the collection system established by the government. As factory workers went on strike demanding bread, the government expanded invasive searches in 1917, searches not unlike those Frühwald complained about thirty years later.

When the Great War ended in defeat and the announcement of the Weimar Republic, German farmers and peasants remained bitter towards workers and never saw the Weimar government, a government formed by the SPD, as legitimate.⁹ To help feed a nation roiled by war, the Weimar government maintained control over the agricultural economy and while the republic initially aimed to support farmers and peasants through a land reform law, very little land was ever distributed, and the plan lacked the scope to actually redistribute enough arable land to all of Germany's farmers and peasants.¹⁰ During the early 1920s, inflation aided industrial exports, helped large landowners pay debts, and made agricultural products, at least those not under government control, attractive to export markets, but hyperinflation created chaos and calamity.¹¹ A currency reform created some stability, but it also meant the German economy was flooded with cheap grain, undermining the agricultural sector and leading peasants to start demanding new tariffs resembling those that protected them during the Wilhelmine era. By the late 1920s, with the onset of the Great Depression, Germany's peasants and farmers, dissatisfied with the Weimar Republic, placed in a disadvantaged economic situation, and discontented with agricultural associations and established political parties, found themselves in

⁹ Moeller, "Dimensions of Social Conflict in the Great War," 149-159.

¹⁰ Adam Tooze, *The Wages of Destruction: The Making and Breaking of the Nazi Economy* (New York: Penguin Books, 2006), 178-179.

¹¹ Robert Moeller, *German Peasants and Agrarian Politics, 1914-1924: The Rhineland and Westphalia* (Chapel Hill: University of North Carolina Press, 1986), 95-97.

a situation where they were searching for stability and a politics that represented their frustrations.

One party seeking peasant support was the National Socialist German Workers Party, a party that rejected traditional political parties and targeted them by describing farmers and peasants as the embodiment of the German people and by advocating the need for living space (*Lebensraum*) to increase food production. Using this propaganda, the Nazi party quickly infiltrated and took over numerous peasant associations to expand their political influence and reach. By 1933, traditional peasant associations, even those Catholic organizations in southern Germany, lost much of their influence and political power and aligned with the Nazi party.¹² Thus, by 1933, the majority of Germany's 9.34 million agricultural workers, making up 32.7% of the population, came to support the Nazi party as they eked out a living not much different from the peasants of the 19th century.¹³

When the Nazis came to power, the man responsible for National Socialist agricultural policy was Peasant Leader (*Reichsbauernführer*) Walther Darré, a specialist in genetics and livestock breeding who applied his studies to humans. Darré's rhetoric popularized the "blood and soil" mythology that placed peasants at the center of Germany's economic and cultural life and stressed the special relationship between the soil and the peasants that composed the special character of the German soul.¹⁴ Under Darré's guidance, Nazi agricultural policy developed two important policies. First was the Hereditary Farm Law (*Reichserbhofgesetz*). This law sought to stabilize peasant land ownership, protect rural families from debt, and mitigate the impacts of

¹² Horst Gies, "The NSDAP and Agrarian Organizations in the Final Phase of the Weimar Republic" in *Nazism and the Third Reich*, ed. Henry A. Turner (New York: Quadrangle Books, 1972), 45-88.

¹³ Tooze, 167.

¹⁴ Tooze, 170-173.

industrialization through the creation of a new category of farm that was protected from debt and passed down from generation to generation. These farms, between 7.5-125 hectares, could not be sold or used as security for future mortgages, essentially removing them from their owners' control, a significant intervention into private property rights. As Schlögl, writing as the Minister of Agriculture, remarked in 1948, the law limited the farmers' ability to make decisions with their land and meant the farmer owned their land only theoretically.¹⁵ This limitation proved unpopular and very few large farmers participated, though a large number of middle-sized farmers (10-100 hectares) found the offer attractive.¹⁶

While the Hereditary Law sought to preserve German farmers' property in perpetuity, the second piece of National Socialist agricultural policy sought to strictly control and coordinate agricultural production, processing, and distribution through the formation of the Reich Food Estate (*Reichsnährstand*). Within in this mammoth organization, the bureaucracy collected detailed information about every farm, marketing association, and food-processing facility, developed a national agricultural plan, and assigned every farmer a fixed delivery quota. Initially, the effort proved extremely popular. Subsidized prices increased production and farm incomes grew; however, production eventually levelled off, especially once the Second World War started and raw materials went to wartime production, not to machinery, spare parts, and fertilizer for agriculture. Additionally, manpower in the countryside rapidly decreased, soon replaced by forced laborers from across Europe, and local party functionaries placed increasing pressure on farmers to meet quotas. Thus, while farmers embraced the party early on and even benefited from the stability created by the Nazis in the 1930s, the Nazi regime's objective to

¹⁵ Alois Schlögl, *Agrarpolitik einst und jetzt* (Munich: Bayerischer Landwirtschaftsverlag, 1948), 22-23.

¹⁶ Tooze, 182-186.

fight a war of expansion resulted in significant intervention into farmers' lives and eventually alienated them from the regime.¹⁷

Even while fighting a war and directing raw materials away from agriculture, the Nazi regime worked to maintain the food supply. Besides the importation of thousands of foreign workers to make up labor shortfalls, the regime aligned food policy with its racial ideology through the *Hungerplan*. Herbert Backe, Darré's successor, devised this plan to seize food from the occupied east to feed German civilians and prevent the collapse of the home front. At the same time, German soldiers captured foreign foodstuffs to send back to their families and shipped grain from Eastern Europe to Germany. By seizing food outside Germany's borders and sending it back to the Reich, the Nazi regime ensured that civilians remained well fed until the final days of the war, helping to foster the nostalgia many Germans had for the Nazi regime as they faced scarcity and hunger in the latter half of the 1940s.¹⁸

As the U.S. Army moved across Germany in the spring of 1945, the agricultural system of the Nazi regime dissolved as Nazi functionaries fled from their positions and civilians, POWs, and foreign laborers raided food warehouses. For farmers and peasants, it appeared that the strict intervention used during the First and Second World Wars had finally ended, but the American occupiers, establishing control over a country devastated by war and divided into four zones, sought to use the control and collection apparatus of the Nazi agricultural bureaucracy to continue feeding German civilians, refugees, DPs, and millions of expellees. Yet, the persistence of strict rationing, delivery quotas, invasive searches for hoarded foodstuffs, and the influx of foreigners led many farmers to grow hostile to occupation policies. As the economic and

¹⁷ Tooze, 186-199.

¹⁸ For food policy in Nazi Germany see Gesine Gerhard, *Nazi Hunger Politics: A History of Food in the Third Reich* (Lanham, MD: Rowman & Littlefield, 2015); Weinreb, 49-87.

agricultural situation declined through 1946 and 1947, Bavarian politicians also grew increasingly frustrated with occupation policies and more responsive to the concerns of their largely rural constituents. Channeling this ire, they increasingly challenged the authority of the occupiers and the Bizonal authorities.

Occupying the Countryside

As American Military Government detachments started operating in German towns and cities across Bavaria in the spring and summer of 1945, SHAEF directives sent to the units outlined responsibilities for maintaining agricultural production and distribution. SHAEF specifically directed the units to immediately restore all “major German administrative and control agencies for agriculture” and to place responsibility on German civilians for operating the agencies that oversaw the collection and distribution of agricultural products. In restoring German control, the objective was essentially to empower Germans to carry out the same duties they did under the Nazi regime: developing agricultural production plans, livestock slaughtering programs, and to ensure that all farmers knew their delivery quota for the year.¹⁹

These detailed plans, however, failed to consider the complete breakdown of German society. One Military Government document reported that bakeries and shops closed, that Wehrmacht storehouses were looted by former forced laborers, and that Germans “gorged themselves on unguarded stocks.”²⁰ In the area of Reichersbeuern, the mayor reported that both the Wehrmacht and the SS raided a local food depot in the waning days of the war and that local inhabitants ransacked the depot for food immediately after the war. Although claiming this behavior occurred due to misunderstandings, he stressed that civilians from other local

¹⁹ Military Government Control of Food, Agriculture, Forestry and Fisheries for the Region, 18 May 1945, NACP, RG 260/390/47/34/2/16.

²⁰ Food and Rationing Section, undated, NACP, RG 260/390/47/33/7/2.

communities also searched military depots for food and that only restoring the food offices would return some type of order and control over food distribution.²¹

As German officials fled and storehouses were raided, the Military Government sought to quickly tie together the “loose organizational strands” of the Nazi food distribution system and directed those German food officials who remained at their posts to oversee regional warehouses and distribute rations. In managing these officials, the Military Government, following SHAEF orders, stressed that detachments should use “indirect control of civilian officials, rather than direct orders” and “recognize the responsibility and authority of the civil food offices.”²² Yet, with transport limited and no indication of future food supplies, local food offices worked under the assumption that “what was there should be consumed before someone else found out about it.” Farmers, it appears, held the same opinion, as the same report claimed that they “consumed heavily of their own production.”²³

In the race to collect and consume what food was available, violence consumed the countryside and American occupiers commented on the proliferation of crime, specifically citing DPs. One detachment acknowledged that criminal activities by DPs existed since the unit arrived and soon threatened the “prestige of the United States Army” as two to three hundred DPs formed into armed bands that “intimidated” the population and raided “isolated farmhouses,” murdering an estimated 18 Germans.²⁴ Another detachment reported that “groups of Poles have

²¹ Bürgermeister der Gemeinde Reichersbeuern an den Landrat des Kreises Bad Tölz, 27 May 1945, StAM, BeZA/LRA 163667.

²² Food and Agriculture Weekly Report Detachment E1F3, 11 June 1945, NACP, RG 260/390/47/33/7/3.

²³ Food and Rationing Section, undated, NACP, RG 260/390/47/33/7/2.

²⁴ Historical Report, September 1945 Detachment G-220, 18 October 1945, NACP, RG 260/390/47/19/4/193.

been reported roaming the countryside by day and night stealing livestock, vehicles, and food.”²⁵

In fact, skirmishes with DPs occurred in the countryside. As one American detachment wrote:

two Germans were shot and seriously wounded and another stabbed, by a group of Polish nationals . . . reported gangs of Polish and Italian nationals threatening shopkeepers and farmers, stealing cattle, and destroying potato and onion fields. Clashes occurred . . . between Germans and Polish/Italian groups. Two Germans were slain . . . eight armed Russians engaged two American security guards on duty guarding a farm in a fire fight, during which one of the soldiers was wounded, and one of the Russians killed and another wounded.²⁶

The violence of this supposedly postwar era proved so overwhelming that the entire German police force in one village “requested permission to resign, on the ground that it could not cope with the situation resulting from DP activities.”²⁷

Although apparently running rampant across rural Germany, DPs arrested for theft or weapons possession usually faced light sentences from the American occupiers. This typically involved fines and imprisonment in detention centers for short periods. Arrested DPs also found themselves placed under the authority of UNRRA and beyond the punishment of German civilians who increasingly saw DPs as troublesome foreigners.²⁸ Fearful of DP bandits and wild boar, farmers increasingly demanded the return of confiscated rifles while the Minister of Agriculture Ernst Rattenhuber requested “greater security for the farmers who are being molested particularly by Displaced Persons.”²⁹ The occupiers responded by permitting German

²⁵ Weekly Consolidated Report Detachment E1C3, 21 July 1945, NACP, RG 260/390/41/14/3/680.

²⁶ Weekly Consolidated Report Detachment E1C3, 29 July 1945, NACP, RG 260/390/41/14/3/680.

²⁷ Weekly Consolidated Report Detachment E1C3, 29 July 1945, NACP, RG 260/390/41/14/3/680.

²⁸ Seipp, *Strangers in the Wild Place*, 135.

²⁹ Food and Agriculture Weekly Report Detachment E1F3, 11 June 1945, NACP, RG 260/390/47/33/7/3.

police forces to carry weapons again in October 1945, but this return of notional authority meant little with armed DPs and few police.³⁰

Although DP behavior frustrated the occupiers and the occupied alike, DPs and other victims of National Socialism received preferential treatment from the occupiers, including food rations. To achieve this enormous task, the U.S. Army fed an estimated 811,500 DPs in occupied Bavaria using Wehrmacht stocks in the months after the war; moreover, DPs initially received their rations from local German food offices and often demanded special issuances of food, creating a system that singled them out for “special treatment,” much to the Germans’ displeasure. Once better lines of communication and distribution were established, DPs no longer received rations from local food offices, but through the U.S. quartermaster system.³¹ By mid-1946, DPs received an average of 1,500 calories per day from American food stocks and 800 calories from German stores. In addition to these supplies, DPs supplemented their rations with care packages received through UNRRA and the American Jewish Joint Distribution Committee, a situation that created resentment and jealousy among Germans who believed foreigners were receiving excessive quantities of food while they survived on 1,200 calories a day.³²

During this chaotic period, German farmers worked to plant summer crops, but reports indicated that the upheaval of the spring and summer meant that most crops were planted late, posing a potential problem for the winter.³³ Initial American reports on the German harvest of 1945 appeared positive, with one claiming that the “harvest of field and other crops is good in

³⁰ Seipp, *Strangers in the Wild Place*, 78.

³¹ Food and Rationing Section, undated, NACP, RG 260/390/47/33/7/2.

³² Laura Hilton, “Prisoners of Peace: Rebuilding Community, Identity and Nationality in Displaced Persons Camps in Germany, 1945-1952,” (PhD diss., Ohio State University, 2001), 214.

³³ Survey of Civilian Supply in Mainfranken, 9 May 1945, NACP, RG 260/390/47/33/7/1.

the US Zone,”³⁴ but the Bavarian Statistical Office recorded a “considerable decline” in the harvest and noted that the 100,000 tons of artificial fertilizer allocated to Bavaria was never delivered.³⁵ In December 1945, General Hugh Hester announced the outcome of the 1945 harvest at a meeting with the German press and stated that the wheat harvest reached 93% of the previous six-year average, the rye harvest 82%, and the oat harvest 76%. Hester was especially dissatisfied with collection efforts by local German food offices, and he stressed that feeding Germans was the responsibility of the Germans.³⁶

Hester’s comments, however, failed to consider the breakdown of the German agricultural collection system. Besides the fact that many food officials fled before the occupiers arrived, American detachments claimed that collection efforts were hindered by the denazification policy. They asserted that this policy was “carried out without careful thought . . . and reached deeply enough into the administrative structure to touch chauffeurs, cleaning women, and all the ranks above them.”³⁷ A detachment noted that the “replacement of officials continues to be a problem; obtaining persons with the proper background or experience, unobjectionable from a Nazi or militarist point of view is exceedingly difficult.”³⁸ In Landkreis Alzenau, the Military Government detachment suggested that the denazification process resulted in the employment of individuals with “no proper experience in estimating the crops” who fixed quotas too high in 1945.³⁹

³⁴ *Monthly Report of Military Governor: Food and Agriculture Report*, no. 3, 20 October 1945, 1.

³⁵ Food and Agriculture Weekly Report, 25 September 1945, NACP, RG 260/390/47/33/7/3.

³⁶ “Verantwortung liegt bei den Bauern” *Die Neue Zeitung*, 1 November 1945, 4.

³⁷ Food and Rationing Section, undated, NACP, RG 260/390/47/33/7/2.

³⁸ Historical Report, September 1945 Detachment G-220, 18 October 1945, NACP, RG 260/390/47/19/4/193.

³⁹ Yearly Historical Report Detachment A-330, 29 June 1945 to 30 June 1946, NACP, RG 260/390/47/19/4/193.

Besides the lack of personnel, all accounts indicate that transport problems hindered the distribution of crops. In November 1945, one detachment wrote that the gasoline “allotted to this Landkreis is not sufficient to carry out vital food transportation.”⁴⁰ The detachment in Aschaffenburg, a major junction point between Frankfurt and Munich, found the railyard obliterated, the rail tracks demolished, and the rolling stock “strewn in every direction.” The same detachment reported river traffic was only navigable three months after they arrived in Aschaffenburg and that the highways, even in mid-1946, remained “in a deplorable condition in spite of the efforts of repair and maintenance.”⁴¹

Seeking to improve conditions and coordinate policy across the U.S. Zone, the American occupiers centralized the governance of their occupation zone with the formation of the Stuttgart *Länderrat* in late 1945 and directed the Germans within this bureaucracy to investigate problems and coordinate policy. In early 1946, the occupiers expanded the *Länderrat* and formed several new offices including the secretariat of Food and Agriculture under the direction of Hermann Dietrich.⁴² The decision to coordinate agricultural production and distribution across the American Zone proved disadvantageous to Bavaria with its large agricultural sector, especially as farmers, known as self-suppliers, had initially been permitted to retain much more of their harvest before the formation of the *Länderrat* and Baumgartner complained that Bavaria would now have to increase deliveries of Bavarian crops and livestock to feed Berlin, Hessen, and Wurttemberg-Baden.⁴³ The American Military Government only assuaged Bavarian fears of

⁴⁰ Monthly Historical Report Detachment I-330, November 1945, NACP, RG 260/390/47/19/4/193.

⁴¹ Historical Report Detachment A-220, 30 July 1946, NACP, RG 260/390/47/19/4/193.

⁴² “The Council of Minister Presidents,” *Military Government Weekly Information Bulletin*, no. 14 (27 October 1945): 5-8; Erich Roßmann to Hermann Dietrich, 17 April 1946, BAK, Nachlass Dietrich, N1004/470.

⁴³ Joseph Baumgartner, “Keine Katastrophe!” *Main-Echo*, March 6, 1946, 1.

starvation and lower rations by promising grain imports from the United States to make up any shortfalls.⁴⁴

While this reorganization would seek more of the Bavarian farmers' production, the formation of the BBV in December 1945 meant that the farmers had an association to speak for them and defend their interests. The formation of the BBV was spearheaded by Schlögl and other leading agricultural politicians and leaders, including Rattenhuber, Baumgartner, Horlacher, Niklas, and Anton Fehr. According to the association's founding articles, it aimed to promote agriculture in all of its professional, vocational, and economic aspects, to devote itself to the political education of farmers towards a democratic life, to stand above party politics that previously splintered the Bavarian peasants, and to uphold Christian principles, principles that stressed community over capitalism.⁴⁵ With anywhere from 140,000 to 577,000 estimated members, the BBV played an important role in food production, collection, and distribution as leaders of the BBV kept in close contact with local food offices, city councils, and mayors. In fact, according Paul Erker, the BBV took over control of harvest recording and farmer delivery schedules while directing criticism at both the Bavarian government and the Military Government.⁴⁶

⁴⁴ *Monthly Report of Military Governor: Food and Agriculture Report*, no. 5, (20 December 1945): 4.

⁴⁵ Alois Schlögl, *Bayerischer Bauernverband: Entstehung und Geschichte* (München: Bayerischer Landwirtschaftsverlag, 1947), 13-20.

⁴⁶ Erker, *Ernährungskrise und Nachkriegsgesellschaft*, 183-184; Intelligence Review Bayerischer Bauernverband, 27 November 1950, NACP, RG 260/390/48/1/3/124. In terms of members, Erker estimates 1400,000 members, but he notes that the BBV itself often claimed anywhere from 250,000 to 500,000 members. The American Intelligence report stated that the BBV collected dues from 577,000 members in 1950.

The BBV proved especially critical of the American occupiers' maximization objective in the agricultural sector.⁴⁷ Maximization included three stated goals: to increase the area planted with crops for direct human consumption; to increase the proportion of high yielding crops; and to reduce livestock numbers through selective culling.⁴⁸ To increase the area planted, Military Government planners sought to transform meadows, clear-cut forest areas, pasturelands, and former Wehrmacht lands into productive cropland and to increase grain plantings by 10%, potatoes by 18%, and sugar beets by 25%.⁴⁹ These plantings required increasing the amount and quality of seeds available to German farmers. Germany, like most other European states, collected seeds by saving seeds from part of the harvested crop and using seed stations. Yet, the largest seed producing area in Germany, Thuringia, was now in the Soviet Zone of occupation, leading the Military Government to purchase seeds from Denmark, the Netherlands, and Italy. All these nations contributed seeds, but 12,000 tons of the almost 18,000 tons of seeds imported into the American Zone came from the United States.⁵⁰

The final and most controversial part of this plan focused on increasing cereals planted for human consumption and decreasing the amount of fodder grains planted to feed livestock through a livestock reduction scheme. For the Military Government, this decision proved easier following a livestock census showing that postwar cattle numbers remained almost equal to the prewar population while pig and poultry populations had decreased by 50%,⁵¹ but Bavarian

⁴⁷ The continuation of this policy was clear in a series of five articles run in the *Military Government Weekly Information Bulletin* from 29 September 1947 to 27 October 1947 under the title "Maximization of Agriculture."

⁴⁸ *Monthly Report of Military Governor: Food and Agriculture Report*, no. 6 (20 January 1945): 1.

⁴⁹ Food and Agriculture General Meeting at Stuttgart, 15 December 1945, IfZ, FA/20/9.

⁵⁰ Trade and Commerce Branch Memorandum, 6 December 1945, IfZ, FA/2/9.

⁵¹ Arthur Settel, *A Year of Potsdam: The German Economy since the Surrender* (Office of Military Government, Economics Division, 1946), 60.

farmers strongly protested the cattle reduction program and claimed it would materially hurt small farmers and only lead to the slaughtering of low quality cattle.⁵² Moreover, at the Stuttgart *Länderrat*, Germans asserted that the program would reduce agricultural production and dairy products, but the Military Government felt the program was necessary to increase food for human consumption.⁵³

The maximization policy also neglected the poor state of German agricultural soil. The limited amount of fertilizer made available to farmers during the war meant that soil quality had deteriorated and obtaining fertilizer after the war proved one of the most challenging problems facing German agriculture. The Americans projected that the lack of fertilizer would result in a 30% to 60% decline in 1946 agricultural yields.⁵⁴ German authorities consistently reminded the occupiers of this problem, stating that the soil “is depleted of nourishing elements as shown by the smaller grain crop in 1945 . . . The lack of fertilizer is evident.”⁵⁵ While lacking natural deposits of phosphorous, Bavaria did manufacture nitrogen fertilizer at a plant in Trostberg, but the lack of coal left the plant operating at 10% capacity at the end of 1945.⁵⁶ Further efforts to increase the supply of artificial fertilizers included arranging shipments of ammonia from the French Zone, shipping phosphate from the British and Soviet Zones, importing superphosphate from Belgium, restarting potash mining in the U.S. Zone, and developing a plan to salvage

⁵² Evolution of the live-stock of horned cattle in Bavaria, 15 April 1946, NACP, RG 260/390/48/2/5/192.

⁵³ Main Committee “Food and Agriculture,” 17 September 1946, NACP, RG 260/390/48/2/5/184.

⁵⁴ *Monthly Report of Military Governor: Food and Agriculture Report*, no. 3 (20 October 1945): 4.

⁵⁵ Food and Agriculture General Meeting at Stuttgart, 15 December 1945, IfZ, FA/20/9.

⁵⁶ Production at Trostberg Nitrogen Plant, 17 December 1945, NACP, 260/390/51/14/6/690.

nitrates from captured enemy ammunition.⁵⁷ Despite these efforts, the U.S. Zone held only 16,000 metric tons of pure nitrogen, 2,000 metric tons of phosphorous trioxide, and 63,000 metric tons of potassium oxide for spring planting in 1946, amounts that respectively covered only 25%, 2%, and 44% of projected requirements.⁵⁸

At the same time agriculture faced increasing challenges to feed Germans civilians, the continuing population movements from the east into Germany created additional problems. In late 1945 and early 1946, millions of ethnic Germans were expelled from Eastern Europe to Germany, and the presence of the expellees quickly increased tensions over access to food. In Bavaria, more than 625,000 expellees arrived between January and August 1946 and, by 1950, Bavaria had taken in almost 2 million refugees that composed 21.2% of the population, a radical and jarring transformation.⁵⁹ Moreover, while DPs bore the brunt of complaints, Germans often regarded the expellees as lazy and unintelligent, an issue that was clear when Bavarian foresters denounced expellees as unqualified and lacking local knowledge. Some Germans also saw the expellees, those ethnic Germans the Third Reich used to justify expansion, as too foreign and un-German, but many Germans also saw the expellees as victims, part of the German community, and deserving of support.⁶⁰

⁵⁷ Settel, 62-66. In 1946, the American Military Government formed the corporation *Staatliche Erfassungsgesellschaft für öffentliches Gut m. b. H.* (STEG) and it recovered 8,000 to 9,000 tons of nitrogen from 500,000 tons of German munitions. See “Aus Munition wird Kunstdünger,” *Süddeutsche Zeitung*, June 28, 1946, 4. For STEG, see Douglas Bell, “STEG and the occupation of Germany: Demilitarization as reconstruction 1945-1953” *War in History* Vol. 25 no. 1 (January 2018): 103-125; Kurt Magnus, *One Million Tons of War Material for Peace: The History of STEG* (Munich: Richard Pflaum Verlag, 1954); Seipp, *Strangers in the Wild Place*, 113–115.

⁵⁸ Settel, 62-66.

⁵⁹ Margarete Feinstein, “All Under One Roof: Persecutees, DPs, Expellees, and the Housing Shortage in Occupied Germany,” *Holocaust and Genocide Studies* 32, no. 1 (Spring 2018): 39.

⁶⁰ For the interactions between Germans, Americans, DPs, and expellees see Feinstein, “All Under One Roof” and Seipp, *Strangers in the Wild Place*.

Nonetheless, the influx of expellees into Bavaria and the American Zone meant that German agriculture, already facing shortages, now needed to feed Germans and expellees, as expellees did not receive preferential rations from the occupiers. The expellees, like the Germans, received monthly ration cards for the “normal consumer” that ranged from 1,000 to 1,500 calories per day during the first two years of the occupation, but it was possible to supplement the normal ration by working in certain industries like forestry and mining. A strong conviction existed among all Germans that the other zones had it better, and many Germans also held a widespread belief that “good” Germans who followed the rules starved while “bad” Germans who committed crime and participated in the black market had it good.⁶¹ Seeing expellees as foreign, lazy, and drawing from limited resources, many Germans grew resentful in the zero sum game over food.

The competition over limited calories only increased in 1946 as both Americans and Germans consistently reported bad weather and poor harvests. In early 1946, Bavarian farmers noted declining plantings of winter grains, and Baumgartner reported that food deliveries to non-Bavarian areas undermined rations in Bavaria. With the poor harvest, he stressed the need for food imports from April until the fall harvest,⁶² but the imported grain promised by Clay and the American government in 1945 was diverted to other famine stricken areas of the globe in April.⁶³ As the spring planting season started, American occupiers initially appeared hopeful that there would be a good fall harvest, reporting that crops “look good and a normal grain harvest is

⁶¹ Weinreb, 97-98.

⁶² “Ernährungsweltkrise und bayerische Landwirtschaft,” *Süddeutsche Zeitung*, March 5, 1946, 1.

⁶³ *Monthly Report of Military Governor: Food and Agriculture Report*, no. 9 (20 April 1946): 2. The U.S. government mismanaged its postwar grain crop and, although using its surplus to aid a global famine, priority went to wartime allies. See Allen J. Matusow, *Farm Policies and Politics in the Truman Years* (Cambridge, MA: Harvard University Press, 1967), 16-21.

anticipated,”⁶⁴ but a month later the same detachment noted that freezing weather was undermining grain and fruit crops for the year and that potatoes faced heavy damage from wild boar.⁶⁵ The weather, in fact, proved calamitous throughout 1946. According to a series of reports in the *Mittelbayerische Zeitung*, heavy hailstorms, strong winds, and microbursts in central Bavaria, especially near Freising and Landshut, destroyed the entire grain and fruit crops in twenty-four communities, and a later article indicated that the area around Fürstenfeldbruck lost a portion of its beet and animal fodder crops along with 70% of grain crops.⁶⁶ According to Baumgartner, this damage not only undermined the harvest and the food situation heading into the winter of 1946/47, but it also made estimating the harvest and the amount of food available for distribution exceedingly difficult.⁶⁷

When it eventually came time for food offices to collect the 1946 harvest, a process involving more than 340 inspectors checking over 650,000 farms,⁶⁸ farmers proved extremely reluctant to part with their crops because of the already low rations and the legal tender, the Reichsmark, was considered valueless.⁶⁹ The Military Government certainly recognized the currency problem, remarking that the “continued existence of an inherently unstable medium of exchange may seriously damage farm-to-market deliveries.”⁷⁰ With currency holding little value

⁶⁴ Monthly Historical Report April 1946 Detachment I-330, NACP, RG 260/390/47/19/4/193.

⁶⁵ Monthly Historical Report May 1946 Detachment I-330, NACP, RG 260/390/47/19/4/193.

⁶⁶ “Schweres Hagelwetter,” *Mittelbayerische Zeitung*, July 26, 1946, 3; “Unwetter über Oberbayern,” *Mittelbayerische Zeitung*, July 30, 1946, 3; “Unwetterschäden,” *Mittelbayerische Zeitung*, August 2, 1946, 5.

⁶⁷ Der Neueste Stand der Ernährungswirtschaft, Agrarpolitik und Forstwirtschaft, 10 October 1946, IfZ, Nachlass Baumgartner ED 132/5.

⁶⁸ “MG Moves to Prevent Bavaria Food Hoarding,” *Military Government Weekly Information Bulletin*, no. 43 (27 May 1946): 13.

⁶⁹ Seipp, *Strangers in the Wild Place*, 56-57.

⁷⁰ *Monthly Report of Military Governor: Food and Agriculture Report*, no. 7 (20 February 1946): 1.

and the threat of starvation apparent, farmers' reluctance to participate in the controlled economy was evident in detachment reports. One unit searched 17 farms and found 16 with excess food and they were all referred to local offices for fines.⁷¹ Another detachment reported in the autumn that the local offices did not divide the grain quota among farmers because it was too high and was "likely to impair the authority of the State if the original quota is issued."⁷² The same detachment later reported that the "procurement of agricultural products at the farmers [sic] has been carried through with great zeal and the farms have been constantly checked by special commissions and sudden raids," but it also admitted that these searches were not especially productive as "only 659 hundredweight of potatoes and 357 hundredweight of grain could be obtained."⁷³ These constant inspections and raids carried out under the orders of the occupiers appeared so similar to the practices of the Nazi regime that the American detachment in Bad Kissingen reported a couplet popular in the area expressing this sentiment: "Ach Herr, gib uns ein fünftes Reich / das vierte ist dem dritten gleich" which the American report translated less poetically as "O Lord, give us a fifth Empire / The fourth is like the third."⁷⁴

By late 1946, American policies to maximize German agriculture and to maintain a ration level near 1,500 calories for Germans and expellees were undermined by shortages, bad weather, and farmers' reluctance to participate in the rationing system. The American Zone, however, was not alone, and the other occupation zones faced significant food challenges as well. The French Zone, while containing one of the largest fertilizer plants in Europe, sent the majority of the

⁷¹ Monthly Historical Report May 1946 Detachment I-330, NACP, RG 260/390/47/19/4/193.

⁷² Monthly Historical Report September 1946 Detachment A-330, NACP, RG 260/390/47/19/4/193.

⁷³ Yearly Historical Report covering 29 June 1945 to 30 June 1946 Detachment A-330, NACP, RG 260/390/47/19/4/193.

⁷⁴ Annual Historical Report Detachment H-250, NACP, RG 260/390/47/19/4/193.

fertilizer to France, hindering agricultural production in Germany and leaving the normal German consumer hovering around 906-calories per day.⁷⁵ In the British Zone, occupiers faced many of the same challenges as the Americans and imported grain from Britain to meet a basic level of 1,000 calories a day.⁷⁶ In fact, British Military Governor Sholto Douglas recommended halting all coal exports from the Ruhr and using the coal to make tools, equipment, and fertilizer to improve agriculture in the British Zone.⁷⁷ The American government strongly opposed Douglas' proposal, but it did recognize the deteriorating situation and worried that it was creating fertile ground for the spread of communism.⁷⁸ With the western zones starving and hungry, U.S. Secretary of State James F. Byrnes offered to economically unite the American Zone with any of the other occupying powers in the autumn of 1946, and the British government quickly accepted.

This agreement and subsequent talks led to the formation of the Bizone and shifted oversight of agricultural production and rationing from the Stuttgart *Länderrat* to the Bizonal Office for Food, Agriculture and Forestry (*Verwaltung für Ernährung, Landwirtschaft und Forsten*, VELF) in September 1946. VELF's organization, however, occurred too late in 1946 for it to influence agricultural production of 1946, and its meetings indicate that the 1946 harvest would not meet estimates and that transporting crops remained difficult. Bavaria's VELF representative Josef Müller, Chairman of the CSU, lamented that the 1946 potato harvest would

⁷⁵ *Field Report on the French Zone in Germany*, (Foundation for Foreign Affairs: Washington, DC, 1946), 8.

⁷⁶ "Food, Food, Food," *British Zone Review*, March 16, 1946, 1.

⁷⁷ Farquharson, *The Western Allies and the Politics of Food*, 121. See also Douglas' address to the British Zonal Advisory Board in "C-in-C Meets Zonal Advisory Council," *British Zone Review*, June 8, 1946, 1-2.

⁷⁸ "United States Delegation Record, Council of Foreign Ministers, Second Session, Fortieth Meeting, Palais du Luxembourg, Paris," 11 July 1946, *Foreign Relations of the United States, 1946, Council of Foreign Ministers, Vol. II*, eds., William Slany and S. Everett Gleason (Washington, DC: Government Printing Office, 1970) 896. Document 266.

be 20% lower than 1945, but he was more concerned with the poor transport situation hindering the distribution of sugar beets, potatoes, and grains.⁷⁹ In fact, according to a Military Government report, transportation within the American Zone completely broke down during September and October 1946, meeting only 10% of railcar requirements for crops during these months.⁸⁰

In response to this crisis, the American Military Government took extraordinary steps to transport large amounts of grain, potatoes, and cattle before winter. Under the title “Operation Spud,” the U.S. Army made more than 3,000 trucks available to collect crops from delivery points.⁸¹ For the Military Government, the need to quickly collect and distribute crops before winter was crucial, and American and British occupiers developed “an extensive publicity campaign” to encourage the farmers to deliver crops.⁸² Baumgartner asked farmers to open their cellars and provide potatoes for the large cities and populations outside of Bavaria,⁸³ and the Bishop of Regensburg encouraged farmers to help feed the hungry.⁸⁴ However, in some places, this operation proved controversial. In Ebersberg, farmers who resented the seizure and distribution of their crops to feed cities and other parts of Germany attacked U.S. Army trucks.⁸⁵ When Operation Spud concluded in mid-December, the Americans considered it a minor success as the trucks moved more food and firewood in the first 10 days of December than the entire

⁷⁹ Sitzung für Ernährung und Landwirtschaft, 3 October 1946, BAK, Nachlass Dietrich N1004/485.

⁸⁰ Food and Rationing Section Report, undated, NACP, RG 260/390/47/33/7/2.

⁸¹ Harris Peel, “Army Bolsters German Crop Harvest Force,” *Stars and Stripes*, November 1, 1946, 12.

⁸² Control Commission for Germany Monthly Report, 31 October 1946, TNA, FO 1039/933.

⁸³ Joseph Baumgartner, “Bauern - sorgt für Kartoffeln!” *Main-Echo*, November 13, 1946, 6.

⁸⁴ “Oberhirtlicher Aufruf an den Bauernstand,” *Landwirtschaftliches Wochenblatt*, December 14, 1946, 481.

⁸⁵ “Peasants Fight Spud Truckers,” *Stars and Stripes*, November 22, 1946, 4.

month of November,⁸⁶ but a later report noted that the valiant effort still left many cities short of winter foodstuffs.⁸⁷

Shortly after the operation, Bavarian farmers gathered in Munich and received praise for their efforts to provide foodstuffs to the cities and the British Zone. Quarles, the American Chief of the Food and Agriculture Branch in Bavaria, thanked the farmers for their efforts to avert fears of hunger and famine and remarked that only through their sacrifice could the potato-cellar program be completed.⁸⁸ Baumgartner also recognized the farmers' heroic efforts to meet the needs of Germans beyond Bavaria. He announced that Bavarian farmers had delivered 960,000 tons of potatoes compared to 750,000 tons in 1945, even though the 1946 potato harvest was 20% less than 1945. According to his statistics, Bavaria distributed 76,000 tons to Wurttemberg-Baden, 36,000 tons to Hessen, 8,300 tons to Berlin, and 920,000 tons to the Ruhr.⁸⁹

As the outcome of the 1946 harvest demonstrates, the agricultural situation in the American Zone declined significantly in 1946. Although American occupation policies sought to maximize agricultural production, the inputs needed to achieve this remained scarce as fertilizer production was hindered by demilitarization and the lack of coal reduced industrial activity, meaning fewer tools, machines, and tractors. The lack of inputs and decreased agricultural production proved especially troublesome because the declining harvest was needed to feed not only German civilians, but also millions of expellees and refugees. Moreover, with declining harvests and the valueless Reichsmark, farmers proved reluctant to turn over their crops and grew increasingly frustrated with invasive policies and efforts to seize their goods. Facing this

⁸⁶ "'Operation Spud' Breaks Month's Record in 10 Days," *Stars and Stripes*, December 16, 1946, 4.

⁸⁷ Food and Rationing Section Report, undated, NACP, RG 260/390/47/33/7/2.

⁸⁸ "Dank an die Bauern," *Main-Echo*, December 14, 1946, 1.

⁸⁹ "Die Leistungen der Landwirtschaft," *Süddeutsche Zeitung*, December 14, 1946, 2.

declining situation, both the American and British occupiers agreed to unite their occupation zones, believing that the division of labor between the industrial north and rural south would improve the movement of goods and economic activity, but rather than improve the situation, the fusion only increased friction and created new power centers within occupied Germany.

Crop Collection and Sovereignty

Days before Quarles spoke to the farmers in Munich, the *Länder* in the American Zone held a referendum to approve new state constitutions and an election to select the first postwar *Land* governments. In Bavaria, the leading party was the CSU, a new political party founded in 1945 that worked to unite Catholic and Protestant voters in Bavaria, but the CSU, as its name indicates, sought to maintain its political independence from CDU. This reflected the inherited traditions of the Bavarian People's Party from the Weimar era and the CSU's strong federalist position that drew political support from rural conservatives. During the late 1940s, the party faced internal divisions between Protestant liberals and Catholic conservatives like Baumgartner and Schlögl, a division that would play out during the occupation.⁹⁰ While internal disputes existed, the party achieved electoral success in 1946 and won an absolute majority in the election with 52.3% of the vote but it still formed a coalition government with the SPD and the federalist Economic Reconstruction Union Party (*Wirtschaftliche Aufbau-Vereinigung*, WAV). This electoral victory ensured Baumgartner's continued leadership of the agricultural ministry and installed Hans Ehard as the new Minister-President.

The election and formation of a Bavarian government in the American Zone created a legitimate democratic authority with its own interests, objectives, and responsibilities. In seeking to govern and feed the people of Bavaria, the Bavarian government grew hostile towards outside

⁹⁰ Schlemmer, *Aufbruch, Krise, und Erneuerung*, 119-218.

claims on Bavarian agricultural and increasingly asserted its own authority. This emerging issue was evident in a CSU-Dienstag Club meeting in March 1947 when Baumgartner, while addressing food and agriculture problems, blamed the situation on numerous and competing sources of power in occupied Germany: “One big bottleneck in my activities are [sic] the individual authorities. I have about seven or eight superiors. I am responsible to the Bavarian government, the Landtag, the Laenderrat, the Bi-zonal Committee, the Military Government, to OMGUS, to the Control Council, and God knows whom else.”⁹¹ With seemingly less food and more administrations claiming portions of Bavarian agriculture, Baumgartner and the Bavarian government demanded that Bavarian agriculture feed Bavarians before distributing surplus stocks to the Bizone, assertions that engendered a conflict over sovereignty in occupied Germany and the shape of the future West German state.

This conflict started during the harsh winter of 1946/47 when rumors reached American Military Governor Clay that the southern *Länder* had informed farmers not to distribute crops beyond their borders and were treating *Länder* as self-governing entities rather than a part of the Bizonal area. Summoning the Minister-Presidents to Berlin, Clay lectured them for three hours and notified them of their obligations to the Bizone.⁹² The very next day Baumgartner addressed Bavarians over the radio and acknowledged that Bavaria now had to distribute food to the British Zone and that all Germans “must jointly bear their distress and that no German Land should be fed differently.”⁹³ Quarles, however, did not find Baumgartner’s remarks sincere and, in a meeting with the press, he asserted that Baumgartner failed to take any personal

⁹¹ Meeting of the Dienstag-Club, 4 March 1947, NACP, RG 260/390/4/33/07/3.

⁹² Delbert Clark, “Bavarian Refusal of Food Stirs Clay,” *New York Times*, February 24, 1947, 7.

⁹³ Radio Broadcast of the Minister of Agriculture Dr. Baumgartner, 23 February 1947, NACP, RG 260/390/47/34/1/12.

responsibility for the current food situation and that much of the looming food crisis was the fault of Bavarian farmers who hindered distribution, worked slowly, and only partially fulfilled delivery obligations.⁹⁴

Insulted by Quarles' public lashing, Baumgartner offered his resignation to Minister-President Ehard the next day, but Ehard, rather than accepting it, sought to use it for political advantage. Writing General Muller, Ehard claimed that if he accepted Baumgartner's resignation, it would deteriorate relations with farmers and weaken his government, seeming to imply the possibility of new elections and a new government. The only way to prevent Baumgartner's resignation and the potential collapse of his government, he asserted, was through two actions. First, he requested an increase in Bavarian bread rations and a public statement blaming low rations on transport delays, a statement that would directly contradict the fact that bread rations were low because the Military Government was withholding grain shipments until Bavarian farmers met their agricultural and meat quotas. Secondly, Ehard asked that the Military Government release some barley for brewing beer because farmers and workers had replaced beer with milk. If the farmers had beer, he argued, then there would be more milk for consumers.⁹⁵

The beer question in the American Zone was a contentious issue, especially during the food crisis, and the beer ban (*Brauverbote*) was often lifted, altered, and reinstated. Initially, the Military Government had allocated 39,000 tons of barley to brew weak beer (*Dünnbier*) for German civilians, but banned all brewing for German consumption in March 1946, even though they still permitted beer for American soldiers. To contest the brewing ban, Bavarian agricultural

⁹⁴ "Schlechte Ablieferung der Bauern," *Süddeutsche Zeitung*, February 25, 1947, 1.

⁹⁵ Ehard to Muller, 25 February 1947, BayHStAM, StK 11680.

politicians and farmers consistently argued that the brewing ban deprived Germans of nutritional needs and forced them to drink more milk. Yet, in drinking milk instead of beer, farmers deprived the German population of milk and dairy products. According to Bavarians, if the Military Government ended the *Brauverbot*, more milk would be available for German civilians. While Bavarian politicians appeared to make a sound argument, the occupiers recognized this as a challenge to their authority and refused to lift the brewing ban.⁹⁶

Regarding Baumgartner's resignation, Quarles recognized Ehard's attempt to use the situation to reverse Military Government policy, but he also found some of Ehard's and Baumgartner's complaints valid. He noted that farmers directed to slaughter their cattle remained "understandably unwilling to sacrifice capital goods for paper money with which he can buy neither consumer nor capital goods." Further musing on the situation of agriculture in the occupation, Quarles compared the treatment of agriculture to coal, writing that in the agricultural sector, the occupiers used "threats, blandishments and oratory gestures" whereas in coal mining they used "radios, schnaps [sic], clothing, food, and every other possible incentive . . . This sharp differential psychology is worthy of some thought." Quarles then advised General Muller that Baumgartner was better as part of the government than outside of it, claiming that "if he is permitted to resign he can fight the policies which he opposed much more effectively outside than within the governmental structure."⁹⁷

Wanting to keep Baumgartner in the government, General Muller and the Military Government permitted grain shipments once more into Bavaria, even though farmers had not

⁹⁶ See documents in Folder "Commodities Beer" in NACP, RG 260/390/51/14/6/690. For Bavarian debates about beer, see *Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 10, Band I*, 21 March 1947, 241-250. For a detailed discussion of beer, see Robert S. Terrell, "The People's Drink: Beer, Bavaria, and the Remaking of Germany, 1933-1988" (PhD diss., University of California, San Diego, 2018).

⁹⁷ The reasons for which Minister Baumgartner gives for submitting his resignation, 25 February 1947, NACP, RG 260/390/51/14/6/698.

increased their deliveries, and several German newspaper articles soon blamed the grain shortage on transportation difficulties.⁹⁸ The *Brauverbot*, however, remained in place for German civilians and, as the food situation continued to deteriorate throughout 1946, a complete ban on all brewing, even for the occupiers, was enacted in May 1947.⁹⁹ Having used Baumgartner's attempted resignation to reduce pressure on farmers and extract grain from the occupiers, Ehard informed Baumgartner that he and the Bavarian Cabinet would not accept his resignation and looked forward to his continued work as minister.¹⁰⁰

Bavaria's intransigence and reluctance to participate in the Bizonal project irritated Germans in the British Zone and intensified the conflict between Bavaria and the Bizone. In late March, the British Military Government and the Agricultural Minister of North Rhine-Westphalia Heinrich Lübke (CDU) blamed Bavaria for the low rations in the British Zone and the overall lack of food throughout the Bizone. In the press, Baumgartner rejected these claims and blamed the collection and distribution process in the British Zone, writing that "it really demands courage to point the finger to Bavaria" which has "supplied the lands of the US Zone and Berlin, and since the unification of the zones also the British Zone." The British Zone, according to Baumgartner, held "fantastic imaginations about the land of plenty, Bavaria."¹⁰¹ In fact, the Bavarian Landtag devoted an entire session to defending Bavaria from these accusations, stressing widespread problems like poor transport and fertilizer shortages, and they

⁹⁸ "Der Hunger – ein Transportproblem," *Süddeutsche Zeitung*, March 18, 1947, 1; "Die Amerikaner helfen!" *Mittelbayerische Zeitung*, March 18, 1947, 1.

⁹⁹ Muller to Clay, 12 December 1947, NACP, RG 260/390/47/34/1/9.

¹⁰⁰ Ehard to Baumgartner, 7 March 1947, BayStAM, StK 11680.

¹⁰¹ Joseph Baumgartner, "Wer ist Schuld?" *Süddeutsche Zeitung*, April 1, 1947, 1.

asserted that food shortages could be overcome if the industrial British Zone would finally start sending finished goods to Bavaria.¹⁰²

To demonstrate that Bavaria took food collection seriously, Baumgartner detailed 150 food inspectors to focus strictly on potato collections and ordered them to inspect farms outside of their normal districts to prevent favoritism and to ensure fines were being issued.¹⁰³

Nevertheless, the number of inspectors remained low and those who went into the field only performed superficial checks, indicating a reluctance to police farmers and to ensure proper collection, perhaps in exchange for food or fearing communal retaliation.¹⁰⁴ Additionally, the Potato Industry Association of Bavaria (*Kartoffelwirtschaftsverband Bayern*) informed its steering committee that the Military Government had ordered that 50% of all potatoes collected go to “non-Bavarian territories,” information that might also have contributed to the inspectors’ neglect to thoroughly check the fields.¹⁰⁵ The inspectors’ inability to improve deliveries ultimately led Baumgartner to order them out again and to travel “farm to farm” to collect potatoes. He justified these invasive searches by arguing that investigations always show “there are potatoes that can yet be seized for delivery” and he forcefully declared that “every single farm without regard to the fulfilment of their delivery command must be visited again”

(underlined in the original).¹⁰⁶ Nevertheless, Baumgartner privately complained to General Muller and pointed out that that Bavaria had already supplied 1,370,561 tons of potatoes, more

¹⁰² Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 12, Band I, 24 April 1947, 318-328.

¹⁰³ Strict Collection of Potatoes for Human Consumption, 21 May 1947, NACP, RG 260/390/47/34/1/9. For the problem of inspectors see, Agricultural Reports, 11 February 1947, NACP, RG 260/390/47/34/1/8.

¹⁰⁴ Agricultural Reports, 18 March 1947, NACP, RG 260/390/47/34/1/8.

¹⁰⁵ Steering of the Distribution of Potatoes, 21 May 1947, NACP, RG 260/390/47/34/1/9.

¹⁰⁶ Immediate Complete Seizure of all Potato Stores, 29 May 1947, NACP, RG 260/390/47/34/1/9.

than the initial quota of 1,326,000 and complained that orders like his were not being given in the British Zone or other parts of the American Zone.

Military Government detachment reports confirmed the extra efforts of the inspectors, noting that individuals “have been appointed by the local food office to visit each farm in every community of the Kreis for the purpose of checking stocks.”¹⁰⁷ Nonetheless, many detachment reports indicate that Bavarian farmers remained defiant in the face of inspectors. One unit pointed out a deliberate “attitude of non-cooperation” among German officials in the area and the unpopularity of the food collection program.¹⁰⁸ Another report described Bavarian farmers as “very conservative, narrow-minded and selfish” and claimed that most farmers “are not inclined to comply with the planting requirements and orders to reduce the amount of fodder crop grown. Most farmers place their own desires and the needs of their cattle above the welfare of the nation . . . a rigid system of controls will be necessary before farmers will produce or deliver maximum quotas.”¹⁰⁹

In fact, the farmers considered these growing invasive inspections reminiscent of the Third Reich and the activities of a police state. Writing in the Bavarian farmers’ newspaper, the *Landwirtschaftliches Wochenblatt*, Schlögl, the BBV’s General Secretary from 1945 to early 1948, asserted that while trying to form a democracy in Germany, a police state was slipping in through the back door. For years, he argued, farmers have been subjected to the forced economy and that they now faced imprisonment for failing to deliver Bizonal quotas when they lacked the necessary resources to improve the harvest. The Bavarian government, he claimed, stood by

¹⁰⁷ Cumulative Annual History Detachment A-250, 1 July 1946 – 30 June 1947, NACP, RG 260/390/47/19/4/193.

¹⁰⁸ Annual Historical Report, Covering the Period 1 July 1947 until 30 June 1948, NACP, RG 260/390/47/19/4/193.

¹⁰⁹ Quarterly Historical Report Detachment A-220, 18 October 1947, NACP, RG 260/390/47/19/4/193.

watching the farmers with folded arms, giving encouragement, but never helped the farmers improve production. If the government continued using the methods of a police state, Schlögl predicted a dire future for democracy. He specifically emphasized the ongoing farm inspections as completely inappropriate and advocated a more democratic approach, specifically “personal responsibility and self-government” among the farmers and the creation of a community organization to oversee production and collection. Only the implementation of democratic collection practices, concluded Schlögl, could prevent Bavaria from becoming a police state.¹¹⁰

Schlögl’s arguments essentially attacked VELF and characterized the administration as no different from the Nazi government that also used forced collections to obtain foodstuffs from farmers. Using the same tactics to collect food, asserted Schlögl, would not result in a democracy, but in a new dictatorship. While blaming this situation on VELF, he also criticized the Bavarian government for allowing inspectors and food officials to violate farmers’ private property and fine and imprison them for non-compliance. In advocating a more democratic collection process, he rejected the centralism of the Bizone and demanded that farmers have more autonomy in managing and distributing their harvests, but this position ignored the larger issues plaguing the Bizone and would only prove beneficial to farmers.

Besides farmers’ obstinacy, another justification made by the Bavarian government for the dwindling supply of crops was the adverse weather, specifically the drought that followed the long winter of 1946/47. The impact of the drought was communicated in the reports sent by the Ministry of Food, Agriculture and Forestry to the Military Government in Bavaria. Snow did not start melting until late March 1946 and had reduced winter rye anywhere from 25%-50%.¹¹¹ As

¹¹⁰ “Weg vom Polizeistaat – bin zur Demokratie!” *Landwirtschaftliches Wochenblatt*, June 28, 1947, 201.

¹¹¹ Agricultural Reports, 25 March 1947, NACP, RG 260/390/47/34/1/8.

tilling for summer crops started in April 1947, hard rains delayed planting, but by the end of the month, the ministry indicated that the weather was much drier than normal.¹¹² A week later, the continued dry weather left grain undernourished. Dry spells were briefly interspersed with hard rains, hailstorms, and even snow, all leading to an estimated 40-50% reduction in the potato crop.¹¹³ The ministry's June report offered a more nuanced assessment. It identified Franconia as the region most affected by the drought while in southern Bavaria crop production varied and depended on precipitation and fertilizer allotments.¹¹⁴ Rains remained scarce and infrequent throughout June, and the Bavarian government noted that "drought islands" existed everywhere.¹¹⁵ In July, scattered rains remained unable "to bring about a decisive improvement,"¹¹⁶ and as the drought extended into August, crops continued drying in the fields leading to a "depressed mood" among the farmers after two years of bad harvests.¹¹⁷ By September 1947, the ministry was already predicting that the drought's lingering effects would affect the next agricultural year because few seeds were collected and tilling for winter grains was "severely handicapped by the continuous dry weather."¹¹⁸

¹¹² Agricultural Reports, 29 April 1947, NACP, RG 260/390/47/34/1/8.

¹¹³ Agricultural Reports, 6 May 1947, NACP, RG 260/390/47/34/1/8.

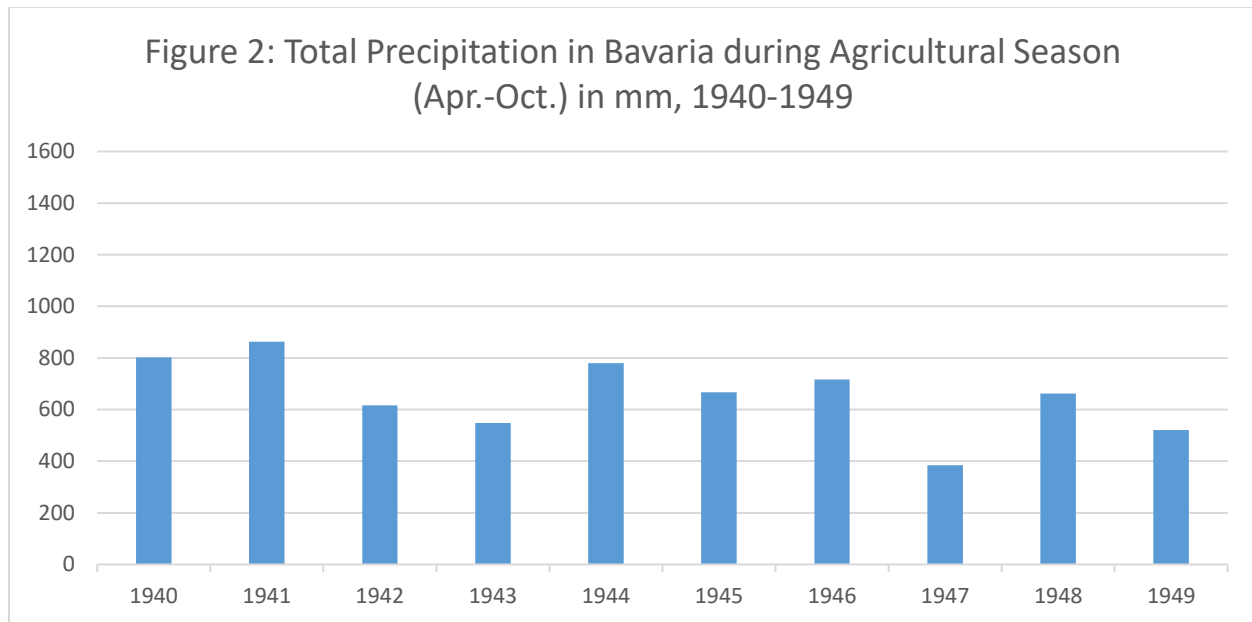
¹¹⁴ Agricultural Reports, 10 June 1947, NACP, RG 260/390/47/34/1/8.

¹¹⁵ Agricultural Reports, 17 June 1947, NACP, RG 260/390/47/34/1/8.

¹¹⁶ Agricultural Reports, 8 July 1947, NACP, RG 260/390/47/34/1/8.

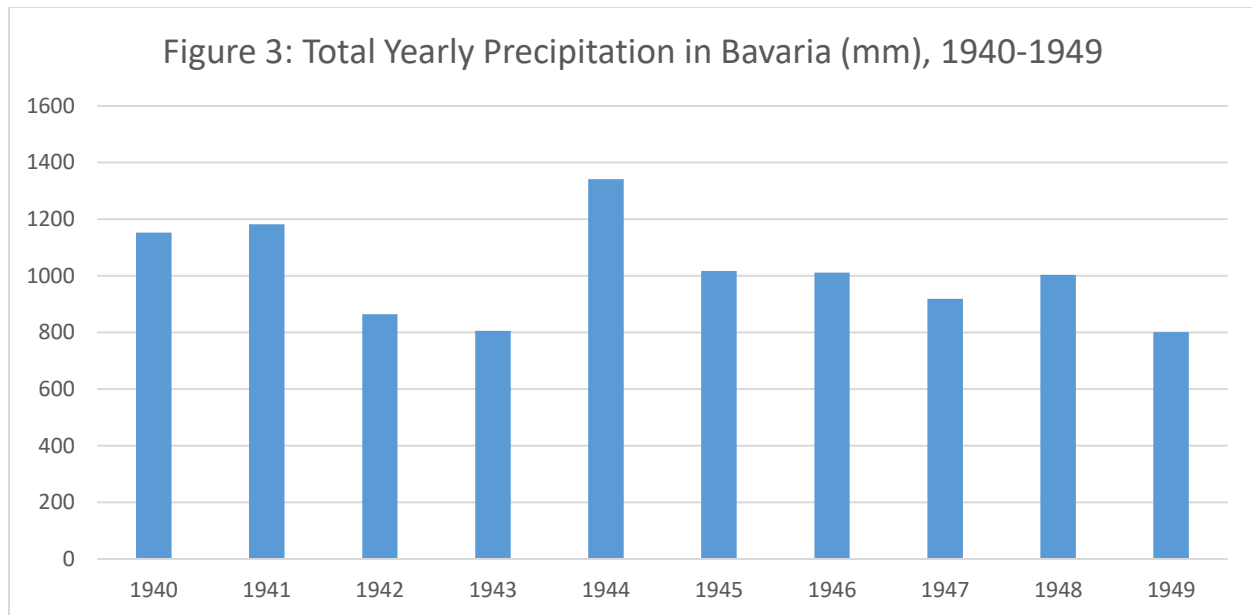
¹¹⁷ Agricultural Reports, 26 August 1947, NACP, RG 260/390/47/34/1/8.

¹¹⁸ Agricultural Reports, 16 September 1947, NACP, RG 260/390/47/34/1/8.



The drought-like conditions described in the reports appear in the historical weather data. Aggregated from Ansbach, Bad Tölz, Bamberg, Kempton, and Regen, the data in Figure 2 shows that the amount of precipitation during the agricultural season declined significantly in 1947.¹¹⁹ When looking at the total amount of precipitation for the entire year in Figure 3, the picture appears more favorable, showing that 1947 was not even the driest year of the 1940s. Nevertheless, the lack of rain during the crucial planting and growing months during a period of scarcity probably produced malnourished and underdeveloped crops across Germany. This likely reduced Bavaria's agricultural production anywhere from 5% to 50%, depending on the location.

¹¹⁹ As with the historical weather data, these locations in Bavaria were chosen for regional variations and completeness of data. Data from the Deutsche Wetterdienst (<https://www.dwd.de/>).



The drought of 1947 and its impact on the potato harvest, according to Franz Ragel of the BBV, was a central concern and one that he believed no future historian could ignore.¹²⁰ The drought, he claimed, had significantly reduced the Bavarian potato harvest, limiting the amount of potatoes available for distribution beyond the borders of Bavaria, but Ragel’s claim that the drought’s effect on the potato harvest was strongly contested by the Bizonal authorities and the American Military Government, both of whom demanded that Bavaria meet its delivery obligations. The Bavarian government, however, refused to accept the American estimates and denounced any outside effort to check and collect the Bavarian potato harvest, clearly asserting its own authority and challenging the sovereignty of the American Military Government.

The debate over the Bavarian potato harvest soon developed into a significant debate over power, authority, and sovereignty in occupied Germany. The so-called “Potato War” might

¹²⁰ Franz Ragel, “Die Kartoffel-Krise,” *Landwirtschaftliches Wochenblatt*, November 8, 1947, 325.

have centered on the Bavarian potato harvest, but it was also a debate about whether a *Land* had the authority to rebuff and reject directives and orders emanating from the Bizonal Administration and whether the American Military Government supported the democratically elected *Land* governments or the unelected officials in Frankfurt. This situation meant that the contest over potatoes was a debate about sovereignty and the shape of a future west German state.

The *Kartoffelkrieg*

In August 1947, Baumgartner notified the American Military Government that the field surveys sent to his office indicated that the potato harvest in many locations was less than 50% of the expected harvest. Based on these estimates, he predicted that few potatoes would be available for winter storage. Additionally, he lodged a complaint against the British Zone as only half of the 15,000 tons of spring potatoes directed from Lower Saxony to Bavaria had arrived. He felt this to be unfair as Bavaria had met the Military Government's request in the spring to ship additional potatoes to the British Zone.¹²¹ Baumgartner also notified Ehard of the detrimental food situation developing in Bavaria, specifically the decline of 200,000 tons of bread grains and the 50% decline in the potato crop.¹²² By September, Baumgartner warned of a famine and wrote in a note to Ehard that a "drought which has not occurred in years, has influenced the supply of the Bavarian population with food to an alarming degree . . . Bavaria has notoriously been affected by the drought by far most seriously" [sic].¹²³

¹²¹ Supply of eating Potatoes in Bavaria, 22 August 1947, NACP, RG 260/390/47/34/1/9.

¹²² The Bavarian Government and the increasing seriousness of the food situation, 25 August 1947, NACP, RG 260/390/47/34/1/11.

¹²³ Bavarian Food Situation, 11 September 1947, NACP, RG 260/390/47/34/1/11.

The desperate food situation described by Baumgartner remained unconvincing to the American occupiers. Quarles confirmed the effect of the dry weather and acknowledged that it delayed preparations for the 1948 planting season, but he argued that the agricultural surveys conducted by the Military Government indicated that the harvest would be “considerably better” than Bavarian estimates.¹²⁴ These results came from more than 1,410 test sites to assess the impact of the drought. Digging two to ten test sites on each farm, American Military Government officers along with an accompanying Bavarian official weighed and recorded the potatoes. Based on these tests, the Military Government estimated 11,000 kilograms per hectare compared to the Bavarian estimate of 7,940 kilograms and concluded that as long as Bavaria fulfilled the plan, all ration levels would be met; however, the report also stated that if Bavaria failed to meet shipment obligations, it would face a decrease in imported food in proportion to the non-delivered crops.¹²⁵

This potential reprisal was made clear at a meeting of the *Land* agricultural ministers in Frankfurt where Assistant Deputy Military Governor General C.L. Adcock discussed the global food shortage that even had President Harry S. Truman participating in “meatless Mondays.” With the president and the American people rationing to help others, Adcock demanded to know when the Germans would prove “to the world that they are trying to help themselves.” As an example of the Germans’ failure, he addressed the question emerging over the fight for potatoes. Adcock clarified the power of the Bizonal Administration not only to maximize food production, but also to equalize the amount of food across the Bizone. Regarding the potato crop specifically, he fully supported the surveys taken by the Military Government and declared that he was

¹²⁴ Monthly Report of Food and Agricultural Branch, 28 August 1947, NACP, RG 260/390/4/33/07/1.

¹²⁵ Potato Collection Program, undated, NACP, RG 260/390/47/34/1/9.

“unwilling to listen to statements of German [sic] to the effect that these quantities of potatoes are not here . . . Any failure to meet the delivery quotas will reflect your failures to organize your land, Kreis, and Gemeinde administrations to do this job.” If the ministers failed to meet the productions quotas issued by the Bizone, Adcock informed them that their *Land* would be penalized and sanctioned. Adcock noted that Germans have begged for food for the last three years and that this “proud nation of people” failed to take the heroic efforts needed to overcome the food shortages. Unless they started taking responsibility, he warned, Germans would not be able to restore the world’s confidence in them.¹²⁶

In Frankfurt, following the reorganization and strengthening of the Bizonal Administration in June 1947, Hans Schlange-Schöningen (CDU), a former Prussian landowner who was involved in the German land reform effort after the First World War, took over VELF from Dietrich and was working to implement the Bizonal agricultural plan.¹²⁷ With his promotion to the head of VELF, Schlange-Schöningen and his deputy Hans Carl Podeyn, a former teacher involved in coal rationing during the war and member of the SPD, relied on the American estimates of the Bavarian potato crop when calculating the distribution of crops across the Bizone in late 1947, but Bavaria denounced these estimates, especially coming from the former Prussian landowner and SPD member whose directives soon became synonymous with centralization and bureaucratization in Bavaria. This position was clear in early October when

¹²⁶ Remarks by CL Adcock before Land Ministers of Food and Agriculture, 13 October 1947, NACP, RG 260/390/47/34/5/39.

¹²⁷ Günter J. Trittel, “Hans Schlange-Schöningen Ein Vergessener Politiker Der ‚Ersten Stunde‘,” *Vierteljahrshefte für Zeitgeschichte* 35, no. 1 (January 1987): 25-64. Schlange-Schöningen was long involved in agricultural politics. During the Weimar Republic, he had been a member of the right wing German National People’s Party (DNVP) and worked on the land reform program known as the *Osthilfe*. When the Nazi regime came to power, Schlange-Schöningen retreated from political life and remained on his estate in Pomerania until fleeing east as the Red Army advanced. After the war, he became a member of the CDU and oversaw the British Zone’s Food and Agricultural Office (*Zentralamt für Ernährung und Landwirtschaft*) until the merger with the American Zone.

the BBV, in an article titled “About Centralism in Frankfurt,” denounced the presumption that any central body could accurately plan to feed 9 million individuals and called VELF directives appointing special investigators to oversee the harvest a reminder of “the Hitler regime or of the days of Herr von Papen,” insinuating that VELF was no different from the Prussians or Nazis. The directives from VELF, the article concluded, were the pinnacle of interference into the rights of the *Länder*.¹²⁸

Even as the Bavarian farmers denounced VELF and made the case for federalism, Bizonal food inspectors started arriving in Bavaria to ensure that farmers were meeting their obligations, but they faced a strong backlash, especially as the Bavarian government itself had only recently instigated invasive searches of farms by their own inspectors. Writing to Frankfurt, one Bizonal inspector recounted his confrontation with Anton Fehr, one of the BBV’s officers and a former Bavarian Minister for Agriculture, who told him that the inspectors required permission from the Bavarian government to carry out their tasks.¹²⁹ Baumgartner himself clarified this position in Augsburg where he claimed that he needed to personally certify any inspectors sent by Frankfurt to ensure that they were properly trained. If the inspectors failed to meet with Baumgartner first, he told the farmers to hunt them out of the state (. . . *so ermächtige ich hiermit die Bauern, sie aus dem Lande zu jagen*).¹³⁰

Seeing this as an act of insubordination, Podeyn wrote to Carl Spiecker, chairman of the Bizonal Executive Council, about Bavaria’s defiance and informed him that the Bizonal inspectors were unable to perform their audits without written permission from the Bavarian

¹²⁸ “Ueberzentrismus in Frankfurt,” *Landwirtschaftliches Wochenblatt*, October 4, 1947, 305.

¹²⁹ Prüfereinsatz der Gruppe Milch und Fett, 3 October 1946, IfZ, Nachlass Baumgartner ED 132/7.

¹³⁰ “Dr. Baumgartner gegen Frankfurt,” *Main-Echo*, October 10, 1947, 2.

government. While he initially saw these claims as arbitrary acts by local officials, Podeyn now considered it a threat to maintaining food rations.¹³¹ When word of this reached the Military Government, directives were sent to the American Military Governors to inform the Minister-Presidents that these actions were in violation of Military Government policy, and General Muller subsequently directed Ehard to rescind all instructions prohibiting the inspectors' freedom of movement.¹³² In his reply, Ehard acknowledged the rights of the Bizonal inspectors, but informed Muller that it was Bavarian policy that the inspectors contact the Ministry of Food, Agriculture and Forestry after their arrival and apply for a special Bavarian passport, a policy showing the Bavarian government's efforts to control who could and could not inspect farms in Bavaria.¹³³

With the arrival of Bizonal inspectors, the Bavarian government carried out a second survey of the potato crop and hoped to prove the Military Government estimate inaccurate and prevent the occupier's embargo of food shipments into Bavaria, but the new survey numbers indicated that the harvest was better than the initial Bavarian estimate of 7,940 kilos per hectare and was now at 9,020 kilos per hectare. Although a significant increase, the new number was still less than the American estimate calculated into the rationing plans, and Baumgartner refused to ship any potatoes to Hessen and Württemberg-Baden because reports indicated that those states had already harvested enough potatoes to meet the needs of German civilians.¹³⁴ He also

¹³¹ Einsatz von bizonalen Prüfern in Bayern, 10 October 1947, IfZ, Nachlass Baumgartner ED 132/7.

¹³² Prüfer der Zweizonenverwaltung, 4 November, 1947, IfZ, Nachlass Baumgartner ED 132/7.

¹³³ Tätigkeit der bizonalen Prüfer in Bayern, 6 November 1947, IfZ, Nachlass Baumgartner ED 132/7.

¹³⁴ Agricultural Reports, 20 October 1947, NACP, RG 260/390/47/34/1/8.

demanded to know why those states, which he claimed received far more favorable treatment, could not send potatoes to the British Zone now that they had achieved their quota.¹³⁵

In the midst of this growing conflict, the CDU/CSU party meeting in Frankfurt addressed the potato issue. Opening the meeting, Schlange-Schöningen asserted that there were three issues hindering the collection of food, and threatening the German population and all three indicated the unclear and competing sources of authority in occupied Germany: the lack of cooperation with the *Länder*, the lack of clarity from the Military Governments over areas where Germans governed themselves, and the growing disputes between VELF and the Bizonal Executive Council which prevented him from taking problems directly to the Military Government. In response, Adenauer encouraged the Bizonal Administration, under the control of the CDU/CSU, to coordinate with *Land* ministers, contending that the fate of the Union depended on their ability to serve Germans through the Bizonal offices they oversaw. Baumgartner agreed that more cooperation was needed and implied that with greater communication, VELF would never have sent inspectors to Bavaria. He then blamed the lack of communication on Podeyn, accusing him of abusing his office and fermenting political agitation within the Union. Numerous other attendees also condemned Podeyn, but Schlange-Schöningen refused to terminate him, arguing that he directed VELF and that removing him would allow the SPD to claim the Union had no interest in working with the SPD. The question of Podeyn's future was deferred, but Adenauer stressed the importance of the potato shipments to stability and encouraged greater cooperation.¹³⁶

¹³⁵ Zur Kartoffelsituation in Bayern nach dem Stand, 11 November 1947, IfZ, Nachlass Baumgartner ED 132/7.

¹³⁶ Sitzungsprotokoll, 12 October 1947, in *Die CDU/CSU im Frankfurter Wirtschaftsrat: Protokolle der Unionsfraktion 1947-1949*, ed. Rainer Salzmänn (Düsseldorf: Droste Verlag, 1988), 76-83.

Although the meeting sought to work out disagreements and build cooperation, attacks on VELF continued to emanate from the Bavaria Landtag. Baumgartner defended his rejection of the Military Government estimates and argued that Bavarian numbers were not arbitrary but carried out independently by the State Statistical Office. He asserted that Bavaria needed to secure potatoes for the Bavarian population before sending potatoes beyond the state's borders. Regarding Schlange-Schöningen, Schlögl derided him and his office, claiming that as a Prussian he might have some knowledge of agricultural policy, but that he did not understand peasant agriculture in regions like Bavaria. He then identified Podeyn, the former schoolteacher, as "the real food dictator" and sarcastically stated, "Yes, ladies and gentlemen, you have to bring in real experts." Schlögl stated that Podeyn's letters contained the "tone of a good Prussian NCO" and he continued the comparison of the Bizone to Prussia and the Third Reich by declaring: "Everything is possible with this man. Behind him stands the Reich bureaucracy. It is a sin and a shame that former Nazis still govern us today. Do you think that these former Nazis have an interest in democracy going well?"¹³⁷

The continuing criticism of the Bizonal Administration and the demand that Bavarian food feed Bavarians was justified by the drought and the fear that the winter would be as long and hard as the previous one, but two other issues increased political friction in October 1947. The first issue was the growing influence of a new political party in Bavaria that challenged the CSU from the right. The Bayernpartei, established in October 1947, was a hyper-federalist party that contained a collection of groups defined more by their attitudes than political positions, including restoring the Bavarian monarchy, forming a loose commonwealth, unifying with

¹³⁷ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 32, Band II, 30 October 1947, 107-112.

Austria, and establishing an independent Bavarian state.¹³⁸ The party's hard stance against centralization of any kind immediately appealed to Bavarian farmers who were tired and frustrated by the continued violations of their property and demands on their crops by absent bureaucracies like the Military Government and the Bizonal Administration. Attacking the CSU for not standing up to VELF and for allowing the Frankfurt inspectors into Bavaria, the party expanded surprisingly quickly and had more party members than the Bavarian FDP only one month after its founding, making it the third largest party in the state.¹³⁹

The Bayernpartei's threat to the CSU and its subversive position towards the Bizone was evident in the party's political propaganda. In an image, VELF Director Schlange-Schöningen (Schlange translate to snake) representing the Frankfurt Administration is depicted as the serpent in the "Garden of Bavaria" wrapped around a tree with fruits labelled taxes and deliveries and tempting a little girl (labelled as the CSU) to make a delivery to the Bizonal Administration. While the CSU, even with its federalist sympathies, might partake in the Bizone, the Bayernpartei, in order to protect Bavarians, as the text states "will come and cut off the snake's head!"¹⁴⁰ The party's statement was clear: they wanted to behead VELF and retain sovereign decision-making within Bavaria. With the Bayernpartei's political success and rapid expansion, the CSU grew increasingly worried that it would lose political support from Bavaria's farmers and make it more likely that Bavaria would challenge directives from the Bizonal Administration.

¹³⁸ Milosch, 6-8.

¹³⁹ Farquharson, *The Western Allies and the Politics of Food*, 168-169; "Viertes Reich – Ohne Bayern," *Der Spiegel*, November 3, 1947, 2-3.

¹⁴⁰ Bayernpartei Propaganda, BAK, Z6/I90.

The second issue increasing political friction around Bavarian food was the transfer of responsibility for feeding the estimated 600,000 DPs who remained in the American Zone from the American occupiers to the Germans.¹⁴¹ This decision on the part of the occupiers meant that DPs were now supplied from the same pool of scarce resources used to feed Germans and expellees. Quarles made this clear when he declared that DPs now received the same ration level as the Germans and that the Bavarian government was responsible for transporting and storing food at DP camps and assembly centers.¹⁴² This decision only exacerbated tensions because the Germans, who blamed the occupiers for allowing DPs and expellees into Germany, were now charged with feeding DPs with their scarce resources.

Germans, who already considered the DP population both privileged and crime-ridden, proved extremely reluctant to feed DPs, especially as they found it increasingly difficult to acquire all the rations they were entitled to on their ration cards. In fact, 46% of the German population blamed food shortages on DPs and expellees.¹⁴³ Moreover, the Bavarian government, already seeking to limit the shipment of Bavarian food to the Bizone, appeared to purposefully neglect feeding the DPs. Writing in November, Quarles noted that Ehard was informed that DPs received first priority on available foodstuffs, but that no deliveries of winter vegetables had been received.¹⁴⁴ With no progress during the month, Van Wagoner informed Ehard that he must take “immediate steps” to meet at least 50% of the DP vegetable requirements.¹⁴⁵ Summarizing

¹⁴¹ Hilton, 220.

¹⁴² Cumulative Quarterly Report Covering 1 July – 30 September 1947, 19 October 1947, NACP, RG 260/390/48/2/2/160.

¹⁴³ Hilton, 218-220.

¹⁴⁴ Semi-Monthly Briefing Report, 13 November 1947, NACP, RG 260/390/48/2/2/160.

¹⁴⁵ Supply of fresh vegetables to DP Camps, 28 November 1947, BayHStAM, StK 11678.

the problem, Quarles noted that the Germans considered feeding the DPs “an additional burden on limited indigenous food supply” and that reflected the “well-known reluctance of the German authorities to assume responsibility for the presence of the displaced persons and their eagerness to be rid of them as quickly as possible, meaning blaming them for all current ills.”¹⁴⁶

As the CSU worried about losing rural support and the American occupiers pressured the Bavarian government to meet DP food requirements, Baumgartner lashed out again at VELF in a letter to Ehard, specifically claiming that Podeyn controlled food policy with a “dictatorial attitude” that was more fanatical than the Nazis and refused to consult with the *Land* agricultural ministers.¹⁴⁷ While written in a letter to the Minister-President, this attack against VELF and Podeyn clearly sought to assert Bavarian sovereignty, and the BBV applauded Baumgartner’s efforts and contended that Podeyn’s centralizing orders threatened democracy.¹⁴⁸ Nevertheless, the very public attack brought fierce criticism from the Bizonal authorities and the Military Government, and the Bavarian Cabinet held an extraordinary meeting to discuss the issue. Seeking to defuse the situation, the government invited Schlange-Schöningen to Munich to discuss the situation since he was scheduled to speak in Ansbach.¹⁴⁹ While offering an olive branch, Ehard’s invitation also defended Bavarian farmers. He stressed that even with strict collection methods, there were no potatoes left to collect in Bavaria, and that the Bavarian

¹⁴⁶ Monthly Report for 1-30 November 1947, 3 December 1947, NACP, RG 260/390/48/2/2/160.

¹⁴⁷ Bizonal Administration Office for Food and Agriculture in Frankfurt, 6 November 1947, NACP, RG 260/390/47/34/1/11.

¹⁴⁸ ““Der Reichsnährstand ist tot, es lebe der Reichsnährstand!” *Landwirtschaftliches Wochenblatt*, November 15, 1947, 333; “Das Schreiben des Staatsministers Dr. Baumgartner,” *Landwirtschaftliches Wochenblatt*, November 15, 1947, 333-334.

¹⁴⁹ Ministerratssitzung Nr. 6, 8 November 1947 in *Die Protokolle des Bayerischen Ministerrats, 1945-1954. Das Kabinett Ehard II: 28 September 1947 bis 18 Dezember 1950*, ed. Karl-Ulrich Gelberg (München: R. Oldenbourg Verlag, 2003), 83-96.

government was responsible to the Bavarian people and would ensure Bavarians were fed before sending potatoes outside its borders.¹⁵⁰

Although accepting the invitation to meet with the Bavarian government, Schlange-Schöningen refrained from openly responding to Baumgartner's accusations, noting in a letter to Erich Köhler that he wanted to avoid "the inherited evil of German self-laceration in this most difficult time." Yet, he also stated that he could not let his opponents publicly degrade his officials, especially as the orders were his responsibility. Regarding Baumgartner's comments, Schlange-Schöningen claimed that the Bavarian agricultural minister certainly understood that the occupiers had approved the directives from his office, but the problem with Baumgartner, he pointed out, raised a fundamental question developing around the future of Germany: "shall an individual minister of a Land" have the ability to undermine state "authority by public agitation and thus render impossible any orderly economic management? This discussion can now no longer be postponed. A vital interest of all Germany is concerned."¹⁵¹

Schlange-Schöningen's remarks clearly indicate that he saw the battle over potatoes as a struggle over the future of sovereignty in occupied Germany and an indication of the occupiers' future plans for western Germany. If Bavaria was able to agitate and prevent the distribution of its potatoes throughout the Bizone without repercussions, then the Bizonal Administration and its efforts to form a nascent governing body for western Germany was futile and that the *Länder* in fact held the real power. If they did, then the future of a unified western German state under a strong central government was in question. However, if the Military Government backed the Bizonal Administration, punished Bavaria, and forced the distribution of Bavarian potatoes

¹⁵⁰ Ehard to Schlange-Schöningen, 8 November 1947, BAK, Z6/I93.

¹⁵¹ Schlange-Schöningen to Erich Köhler, 10 November 1947, BAK, Z6/I93.

across the Bizone, then the Bizonal Administration held more power than the *Länder* and was in fact the nucleus for a western German government.

Although setting up a battle of centralism versus federalism, the meeting between the Bavarian government and Schlange-Schöninggen resulted in a compromise that allowed Bavaria to first ensure that it collected enough potatoes to meet the needs of Bavarians before exporting excess potatoes. While the press had declared the fight between the two a “Potato War,” both Schlange-Schöninggen and Baumgartner downplayed this term. Baumgartner announced his satisfaction that administrators in Frankfurt now understood the situation better, and Schlange-Schöninggen stated his approval at the settlement and clarified that he had no intention of seeing Bavarians or anyone else starve. He also acknowledged his respect for the rights of the *Länder* to make decisions and govern themselves but claimed that extraordinary times meant intervention might prove necessary to ensure the survival of all Germans.¹⁵²

The truce, however, lasted only a couple of weeks, and both VELF and the American Military Government issued directives demanding that the Bavarian government distribute potatoes to meet the needs of the Bizone and the DPs. The first order came from Schlange-Schöninggen who requested that Bavaria meet its potato obligations of 1,162,600 tons for the Bizone.¹⁵³ Along with this directive, the American Military Government, as Adcock’s speech made clear, threatened to withhold grain shipments to Bavaria if they refused to provide the amount of potatoes required by the Bizonal Administration. This threat clearly indicated that the Americans’ supported the Bizonal Administration in the dispute over authority. Fearing this

¹⁵² “Das Ende des Kartoffelkrieges,” *Süddeutsche Zeitung*, November 18, 1947, 1.

¹⁵³ Export of Potatoes from Bavaria, 11 December 1947, NACP, RG 260/390/47/34/1/11.

reprisal, the Bavarian government discussed the situation, but the only solution reached was to try again to prove that the harvest was not good.¹⁵⁴

After having only recently reached an agreement, a frustrated Baumgartner responded to Schlange-Schöningen and again reiterated the numerous objections used by the Bavarian government throughout the last several months to justify the small shipment of potatoes: the drought, the inaccurate Military Government estimates, and the investigators sent to determine farm quotas. Even with these challenges, Baumgartner asserted that Bavaria's efforts throughout the year "far exceeded measures taken during the previous years."¹⁵⁵ Nevertheless, the continued reiteration of the same points that had thus far failed to convince VELF or the occupiers indicates that these claims would again prove futile.

Days after the latest flare up with Schlange-Schöningen, the Military Government demanded to know why the Bavarian government had failed to provide the quota of 6,000 tons of potatoes to the DPs and directed them to fulfill this need immediately. In response, Bavarian State Secretary Adam Sühler claimed that the Bavarian government had made every effort to meet the quota and feed the DPs, but blamed the failure on the "the extraordinary drought" which made it impossible to meet the quota set by the occupiers. To expedite the completion of the collection, he informed the Military Government that he had reduced the amount of potatoes farmers could keep from the harvest and directed inspectors to investigate that this order was implemented. Yet, while taking these actions, he also considered feeding the DPs an undue burden placed on Bavaria and falsely asserted that only Bavaria was required to meet this high

¹⁵⁴ Conference at Bavarian Ministry for Food, Agriculture, and Forests, 5 December 1947, NACP, RG 260/390/47/34/1/9.

¹⁵⁵ Export of Potatoes from Bavaria, 11 December 1947, NACP, RG 260/390/47/34/1/11.

demand. If Bavaria was forced to meet the DPs' requirements, he saw this reducing the already low rations of the Bavarian population as winter approached.¹⁵⁶

The continued demands on the Bavarian potato harvest by VELF and the forced collection of more potatoes from farmers to feed the DPs led Baumgartner to abruptly resign his position. In an effort to change Baumgartner's mind, Anton Pfeiffer, now leading the Bavarian State Chancellery, went to Baumgartner's home, where he found him confined to bed due to a severe gall bladder attack, and tried to convince him to stay, but Baumgartner told Pfeiffer that he no longer had the strength to fight with Frankfurt. While Baumgartner complained about the demands of the Bizone, Anton Pfeiffer claimed the DP potato situation "constituted the last straw for Dr. Baumgartner" even if these orders came from the Military Government and not Frankfurt.¹⁵⁷ In clarifying his resignation to the press, Baumgartner emphasized the continued threats from Frankfurt to withhold grain shipments to force Bavaria to ship non-existent potatoes to other parts of the Bizone. He deemed these threats unreasonable, irresponsible, and fraudulent, contending that the Bizonal Administration never recognized the effects of the drought on Bavaria. Moreover, he felt VELF never developed a uniform plan for solving the food crisis, failed to establish proper relations with the *Land* ministries, and treated the agricultural ministries as auxiliaries to the Bizonal Administration. Baumgartner, who persistently challenged Frankfurt, he concluded that the food crisis could not be remedied by laws, by insulting the *Länder*, or by new food collection measures, but only through improving production – meaning tools, equipment, and fertilizer.¹⁵⁸

¹⁵⁶ Eating Potato Supply of DP Camps, 11 December 1947, NACP, RG 260/390/47/34/1/9.

¹⁵⁷ Resignation of Dr. Baumgartner, 13 December 1947, NACP, RG 260/390/47/34/1/9.

¹⁵⁸ "Der Rücktritt des Landwirtschaftsministers," *Süddeutsche Zeitung*, December 13, 1947, 1.

Baumgartner's resignation had little immediate impact. In fact, the Bavarian government's failure to meet the needs of the DPs ultimately led the Military Government to act on its threat and freeze all potato distributions to German civilians and expellees in Bavaria until potato reserves for DPs were met, a stoppage that lasted through the New Year. While seemingly damaging to German health, the Military Government considered this action successful.

Reporting in January 1948, Quarles found that the Bavarian authorities had become much more responsive to DP needs and that supplies of flour and food "immediately began to build up" and that "future difficulties in DP supply program will be considerably alleviated."¹⁵⁹ Moreover, following the debate over the potato harvest, the Military Government investigated the problem. The report issued by Van Wagoner placed the blame on local Bavarian governments, especially mayors, who, upon receiving the agricultural planting plans for their community, neglected to break these down and give each farmer a quota, only passing around a master sheet for the community. This behavior, he implied, indicated that the mayors did "not accept the necessary responsibility" and that "no pressure is exerted at this level." In this situation, the farmers went about their business "unmolested," but once collection agents appeared to collect the harvest, the farmers were uninformed about their quota and resisted collection. To remedy this problem, Van Wagoner directed Ehard to exert more pressures on mayors and incorporate farmers into the process of breaking down and assigning the planting quotas.¹⁶⁰

Conclusion

As the *Kartoffelkrieg* demonstrates, food, and who controlled the distribution of food, emerged as a space where questions of sovereignty and power were debated. Maintaining a strict

¹⁵⁹ Monthly Report for 1 - 31 December 1947, 6 January 1948, NACP, RG 260/390/48/2/2/160.

¹⁶⁰ Crop Production Survey, 18 December 1947, NACP, RG 260/390/47/34/1/9.

rationing regime based on the Nazi government's bureaucracy, the American occupiers sought to ensure that German civilians received equal rations, but this effort was fraught with problems as officials fled, storehouses were raided, and chaos consumed rural Germany. Efforts to tie the loose ends of Nazi food distribution also proved problematic: denazification left inexperienced officials unable to properly estimate or collect the harvest; mayors proved reluctant to enforce strict agricultural plans; and farmers challenged inspectors and sought to retain more of their production as starvation loomed and the currency was of little value.

Further exacerbating this situation was the significant numbers of DPs and expellees who found themselves in occupied Germany. DPs not only caused chaos and violence throughout the countryside in the immediate postwar months, but they also drew on limited food supplies, a situation that created hostility and resentment within the German population. Although the occupiers took on the responsibility of feeding the DPs in early 1946, the massive influx of German expellees drew on German calories, and Germans frequently described the expellees as lazy foreigners who ate well while Germans starved. Rural Bavarians' hostility and dissatisfaction towards these populations appears evident in the rise of the Bayernpartei, a political threat that propelled the Bavarian government to avoid taking responsibility for feeding DPs when this task was returned to them in late 1947. The Bavarian government, in fact, proved so intransigent about feeding DPs that Baumgartner resigned and the Military Government withheld grain shipments into Bavaria.

Recognizing the growing food crisis, the American occupiers did attempt to address the deteriorating situation by merging the American and British Zones in the autumn of 1946, but the Bizonal merger served only to heighten tensions between the occupiers and the Bavarian government. The creation of a new center of power without democratic legitimacy soon acted as

a foil to the democratically elected Bavarian government which sought to limit the shipment of food beyond its borders and to feed Bavarians first. Moreover, as the upheaval and acrimony between Bavaria and the British Zone in early 1947 shows, the Bizone proved initially ineffective. The tools, machines, and coal that the occupiers promised to the southern *Länder* never materialized, and accusations that the Bavarians refused to provide food to Germans in the British Zone infuriated Bavarians who asserted that the British Zone did not face the strict collection regime imposed on Bavaria and did not provide the promised finished goods.

The Bizone's early problems were clear to the occupiers as well and led to the reorganization and further empowerment of its bureaucracy in mid-1947 to ensure the adequate collection and distribution of agricultural production. This restructuring, however, occurred during the postwar drought that both the Germans and American occupiers admitted had reduced the 1947 harvest and resulted in a dispute over the Bavarian potato harvest. The reorganized and strengthened Bizonal Administration ordered Bavaria to meet its potato quota to help feed other regions of Germany while the Bavarian government adamantly argued that the drought had decimated the potato crop and that shipping food outside of Bavaria sentenced Bavarians to death. The subsequent debate over sovereignty in the Bizone saw Bavarian politicians attributing Prussian and Nazi tendencies to the Bizone's power and the VELF claiming that Bavarian insubordination threatened the lives of all Germans.

With the occupiers' rhetoric stressing democratization and the creation of a federal German state, the Bavarian government assumed they were on safe ground contesting the authority of the Bizone. Nevertheless, the American Military Government, seeking to stem the spread of communism, rejected Bavarian arguments and, in fact, withheld food shipments to German civilians in Bavaria because of the government's challenges to the Bizone's authority.

Although certainly seeking to organize a federal and democratic Germany, the occupiers made clear that any federal state would be formed on their terms and therefore they subordinated the power of the democratically elected *Land* governments to the Bizonal Administration, especially in regards to food and economics.

Although some politicians and Bavarian agricultural associations were angered at the Americans' decision to support the Bizone over the *Länder*, the political fight aimed to secure the Bavarian potato crop established the basis of agricultural politics in southern Germany. The formation of this political nucleus would prove especially important in the coming years as farmers grew increasingly aggravated by the continued price controls on agricultural products, especially once the 1948 Currency Reform ended price controls on industrial goods but not on agricultural goods. Although antagonizing farmers, both the occupiers and the West German government wanted to maintain low food prices following the shortages of the occupation's first years and to help feed the Federal Republic's industrial sector. West German farmers, however, feeling left out of the success of the Economic Miracle, continued to organize and voice their opposition to these price controls, seamlessly shifting their focus from the occupiers to the West German government in their effort to receive fair prices and to partake in West Germany's growing economy.

CHAPTER VII

“ATTACK THE PRICES:”

THE SEARCH FOR PARITY IN WEST GERMAN AGRICULTURE, 1948-

1955

In September 1949, three years after Joseph Baumgartner addressed the Bavarian farmers in the Deutsches Museum, the museum once again served as the gathering place for German agriculture. This time the museum hosted the first Farmers’ Day for the recently formed German Farmers’ Association (*Deutscher Bauernverband*, DBV), a meeting held, not coincidentally, during the annual Oktoberfest. Following a concert of organ music and speeches by Alois Schlögl, Josef Müller, DBV president Andreas Hermes, and Bundesminister Wilhelm Niklas, the DBV issued a series of resolutions addressing agricultural concerns. These included the ongoing land reform, taxes, land consolidation, expellees, and social insurance; however, the first and most important issue for the farmers stemmed from the challenges that emerged following the 1948 Currency Reform, which introduced the Deutsche Mark. This resolution acknowledged that agriculture, at that moment, was emerging into a new economic stage following the war and the occupation, and urged the recently elected West German government to seriously address agricultural issues and ensure agriculture’s place in the Federal Republic.¹

As the resolution of the DBV shows, the West Germany Currency Reform, often praised for sparking the Economic Miracle, left farmers deeply unsatisfied at the end of the occupation. In the months leading up to the Currency Reform, farmers eagerly anticipated the new currency

¹ “Der erste deutsche Bauerntag in München,” *Landwirtschaftliches Wochenblatt*, October 1, 1949, 747.

and withheld goods from the market, causing widespread shortages that sparked food strikes across the Bizone, but, following the Currency Reform and the retention of price controls on agricultural products, farmers grew increasingly dissatisfied with their economic situation and demanded that the occupiers and German authorities lift price controls. In Bavaria, the government even passed legislation independent of the Bizone to improve farmer incomes, but the occupiers, who retained sovereign authority, vetoed the law. With the formation of the Federal Republic, farmers now urged the nascent West German government to address the problems still plaguing agriculture and to bring the agriculture sector into parity with industry. The continued pressure and demands of the well-organized and influential agricultural lobby demonstrates that agriculture and state support for agriculture played an important part in the transition from occupation to semi-sovereignty.

While the Currency Reform came to represent an injustice, one that prevented farmers from enjoying the improving economic situation, in the months leading up to the new currency's introduction, Bavarian farmers continued contesting occupation and VELF directives, frustrating the Military Government's efforts to demonstrate that conditions were improving and that western Germany deserved Marshall Plan aid. To induce farmer deliveries, the occupiers continued threatening to withhold food imports into Bavaria and, following a series of worker strikes in early 1948, the American Military Government directed the Bizonal Economic Council to institute the Pantry Law (*Speisekammergesetz*) in early 1948, a law permitting investigators to inspect every home, farm, hotel, and restaurant for hoarded food. While demonstrating the occupiers' seriousness in securing calories and preventing unrest, the Economic Council left the implementation of the law to the *Länder*, and the Bavarian government weakened the law and created a complicated appeals process to protect farmers.

In addition to the poor food deliveries, the Military Government justified the Pantry Law because they feared a growing rural resistance, but while farmers failed to meet delivery schedules, their reluctance stemmed not from any organized resistance, but from their growing anticipation of the Currency Reform. Farmers proved especially unwilling to part with valuable livestock in early 1948, a reluctance that diminished fat and meat rations and certainly contributed to the 1948 food strikes. While frustrating the occupiers, farmers did not want to turn over valuable livestock on the eve of the Currency Reform. When the moment finally arrived in June 1948, farmers initially rushed to market, but the decision by the occupiers and the Bizonal Economic Council to maintain price controls on a large number of agricultural products left farmers feeling excluded from the improving economic situation and many withdrew back into self-dealing and the black market.

Although scholars of German agricultural and economic history have identified this issue, few have investigated the efforts of farmers and agricultural politicians to rectify their situation during the occupation. The Bavarian case clearly demonstrates the actions taken by Schlögl and the Bavarian government to address the consistent complaints by farmers and to assert Bavaria's sovereignty. First, the Bavarian government attempted to solve the pricing problem through legislation, creating a limited liability corporation to control and monitor commodities, but the occupiers rejected Bavaria's efforts to assert independence from the broader economy and vetoed the law. With this effort stymied, Bavarian politicians within the governing CSU, seeking to change the leadership in Frankfurt, orchestrated a vote of no confidence on Hans Schlange-Schöningen's leadership of VELF. He survived, but the event demonstrated the power of the Bavarian agricultural lobby.

While this effort reflected Bavaria's dissatisfaction with Schlange-Schöningen, it also reflected Bavaria's continued assertions of federalism, a position that was made especially clear in the dispute over the West German constitution, or Basic Law. In this debate, the governing CDU and the Bayernpartei both renounced the constitution drafted by a Parliamentary Council, arguing that it provided too much power to the federal government and undermined state authority. While the majority of Bavarian politicians regarded the Basic Law as too centralist, the governing CSU did not consider it prudent for Bavaria to remain outside of the Federal Republic, and they therefore held two different votes within the Bavarian Landtag. The first vote was a straight vote of approval or disapproval of the Basic Law and the second was a vote that agreed that Bavaria would accept the Basic Law if two-thirds of the *Länder* approved the constitution. In this way, Bavaria was able to assert and demonstrate its strong federalist inclinations while still becoming part of the Federal Republic.

With the transition from the occupation to semi-sovereignty in the autumn of 1949, the first West German government came to power, but the problem of finding a balance between farmer income and consumer prices remained. Initially, and much to the reluctance of the Allied High Commission, the Adenauer government passed a series of market regulation laws that raised the price of certain commodities, regulated imports, and established fixed prices for consumers. These laws, while improving farmer income, were a temporary measure that failed to comprehensively address the agricultural sector's growing demands for economic parity with industry. The outbreak of the Korean War and global inflation significantly affected West Germany's entire economy and amplified the disparity between consumer prices and farmer incomes. In the midst of this situation, Adenauer, at a meeting with West Germany's leading agricultural officials, committed his government to developing and implementing a

comprehensive agriculture law to provide economic security for farmers. While all political parties supported new agricultural legislation, the specifics and the role of the government in supporting agriculture remained highly debated but they eventually reached an agreement that resulted in the 1955 Agricultural Law, a law that gave farmers a sense of stability and a stake in the Federal Republic.

Fat Rations and Food Strikes

The food shortages of late 1947 that caused so much friction between VELF and the Bavarian government led workers across the Bizone to strike in mid-January 1948. When the first rumors of a strike reached the occupiers, the Americans and British sought to head off the work stoppage and called for a meeting of the Bizonal agricultural ministers in Düsseldorf where they encouraged the ministers to increase fat rations. Bavaria, however, still without a replacement for Baumgartner, had no representative at the meeting and only later agreed to increase the supply of fat rations following Military Government pressure.² Yet, this effort came too late and an estimated one million workers and civil servants across the western zones struck on 23 January 1948, blaming farmers for declining fat rations and hoarding. In Bavaria, thousands of workers paraded through Munich and rallied on the Königplatz with signs denouncing black marketers and demanding justice.³ The strikes, as the workers made clear, were targeted not at the Military Government, but at the *Land* governments' failures to collect food from farmers, to punish black marketers, and to equitably distribute food stocks. Worker discipline was evident as well, and all plants, factories, mines, and trains continued operating with skeleton crews.⁴

² "Fettkürzungen zugunsten der Ruhr," *Süddeutsche Zeitung*, January 20, 1948, 1.

³ "Gewerkschafts-Ultimatum zurückgewiesen," *Süddeutsche Zeitung*, January 20, 1948, 1.

⁴ For the strikes, see Erker, *Ernährungskrise und Nachkriegsgesellschaft*, 202-221; "Streiks im Ruhrgebiet und in Hamburg," *Mittelbayerische Zeitung*, January 9, 1948, 1; Nels Anderson, "The Food Strikes," *Military Government Weekly Information Bulletin*, no. 133 (20 April 1948): 3-4.

Although the Military Government did not interfere in the strikes, considering them a domestic German issue, the strikes reinforced the occupiers' already growing concern that an organized resistance was developing in the countryside, especially as the hyper-federalist Bayernpartei used the strikes to blame the occupiers and the Bizonal Administration for the food problems.⁵ A report investigating rural activism noted that farmer resistance "has always been present" because of Germans' long-term desires and economic objectives, but concluded that a "new factor is the appearance of what seems to be systemic organized resistance." While concerned over German assertiveness in the countryside, the Military Government suggested not taking "direct actions" but incentivizing farmers with industrial goods and adjusting prices to balance agricultural and industrial production, though never stating where the industrial goods might come from. The memo also recommended continuing the policy of distributing American food imports based on the "actual Land performance in production and collections," but stressed that the "urgent need for immediate action cannot be oversimplified if Military Government policy is to be carried out and the area is to assume anything approaching a self supporting status."⁶

The food strikes and the Military Government's worry over German resistance in the countryside occurred as the U.S. Congress debated Marshall Plan aid to Europe. The Military Government recognized the importance of food aid to stabilizing western Germany, but needed to demonstrate that Germans were participating in their own recovery. The widespread food strikes threatened to undermine this objective. In an effort to end food strikes and extract more food from farmers, the American Military Government directed the Bizonal Economic Council

⁵ "Hunger und Politik," *Süddeutsche Zeitung*, January 20, 1948, 2.

⁶ Organized Resistance to Military Government Policies in Food and Agriculture, 16 January 1948, NACP, 260/390/51/14/6/692.

to authorize the Pantry Law, a law permitting food confiscation from farmers.⁷ The law, unsurprisingly, was not very popular. In discussions of the CDU/CSU faction in Frankfurt, the law caused concern, and many members believed that another call for voluntary farmer donations would prove more productive, but this simply overlooked the fact that the law was the result of poor farm deliveries. Although many denounced the law, the CDU/CSU faction acknowledged that it had significant foreign policy implications and they surmised that without the law, the occupiers might decrease food imports. Yet, to show that the law was not simply targeted at farmers, they agreed to broaden the law to include restaurants and merchants.⁸

While the CDU/CSU faction recognized that they could not avoid the law, in Bavaria, Schlögl demanded that the same “draconian” regulations be applied to industry and condemned the law in the Landtag as an “emergency law against the farmers” (*Ausnahmegesetz gegen die Bauern*).⁹ The BBV, in response to both the worker strikes and the Pantry Law asserted that the only way to improve agricultural production and food supplies was by providing farmers with clothing, seeds, fertilizer, and equipment and removing price controls.¹⁰ Although the law was widely denounced in agricultural circles, the Economic Council promulgated the Pantry Law at the end of January, and the law required all households, farms, merchants, and restaurants to

⁷ Farquharson, *The Western Allies and the Politics of Food*, 162-163.

⁸ Sitzungsprotokoll, 20 January 1948, in *Die CDU/CSU im Frankfurter Wirtschaftsrat: Protokolle der Unionsfraktion 1947-1949*, 118-120.

⁹ “Die nächsten Monate müssen durchgehalten werden!” *Landwirtschaftliches Wochenblatt*, January 31, 1948, 33; Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 49, Band II, 30 January 1948, 720.

¹⁰ “In schwerer Stunde,” *Landwirtschaftliches Wochenblatt*, January 31, 1948, 35.

disclose food production and stocks or face monetary fines and imprisonment for failing to cooperate.¹¹

The implementation of the Pantry Law, however, was left to the *Länder*. In Bavaria, responsibility for the law fell to Schlögl who succeeded Baumgartner as Minister of Food, Agriculture and Forestry in February 1948, and the new minister sought to exploit the federalist provisions of the law.¹² To mitigate the law's effect on farmers, Schlögl created a set of complicated procedures for confiscating food, including providing proper notifications that detailed the type and amount of goods to be seized, banning the confiscation of animals during the livestock census, allowing those who had goods confiscated the right of appeal to a designated committee, and giving his ministry the power to review this committee's final decision.¹³ Evaluating Schlögl's directives for enforcing the law, the Military Government found it convoluted, but even with this worry, they did not recommend any changes to Schlögl's directive.¹⁴

Additionally, Schlögl aimed to win some concessions from VELF and traveled to Frankfurt days after his appointment to meet with Schlange-Schöningen. Although the VELF Director proved unwilling to negotiate with Baumgartner, Schlögl appeared more respectful, and he made two requests in his effort to push back against Frankfurt. First, implying that American and Bizonal statistics were incorrect, Schlögl requested that Bizonal meat requisitions align with

¹¹ "Speisekammergesetz angenommen," *Süddeutsche Zeitung*, January 24, 1948, 1.

¹² "Ein neuer Landwirtschaftsminister," *Landwirtschaftliches Wochenblatt*, February 28, 1948, 65. The BBV praised Schlögl's selection with a maxim from Goethe's "The Four Seasons:" "Klug und tätig und fest, bekannt mit allem, nach oben / Und nach unten gewandt, sei er Minister und bleib's" (Wise, industrious, firm, acquainted with all, understanding / High and low alike, thus the minister stands).

¹³ Procedure of Confiscations, 31 March 1948, NACP, RG 260/390/47/34/2/13.

¹⁴ Procedure for confiscation of agricultural productions, 16 April 1948, NACP, RG 260/390/47/34/2/13.

the reported livestock census in Bavaria. Secondly, Schlögl claimed that VELF requisition directives requiring Bavaria to supply more grain to the Bizone than the other *Länder* was unfair and asked for an equalization of grain quotas among all the *Länder*, a request that would decrease Bavaria's contribution. Schlögl's requests did not reflect a new or different position than those of Bavaria at the end of 1947, but perhaps in the spirit of building new relations, Schlange-Schöningen agreed to seek approval for these changes. This agreement allowed Schlögl to claim a victory for federalism.¹⁵

While Schlögl proved capable of pushing back against VELF, the Bavarian agricultural sector grew frustrated with the proposals of the new Director of the Economic Council, Ludwig Erhard (CDU). Erhard, who had recently replaced the dismissed Johannes Semler (CSU) in February, held economic views influenced by neoliberalism, and he wanted to see the reintroduction of market forces into the postwar economy; however, unlike the FDP, who desired a complete free market, Erhard stressed that the government should intervene into the economy to preserve industrial competition. In this way, he believed, the economy would benefit all consumers and everyone in society. While the CDU/CSU faction would increasingly adopt Erhard's views, the SPD, with its power base in the industrial British Zone, advocated a planned economy and worker representation on company boards.¹⁶

Bavarian farmers saw no appeal in the positions of the SPD, but they also remained skeptical of Erhard. This was especially evident following Erhard's comments in the spring of 1948 when he encouraged industry to hoard raw materials and finished goods in preparation for

¹⁵ Bericht über das Treffen zwischen Schlange-Schöningen und Schlögl, 27 February 1948, BAK, Z6/I90; "Schlögl für Verständigung mit Frankfurt," *Süddeutsche Zeitung*, February 28, 1948, 2.

¹⁶ Spicka, 34-36.

the long rumored currency reform.¹⁷ Following these comments, Horlacher sent a letter to Erhard published in the *Landwirtschaftliches Wochenblatt*, the Bavarian farmers' weekly publication, denouncing hoarding by industry, arguing that this gave preferential treatment to industry while agriculture was forced to continue surrendering crops and livestock to the Bizonal authorities, a situation that would undermine agriculture when the currency reform came.¹⁸ In fact, an article published next to Horlacher's letter worriedly described the decimated cattle herds in Middle Franconia due to fodder shortages and Military Government levies that confiscated livestock to fulfill fat and meat rations.¹⁹

While this article was perhaps an exaggeration, Military Government reports recognized a decline in livestock and fat deliveries in the spring of 1948. The livestock problem proved especially concerning for the occupiers but the animals were incredibly valuable to farmers who were reluctant to part with them. One Military Government report noted that in early 1948 farmers started "withholding cattle from the market in anticipation of the rumored and long awaited currency reform."²⁰ A detailed investigation into the declining dairy, butter, and meat rations in late March found that much of the problem stemmed from the fact that milk and pigs "disappear" from farms. Although increased oversight of farms might prevent black marketeering, there was no manpower for this type of surveillance, and the report only

¹⁷ James C. Van Hook, *Rebuilding Germany: The Creation of the Social Market Economy* (New York: Cambridge University Press, 2004), 164-165.

¹⁸ "Kein Privileg der Warenhortung!" *Landwirtschaftliches Wochenblatt*, April 10, 1948, 90.

¹⁹ "Leere Viehställe in Mittelfranken!" *Landwirtschaftliches Wochenblatt*, April 10, 1948, 90.

²⁰ Maximization of Deliveries, undated, NACP, RG 260/390/47/35/2/69.

recommended that the Military Government continue pressuring farmers for deliveries, importing livestock feed, and strictly controlling animal slaughtering.²¹

With deliveries declining, the Military Government and the Bizonal Administration increased pressure on Schlögl to ensure Bavarian deliveries. At a CSU meeting in Ingolstadt, Schlögl announced that Bavarian farmers needed to supply 90,000 livestock animals in April to meet the Bavarian and Bizonal meat and fat requirements for May. While recognizing the need to help feed the German people, Schlögl lamented that the Bavarian farmers were “forced” to help other parts of the Bizone and complained that travelers in Bavaria constantly drew on the *Land*’s fat ration. From this, he declared, one “can see how much Bavaria bleeds,” but he conceded that he lacked documentation demonstrating how much others drew on Bavarian rations, noting that it “is not enough to criticize and scold.”²²

The BBV found the April livestock quota especially upsetting, and they were furious over the growing demands on the already underfed livestock populations. In voicing their opposition to the April quota, the BBV issued a warning to Schlögl. It acknowledged that he needed to achieve a working relationship with the Bizonal Administration in Frankfurt, but warned Schlögl that the Bavarian farmers were not “Frankfurt friendly” (*frankfurtfreundlich*) and hoped that the farmers’ anti-Frankfurt disposition might affect Schlögl’s apparently cordial feelings towards VELF. While Schlögl might need to build a relationship with Frankfurt, the BBV stressed that the working relationship must not be one-sided and reminded the agricultural minister that in a democracy the minister must renounce public popularity and retain the support of the farmers.²³

²¹ The Fat Problem, 30 March 1948, NACP, RG 260/390/47/34/2/13.

²² “Dr. Schlögl in Ingolstadt,” *Landwirtschaftliches Wochenblatt*, April 10, 1948, 89-90.

²³ “Gegen und Zukunftspläne,” *Landwirtschaftliches Wochenblatt*, April 10, 1948, 89.

Recognizing the farmers' dissatisfaction with the livestock program and their poor deliveries, declining as much as 50%, the Military Government not only made 65 million Reichsmarks available to the Bavarian government to procure the necessary livestock, a 100% increase in the price paid to farmers, but also empowered food office officials to confiscate livestock. Nevertheless, the report noted that farmers still proved reluctant to part with their cattle and that German officials lacked the "desire and necessary initiative" to implement the confiscation program.²⁴ With German farmers and food officials reluctant to implement the Military Government directives, the Military Government reduced Germans' monthly fat rations from 300 grams to 100 grams for May and June, though the fish ration was increased to 600 grams to compensate for this reduction in all Bizonal *Länder* except Bavaria, whose farmers' intransigence meant the state's fish ration was only 300 grams.²⁵

In announcing this change to the ration before the Bavarian press, Schlögl blamed the declining livestock deliveries on Erhard's comments regarding industrial hoarding, noting that after this speech there was a rapid decline in livestock deliveries. He also emphasized Bavaria's responsibility to supply Berlin with meats and fats. Both of these issues made Schlögl, a professed "federalist," complain of the heavy "out-of-area deliveries" imposed on Bavaria. According to Schlögl, this challenge, along with many of the other food problems discussed in the press conference, could only be addressed by the "rapid start of the Marshall Plan and the swift implementation of the urgently needed Currency Reform."²⁶

²⁴ Monthly Report for June 1948, 6 July 1948, NACP, RG 260/390/47/34/2/15; Monthly Report for Bipartite Control Office, 6 May 1948, NACP, RG 260/390/47/34/2/15.

²⁵ "Fett und Fleisch weiterhin knapp," *Fränkischer Tag*, April 21, 1948, 2.

²⁶ "Fett und Fleisch weiterhin knapp," *Fränkischer Tag*, April 21, 1948, 2.

While critical of the directives, Schlögl's remarks exhibited confidence that the situation was under control and that his office would meet rations targets, even as agricultural deliveries declined. Yet, by early May, the situation rapidly deteriorated and resulted in another widespread worker strike. Initiated by workers at the Maschinenfabrik Augsburg-Nürnberg, an engineering firm that produced automotive engines, construction materials, and printing machines, the strike soon rippled across Bavaria as thousands of workers walked out and even railway and power station workers went on strike, much to the surprise of the Bavarian government.²⁷ Hoping to quickly end the strikes, Schlögl released a small amount of fat, meat, and eggs for Pentecost,²⁸ but this failed to quell worker unrest because workers could not find fat rations in shops.²⁹ With public pressure mounting, Schlögl, in typical fashion, blamed the problem on VELF and travelled to Frankfurt with members of the trade unions where he rebuked Schlange-Schöningen for not sending the monthly fat ration south as it was still on a train in Hamburg. Faced with the irate Schlögl, Schlange-Schöningen agreed to a number of issues regarding Bavaria's food supply, including that future fat rations be available at the beginning of the month and that Bavaria's fish ration for May be increased and equalized with the other *Länder*.³⁰ With this agreement, the trade unions announced an end to the strike and ensured workers that fat supplies would soon be available for the rest of the month.

²⁷ Erker, *Ernährungskrise und Nachkriegsgesellschaft*, 205-214; Ministerratssitzung Nr. 30, 19 May 1948, in *Die Protokolle des Bayerischen Ministerrats, 1945-1954. Das Kabinett Ehard II: 28 September 1947 bis 18 Dezember 1950*, 442-446.

²⁸ "Streiks im Süden und im Westen," *Süddeutsche Zeitung*, May 8, 1948, 1.

²⁹ "Kein zusätzlichen Lebensmittel bei Streiks," *Mittelbayerische Zeitung*, May 11, 1948, 2.

³⁰ Schwierigkeiten in der Ernährungslage, 10 May 1948, BAK, Z6/190.

The American Military Government again did not intervene, but blamed the unrest on Schlögl and his ministry's failure "to collect its quotas from the indigenous production."³¹ Chief of the Food Rationing Section Stuart Van Dyke claimed: "Responsibility for the confusion in fat distribution . . . must be placed squarely on the doorstep of the Minister of Agriculture, Dr. Schloegl. Either Schloegl was attempting to embarrass Military Government, or the bureaucracy is so heavy-handed as to be incapable of operating an orderly distribution program." According to Van Dyke, a notice in multiple newspapers at the end of April informed readers of the Bizonal Administration's decision to decrease meat rations, but increase fat rations for May, though it never specified which types of fat would be available. The Bavarian ration cards specified lard and margarine as the fats, but it soon became apparent that no lard or margarine was available.³²

Van Dyke concluded his investigation into the strike not by offering options to avoid future problems, but by demanding that the Military Government publicly shame Schlögl. First, he wanted the Military Government to hold Schlögl responsible for providing false or incomplete information. Second, he argued that the Military Government should make clear that they suspected Schlögl of trying to place blame on the occupiers. Third, he wanted Military Government to reiterate that 6,000 tons of oilseed fats disappeared last year and that milk collection needed to be significantly improved. Fourth, "we should reprimand him [Schlögl] severely for failing to arm himself with full knowledge of his current fat position."³³

Like the Americans' discussion about Baumgartner's criticism of American forestry policies, the fat issue again demonstrates the challenges the Military Government faced in

³¹ Food Distribution: Food Strikes, undated, NACP, RG 260/390/47/34/2/13.

³² Untitled memo for Chief, Food and Agriculture Branch, 12 May 1948, NACP, RG 260/390/47/34/2/13.

³³ Untitled memo for Chief, Food and Agriculture Branch, 12 May 1948, NACP, RG 260/390/47/34/2/13.

handling German politicians. They needed to foster capable German leadership, but did not want those leaders to undermine Allied rule. In Van Dyke's eyes, Schlögl's effort to place blame on both VELF and the occupiers for the strikes and for the lack of fat available clearly sought to undermine the Military Government and to direct mass German dissatisfaction at the occupiers, actions that he found especially infuriating when it appeared evident that Schlögl had completely bungled the May rations. Yet, while frustrated with Schlögl, the occupiers, as they did when dealing with Baumgartner, chose not to respond and allowed the German authorities to use the occupiers as a convenient foil.

Schlögl, in an address to Bavarians over the radio, refused to accept responsibility for the fat ration, the labor unrest, or the lack of deliveries by Bavarian farmers. Instead, he accused black-marketers, hoarders, and those counterfeiting ration cards for undermining the food system and potentially "torpedoing the Marshall Plan." After castigating black marketers, Schlögl did admit that the rations were delayed in Hamburg. Schlögl then informed his listeners that the most difficult challenge he faced in his position was the lack of reserve food stocks. Without food stocks, he argued, he could not ensure steady and reliant supplies to bakers, grocers, and butchers. The answer to this problem, he firmly believed, was a currency reform: "I am convinced that the coming currency reform, as soon as the first shock has been overcome, will strongly help to unburden the food economy."³⁴

Schlögl's linkage of the food problems with the coming currency reform shows how anticipation of the new currency contributed to the widespread strikes and the low farmer deliveries in early 1948. While the Military Government worried that farmer behavior

³⁴ Translation from Minister Schloegl's Radio Speech, 3 June 1948, NACP, RG 260/390/47/34/2/17. In a speech before the Landtag on June 10, Schlögl reasserted his attack on counterfeiters and provided numerous examples of restaurants selling and avoiding rationing regulations. See *Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 75, Band II, 10 June 1948 1557-1559.*

represented a threat to Marshall Plan aid and a widespread rural resistance, it reflected that farmers, like most businesses, sought to withhold as much of their products from the controlled economy as possible in anticipation for the Currency Reform, believing that the lack of controls would finally give them the opportunity to receive a fair price for their goods. Their continued dissatisfaction with the current state of affairs was evident when they denounced a new collection incentive scheme developed in Frankfurt soon after the May strikes because it did not give farmers the freedom to dispose of their crops as they saw fit.³⁵

Even as VELF sought to develop a new collection scheme, the office was also preparing for the Currency Reform and the transition of the food economy. In a memorandum drafted for the Economic Council, Schlange-Schöningen discussed the abolition of prices on agricultural products and acknowledged the difficulties of adopting democratic politics while retaining an economy governed by “police-methods.” In this regard, he asserted that “We must, therefore, throw off the fetters of exaggerated governmental patronizing; economic buracratism must come to an end. Compulsory economic control is a monster created by misery.” Yet, while Schlange-Schöningen voiced his support for a more liberal economy, he also recognized the reality of the situation, noting that the “abolition of the whole compulsory economy is not possible,” and he clarified his support for a “gradual transformation from the rigid economy into a more liberal economy.” In considering this gradual transformation for the food economy, Schlange-Schöningen suggested ending price controls on fruits, vegetables, poultry, eggs, honey, fertilizer, seeds, and hay while preserving fixed prices on potatoes, grain, milk, and livestock.

³⁵ “Die neue Erfassungsmethode,” *Landwirtschaftliches Wochenblatt*, May 29, 1948, 121.

Additionally, to secure food supplies, he asserted that VELF would need to maintain compulsory control to ensure deliveries of agricultural products.³⁶

Within the Economic Council, Erhard developed legislation that sought to quickly liberalize markets by lifting as many price controls and rationing laws as possible. Although he agreed to maintain some price controls, especially on agriculture products, he also believed that the discredited control economy, or *Zwangswirtschaft*, forced Germans to break the law to feed themselves and thus he wanted to abolish as many restrictions as possible. This approach, however, ran counter to the gradual approach advocated by the occupiers and was rejected outright by the SPD and the KPD who strongly denounced the market approach and advocated retaining the controlled economy. Accusing his detractors of maintaining a control system that was undermining state authority, Erhard shepherded his Guiding Principles through the Economic Council on 18 June.³⁷ Two days later, when the Currency Reform went into effect, Erhard, without the approval of the occupiers, relaxed price controls on consumer goods and by July 1948, 90% of price controls had been eliminated.³⁸

Agriculture and the Currency Reform

In broad narratives of the 20th century, scholars identify the Currency Reform and the Marshall Plan as creating a visible change in Germans' motivation and sparking the West German Economic Miracle;³⁹ however, scholars of West Germany's agriculture sector have

³⁶ Memorandum concerning the possibilities to abolish or ease resp. provisions of compulsory economic control of agricultural productions, 20 May 1948, BAK, Z6/I30.

³⁷ A.J. Nicholls, *Freedom with Responsibility: The Social Market Economy in Germany, 1918-1963* (Oxford: Clarendon Press, 1994), 208-215.

³⁸ Spicka, 38-39

³⁹ Konrad Jarausch, *Out of Ashes: A New History of Europe in the Twentieth Century* (Princeton: Princeton University Press, 2015), 537; Tony Judt, *Postwar: A History of Europe Since 1945* (New York: Penguin, 2005),

demonstrated that this economic boost often proved elusive for German farmers, especially as price controls for numerous food items remained in place.⁴⁰ The maintenance of price controls created a “two-track” (*Zweigleisigkeit*) economy whereby German industrial goods competed freely while prices for many agricultural goods remained static to ensure consumer purchasing power. This dual economic system, however, soon created a price scissors: the difference between the controlled prices farmers received for their agricultural goods and the rising prices for machinery, equipment, and fertilizer. This situation ultimately led farmers to become vocal detractors of the Currency Reform and constantly pressure for economic parity with industry.

Although farmers would come to criticize the Currency Reform, initial reports from the Military Government demonstrate that relaxing prices controls spurred farmers to bring goods to market. A monthly report for June 1948 wrote, “[o]n the day following the issue of the new Deutsche Mark, food markets throughout Bavaria were flooded with fruits and vegetables.”⁴¹ A semiannual report from the Food and Agricultural Section stated that after the Currency Reform “the long awaited ‘hard money’ was available. Suddenly that ‘missing bolt’ was found in factories all over Bavaria and machinery, the farmers had been needing for years, was assembled and immediately became available.” With all of this equipment becoming available, livestock

145-146; Heinrich August Winkler, *Germany: The Long Road West Volume II: 1933-1990*, trans., Alexander J. Sager, (New York: Oxford University Press, 2007).

⁴⁰ Erker, *Ernährungskrise und Nachkriegsgesellschaft*; Farquharson, *The Western Allies and the Politics of Food*; Gesine Gerhard, “Peasants into Farmers: Agriculture and Democracy in West Germany;” (PhD diss., University of Iowa, 2000); George Gerolimatos, “Structural Change and Democratization of Schleswig-Holstein’s Agriculture, 1945-1973,” (PhD diss., University of North Carolina, Chapel Hill, 2014); Günter Trittel, *Hunger und Politik: Die Ernährungskrise in der Bizone (1945-1949)* (Frankfurt/New York: Campus Verlag, 1990).

⁴¹ Food Processing and Marketing Section Monthly Report June 1948, 30 June 1948, NACP, RG 260/390/48/2/2/160.

deliveries doubled because “the farmers needed money, and selling cattle was the quickest way to get it.”⁴²

Nevertheless, only one month after the Currency Reform, the farmer “JL”, writing to the *Landwirtschaftliches Wochenblatt*, articulated the farmers’ new worries. First, he and many other farmers now feared that food imports from Europe and the United States would drive down prices and undermine farm income. Additionally, with the controlled prices, JL found it exceedingly difficult to hire laborers, noting that his mason, whom he paid 1.20 DM per hour, now earned 1.80 DM per hour in Munich. JL demanded to know how he could compete with state construction wages when agricultural prices remained controlled. Another farmer stated that the controlled economy was demoralizing the German people and asserted that the farmers now faced a harsher punishment than former Nazi supporters, writing: “If a Nazi is sentenced to a few years in a labor camp, it is considered a severe punishment. But is not a farmer also sentenced to permanent forced labor?”⁴³

While farmers complained, leading agricultural politicians sought to temper the farmers’ ire, emphasizing the importance of the Currency Reform to aiding the economy, but they also recognized that farmers faced a disadvantage. Speaking before a gathering of farmers in Ingolstadt, Horlacher affirmed the BBV’s support for the new currency and claimed that the DM would prevent a further decline in agricultural productivity. Yet, even while defending the new currency, he noted that the BBV would continue to fight for the protection of agriculture, especially from cheap imports.⁴⁴ Schlögl acknowledged the importance of maintaining price

⁴² Maximization of Deliveries, undated, NACP, RG 260/390/47/35/2/69.

⁴³ “Was unsere Bauern sagen,” *Landwirtschaftliches Wochenblatt*, July 24, 1948, 164.

⁴⁴ “Die Ingolstädter Bauernversammlung,” *Landwirtschaftliches Wochenblatt*, July 31, 1948, 175.

controls on agricultural goods for workers, but also warned that the Currency Reform might bring an agricultural crisis for Bavarian farmers.⁴⁵ In a speech in Landshut, he reiterated this warning and encouraged farmers to focus on potatoes and livestock to counter the potential “flooding by American grains.”⁴⁶

With farmers upset over prices and fearing that Marshall Plan imports would further drive down prices, many withdrew into self-supplying and black marketeering to earn better prices because they needed hard currency to pay debts on farm equipment. A Military Government report made this clear when it found declining farmer deliveries due to the “higher prices supplied through illegal channels.” Moreover, as the report detailed, there was a general feeling, spread by rampant rumors, that all price controls would soon be lifted. These rumors led farmers to ignore rationing rules, delivery quotas, and to sell to the highest bidder, a problem that resulted in growing unrest among consumers.⁴⁷ The charged atmosphere eventually erupted in another series of food protests throughout western Germany’s largest cities.⁴⁸ The Military Government noted that striking workers in Munich once again gathered on the Königsplatz, demanded the removal of Schlange-Schöningen, and held signs with the slogan “1 working hour is worth 2 eggs.”⁴⁹

Although it placed eggs back on the rationing list, VELF appeared to be paralyzed by the situation and unsure how to address the problems facing farmers, especially with the Military Government also supporting price controls. In Bavaria, Schlögl sought to address the situation

⁴⁵ “Um die zukünftige Agrarpolitik,” *Landwirtschaftliches Wochenblatt*, June 20, 1948, 149.

⁴⁶ “Währungsreform und Landwirtschaft,” *Fränkischer Tag*, July 7, 1948, 2.

⁴⁷ Maximization of Deliveries, undated, NACP, RG 260/390/47/35/2/69.

⁴⁸ Max Drechsel, “Angriffe auf die Preise,” *Mittelbayerische Zeitung*, August 17, 1948, 1.

⁴⁹ Monthly Report for August 1948, 2 September 1948, NACP, RG 260/390/47/34/2/15.

independently of the Bizone. One month after the Currency Reform, at a CSU party meeting in Augsburg, Schlögl described the continued imbalance between farmers and industrial workers and advocated the need for market regulations (*Marktordnung*).⁵⁰ In essence, the proposal sought to regulate agriculture by creating a body of producers, importers, exporters, and the government who would collectively coordinate the production, supply, and price of foodstuffs by increasing the supply of commodities into the market when prices rose and decreasing the supply when prices fell too low. The BBV applauded the idea and informed farmers that it was not a return to the “Nazi market organization,” referring to the Reichsnährstand, but a law to bring producers and consumers in line, giving farmers a fair price that consumers could afford.⁵¹

At the same time, VELF was discussing the possibility of a similar policy whereby a central stocking organization (*Vorrats GmbH*) would stockpile foodstuffs and balance supply and demand to ensure fair prices, but Bavaria decided to act rather than wait for Frankfurt.⁵² After discussions within the Bavarian government, a law for establishing a central organization for the food industry came before the Bavarian Landtag in late July. As the Landtag discussed this legislation, Schlange-Schöningen informed Schlögl that this draft law would violate economic policy developed in Frankfurt which applied to all *Länder*. Nevertheless, Schlögl asserted that Schlange-Schöningen was misinformed and that the law would not violate Bizonal policy because it only created a body to coordinate among stakeholders.⁵³ Moreover, Schlögl claimed that Bavaria could enact this legislation based on the Bavarian Constitution, which he

⁵⁰ “CSU-Landesausschuss tagte in Augsburg,” *Mittelbayerische Zeitung*, July 20, 1948, 3.

⁵¹ “Marktregelung!” *Landwirtschaftliches Wochenblatt*, June 27, 1948, 155.

⁵² Bericht der Agrarausschuss für Ernährung, Landwirtschaft und Forsten, 17 July 1948, BAK, B116/36323.

⁵³ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 78, Band II, 21 July 1948, 1627.

clearly placed above the directives of the unelected Bizone. Specifically, Schlögl pointed out that Article 164 of the constitution gave the state the authority to ensure adequate agricultural incomes by making agreements with producers, distributors, and consumers. With this legal basis, Schlögl claimed that the Landtag held the power to proceed with the law and declared his hope that it would serve as an example for the Bizone.⁵⁴

Within the Bavarian Landtag, the SPD, who remained opposed to Erhard's economic policies, supported the establishment of a stocking organization to coordinate agriculture as it aligned with their desires for a controlled economy, but the liberal FDP vehemently denounced the law, seeing it as a violation of the market economy and the powers of the Economic Council. Speaking for the FDP, Thomas Dehler noted that "poison slumbers in this law" and he strongly argued that only the Economic Council held the power to regulate the economy and to decide what form the economy could take. "A single *Land* cannot do that." Moreover, he asserted that Frankfurt was taking steps to help the economy and that action must be directed from the top down.⁵⁵

The law creating the stocking organization passed through the Bavarian Landtag easily with the support of the CSU and the SPD, and it went into effect in August following approval by the Bavarian Senate.⁵⁶ Shortly afterwards, Schlögl formed a new limited-liability corporation called the Vorrats GmbH whose shares were held by the government and a new organization called the Association of Bavarian Agriculture and Food Industry which consisted of

⁵⁴ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 82, Band II, 29 July 1948, 1786-1788.

⁵⁵ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 82, Band II, 29 July 1948, 1794-1796.

⁵⁶ Bayerisches Gesetz- und Verordnungsblatt, 7 September 1948, No. 19, 159; Erker, *Ernährungskrise und Nachkriegsgesellschaft*, 330.

participating businesses.⁵⁷ While the creation of this organization demonstrated Bavaria's continued efforts to act independently of the Bizone, VELF's decision not to pursue the formation of a similar organization meant that the Bavarian Vorrats was never operational because the stockpiling and regulating of foodstuffs would require the coordination of the entire Bizonal economy. Moreover, the Military Government abrogated the Bavarian law in January 1949 because it transferred governmental powers to a non-governmental body and looked like a restoration of the Nazi Reichsnährstand.⁵⁸

While VELF also wanted to increase agricultural prices, Schlange-Schöningen received clear statements that this was not possible. Speaking to VELF in September 1948, Erhard stated that increasing agricultural prices would lead to higher wages thereby increasing the price of industrial goods and making West German exports less competitive on the world market. Erhard instead encouraged VELF to pursue a policy suggested by Heinrich Lübke, the agricultural minister from North Rhine-Westphalia.⁵⁹ The Lübke Plan proposed allowing those farmers who met their delivery quotas to sell a percentage of foodstuffs at market prices. Yet, Schlange-Schöningen raised objections to this plan. He contended that it was too complicated and worried that if farmers were initially asked to sell only 10% of their crops at market prices and it proved successful, they would later demand the percentage be increased. He also believed that farmers would keep the best quality products and meats for the surplus, creating inequality between

⁵⁷ "Neue Formen der Agrarpolitik," *Landwirtschaftliches Wochenblatt*, August 14, 1948, 193.

⁵⁸ Bayerisches Gesetz- und Verordnungsblatt, 15 February, 1949, No. 3/4, 33.

⁵⁹ Lübke studied agriculture and civil engineering. From 1914 to 1918, he fought on both the Eastern and Western Fronts during the First World War and made his way into the Supreme Army Command. He later studied economics and worked for various organizations before leading the German Peasantry Association and was briefly a member of the Prussian Landtag as a member of the Center Party. In 1933, Lübke resigned his positions and was arrested and imprisoned for 20 months. He entered into the army reserve and worked as a surveyor under Albert Speer and oversaw forced laborers at Peenemünde Research Institute. Rudolf Morsey, *Heinrich Lübke: Eine politische Biographie* (Paderborn: Ferdinand Schöningh, 1996).

consumers.⁶⁰ In addition to these criticisms, he felt the idea was likely to be rejected by the Military Government and advocated for a price office to control and balance prices, but Erhard refused any return to broad price controls and asserted that the “resistance of the Military Government should be overcome. It is impossible to turn back the wheel of development.”⁶¹

Although Erhard encouraged VELF to challenge the Military Government, Schlange-Schöningen was not wrong in his belief that the occupiers would reject the Lübke Plan because the Military Government remained firmly opposed to ending price controls on all agricultural products. Besides worrying that inflation would undermine consumer prices, the main reason they did not want to expose agricultural prices to the market was because the occupiers, as part of the Marshall Plan, were importing 900 million dollars of foodstuffs into the Bizone. In June alone, food imports amounted to 715,000 tons and provided half the daily calories of the German consumer, which had reached an average of 1,800 per day. With this much food being imported, the Military Government did not want the prices affected by speculation, especially as American and British taxpayers funded the imports. Therefore, BICO firmly refused to abolish price controls and informed the Economic Council that Germans could speculate on prices once they were paying for the imports themselves.⁶²

Although the Military Government blocked the Lübke Plan, the BBV's president, Fridolin Rothermel, criticized Schlögl and Frankfurt for not addressing farmer demands. Rothermel, a veteran of both World Wars and a former Reichstag member for the BVP who supported the Enabling Act, was appointed by the Americans to oversee the nutrition office in

⁶⁰ John Farquharson, “The Consensus That Never Came: Hans Schlange-Schöningen and the CDU, 1945-9” *European History Quarterly* Vol. 19 no. 3 (July 1989): 368-372.

⁶¹ Sitzung der Ausschuss für Landwirtschaft, Ernährung und Forsten, 16 September 1948, BAK, B116/36323.

⁶² “More and Better Food for Bizonal Germans,” *Military Government Weekly Information Bulletin*, no. 144 (21 September 1948): 3-7.

Krumbach and helped found the BBV with Schlögl and Baumgartner. Known for riding his motorcycle from his farm in Bayersried to Krumbach, Rothermel played an important role in Bavarian politics during the occupation, serving as the District Administrator of Krumbach, a member of the assembly that drafted the Bavarian Constitution, and as a member of the Bavarian Senate.⁶³

Using the authority of these positions, at the BBV's third annual meeting in Memmingen, Rothermel sharply attacked Schlögl for enforcing the Frankfurt rationing system and for fining farmers who failed to meet delivery quotas, claiming that no one cared about the Bizonal regulations. Turning to Frankfurt, Rothermel called VELF's policies completely foolish and argued that the only way to guarantee deliveries was by offering fair prices to farmers. While he did see the Lübke Plan as a potential bridge between the control and the free economy, he qualified this by claiming that this type of policy should also be applied to industry, thus aligning the two sectors of the economy.⁶⁴

Schlögl responded to these criticisms by addressing Bavarians over the radio and placing the blame on the undemocratic administration in Frankfurt for failing to solve the pricing problem: "One has given those directors nearly the entire power and the responsible land ministers have been degraded to execution organs of Frankfurt. In the eyes of the people, however . . . the parliament elected by the people is controlling them, but they do not have the necessary power." Facing what he considered the inability of the Bizonal Administration to deal with the partially free, partially controlled agricultural economy, Schlögl reminded Bavarians

⁶³ Thomas Schlemmer, "Rothermel, Fridolin" in *Neue Deutsche Biographie* Vol 22 (Duncker & Humblot, Berlin, 2005), 122-123. Rothermel died in 1955 following an auto accident on his way to Paris.

⁶⁴ Report on the Third Anniversary of the Bavarian Farmers' Association, 13 September 1948, NACP, RG 260/390/48/1/3/124.

that under the circumstances he did his best and reasserted his support for an “agricultural control system” to steer “a regulated economy” and for broader powers afforded to the state ministers who were held “responsible by the population.”⁶⁵

Schlögl’s radio address discussing economic issues, in fact, reflected his continued defense of market regulations, and he expounded on these ideas in a pamphlet published in October 1948. In this publication, he stressed the need for *Marktordnung*, but sought to distance this idea from the control economy and the Nazi regime, claiming that market intervention did not mean a planned or controlled economy and that the idea was older than the Nazis. In fact, he stressed the 1930 Reich Milk Law (*Reichsmilchgesetz*) as a successful example of price regulation. This Weimar era law, according to Schlögl, permitted those with an economic interest in milk and milk processing to establish committees that sought to create reasonable prices for dairy products. For Schlögl, this was ideal because it sought to find a balance between consumers and producers and moved beyond the use of tariffs and subsidies. In supporting market regulations, he also recognized that the idea of regulating the market could be and was abused by the Nazi regime which regulated prices through the Reichsnährstand, but this organization, he argued, was not overseen by professional associations but by a top-down authoritarian structure. While farmers might have come to dislike this organization, it provided stability until the drive for war led the regime to ignore agriculture.⁶⁶

To avoid the Nazi regime’s top-down structure, Schlögl asserted that the *Länder* should adopt market regulations to stabilize the agricultural sector, an argument that strongly meshed with his anti-Frankfurt sentiments and federalist inclinations. Within this federal structure, he

⁶⁵ Radio Speech of the Bavarian State Minister for Food, Agriculture and Forests, 29 September 1948. NACP, RG 260/390/47/35/6/100.

⁶⁶ Schlögl, *Agrarpolitik einst und jetzt*, 15-23.

argued that the *Länder* should hold significant influence in foreign trade because they had insight into the agricultural production of their own *Land*. With this knowledge, they could prevent the dumping of agricultural goods in Germany by the United States and other European nations and intervene when they deemed it necessary. A second important factor for Schlögl was the place of agricultural associations and cooperatives whose independence, he argued, would allow them to assure the farmer a good profit margin and the consumer a fair price. This “middle way” between the market and total economic management, he argued, was possible and was successful in the past, making it a viable economic policy.⁶⁷

Schlögl’s arguments reflected the larger economic debates in Bavaria and the western occupation zones about the future of the Germany economy; the most notable being the ideas of Erhard who helped shape West Germany’s social market economy. While Erhard believed that government intervention was necessary to maintain competition, his ideas remained mostly focused on increasing industrial production and consumer goods, not agriculture. The SPD remained dedicated to introducing a centrally planned economy, but the American occupiers, the CDU, and the southern *Länder* had effectively opposed and removed the SPD from economic influence by mid-1947.⁶⁸ While clearly rejecting any form of control, something he had been criticizing for the last two years, Schlögl’s philosophy embracing market regulation encouraged government intervention to support the agricultural economy through price supports and subsidies, policies, he noted, that were used in the United States. By stressing the use of price supports in the United States, he attempted to persuade farmers, liberals, and adherents to

⁶⁷ Schlögl, *Agrarpolitik einst und jetzt*, 40-56.

⁶⁸ For the SPD efforts to management of planned economy, see Van Hook, 95-138.

Erhard's social market philosophy that market regulation was a legitimate and powerful policy that could create wealth for many and place agriculture on equal footing with industry.

Questions of Sovereignty

With the Military Government abrogating Bavarian laws and VELF seemingly paralyzed, Bavaria, in an assertion of federalism, decided to take action and remove Schlange-Schöningen for poorly managing the food and agricultural economies and for his office's directives that violated Bavaria's sense of sovereignty. Since the Currency Reform, Schlange-Schöningen's position, like the *Land* food and agricultural ministers, required him to find a balance between consumers and producers. In this situation, he found himself supporting the two-track economy that emerged after the Currency Reform.⁶⁹ Schlange-Schöningen's inability to satisfactorily balance these competing interests and his unwillingness to remove SPD party members from his office angered both liberals and agrarians within the CDU/CSU faction, and the CSU saw the opportunity to orchestrate his removal. In fact, the CSU did not even try to hide its plans and held a breakfast with the BBV during which Erhard, Müller, and Schlögl all suggested that Schlange-Schöningen's time was short and released a resolution denouncing him for his apparent anti-Bavarian food policies.⁷⁰

At an October 1948 meeting of the CDU/CSU faction in Frankfurt, the members held a vote of no confidence on Schlange-Schöningen's position while he was absent due to an illness. The charges levelled against him by the CSU proved mostly exaggerated and included his personality, his personnel decisions that gave the SPD partial control of VELF, his dictatorial attitude toward the *Land* ministers, his efforts to introduce a more extensive version of the

⁶⁹ Farquharson, "The Consensus That Never Came," 363.

⁷⁰ "Bayerns Haltung versteift sich," *Die Neue Zeitung*, October 7, 1948, 1; "Scharfe Kritik," *Mittelbayerische Zeitung*, October 12, 1948, 2.

planned economy, and his poorly prepared directives. Making a statement against Schlange-Schöningen, Josef Müller, in an effort to discredit the VELF director and argue for greater federal powers, connected Schlange-Schöningen to the rise of the Bayernpartei, the departure of Baumgartner, and the growing centralization of the economy, and he stressed the need for independent actions by the CDU/CSU in the *Länder* to address local conditions. The CSU, he warned, would always be blamed for bad policy in Frankfurt and felt Schlange-Schöningen had become a liability, especially as the VELF director blamed Bavaria for any breakdown of the rationing system.

While the CSU presented a strong case from its perspective, Schlange-Schöningen did have some supporters, and many wondered how his potential removal would alter policy and who would want to take his place. The faction eventually held a vote on Schlange-Schöningen's future, but the outcome remained secret because they decided to offer the embattled director an opportunity to speak.⁷¹ While given a change to defend himself, Schlange-Schöningen was clearly isolated within the CDU, and many hoped he would resign because his continued efforts to secure rations for striking workers in November made many in the CDU/CSU see him as on the wrong side of the political debate. Following this discussion within the CDU/CSU, Schlange-Schöningen agreed to make a statement before the Economic Council, one that many believed would serve as his resignation.⁷²

When the moment arrived in early December 1948, Schlange-Schöningen used this opportunity to address the entirety of the agricultural situation and to place himself within the broader development of agriculture since the end of the war. Within this framework, he stressed

⁷¹ Teilprotokoll der Fraktionssitzung, 18 October 1948, in *Die CDU/CSU im Frankfurter Wirtschaftsrat: Protokolle der Unionsfraktion 1947-1949*, 280-285.

⁷² Trittel, *Hunger und Politik*, 200-201.

that since his first postwar appointment in Obernkirchen, he worked to help feed the German people and never asked his employees their political affiliation, only that they work hard to overcome the major challenges facing Germany. In this way, he argued that he built a broad foundation and saw the value of diverse opinions, a decision that led to remarkable successes. These successes, he claimed, were not just his but also those of the German people, who stoically suffered through the last two years, and the German farmer who continued filling quotas despite the worthless Reichsmark.

Since the Currency Reform, Schlange-Schöningen admitted that mistakes had been made, but he also stressed that any measure proposed by VELF was approved by the Bizonal Executive Council. In this case, he asserted, “I was not the only one making these blunders.” Additionally, he argued that he always considered the entirety of the economy and could not manage his office by focusing on each individual commodity. Viewing the whole economy rather than specific commodities meant that when the price scissors opened, he sought a solution that would create adequate price relationships between all agricultural goods. These decisions, he admitted, could not be made quickly, much to the displeasure of the *Länder*, but his office worked hard and remained in communication with the Minister-Presidents. In working with the *Länder*, Schlange-Schöningen rejected assertions of centralization, arguing that “if you go and ask in the *Länder* what centralization is, you will find wherever you go, that on the Kreis level they say the government in this or that capital [city] was governing too centralized. This seems to be the usual reproach in Germany today . . . one must have the courage to do what is necessary.”

He also warned that Germans needed to take seriously their food situation and consider how the poor German food deliveries looked to someone in Washington, DC. Why should the United States continue sending Germans 50% of their yearly calories when they refused to meet

the other 50%? If the Germans failed to take the situation seriously, he warned, the United States would lose faith, creating unforeseeable difficulties for Germany. He stated that he had no regard for his future position and recognized that it was “irrelevant whether a man goes overboard or not, but it is the cause that counts.” He admitted that another person might have proved more capable, but he also believed that this person would not have identified a better way to manage the challenges. In this regard, he felt that he would leave with his head held high and wished good luck to his successor.⁷³

Schlange-Schöningen’s speech reminded those in the Economic Council not only of their own participation in the policies and directives issued by his office, but also that his position could not seek to satisfy one individual *Land* within the broader Bizonal economy. Moreover, he reminded them of Germany’s reliance on the occupiers for half their annual food supply, a factor that motivated him to ensure that Germans did their part. This approach proved convincing and many of the attendees came away impressed. Even more surprisingly, Schlange-Schöningen, during his remarks, never announced that he was resigning his position and no one appeared willing to take on this career-ending position, a result that left Schlange-Schöningen in charge of VELF until the occupation ended.⁷⁴

Bavaria remained deeply dissatisfied with the outcome in Frankfurt. Gebhard Seelos, the Bavarian representative to the Frankfurt Executive Council, writing days after the meeting, remained critics of Schlange-Schöningen and his inability to resolve the two-track economy that undermined Bavarian agriculture. Like all Bavarian critiques, he listed a series of demands that sought to give greater control to the *Länder*, including eliminating the VELF auditing system,

⁷³ Dr. Schlange-Schöningen vor der Vollversammlung des Wirtschaftsrates, 3 December 1948, BAK, B116/36289.

⁷⁴ Trittel, *Hunger und Politik*, 202.

reducing the number of VELF employees, and building a trusting relationship between the occupiers and the agricultural associations.⁷⁵ The BBV editorial fretted over the weakness of Schlange-Schöningen's opponents and demanded that the VELF director follow his words with action, promote greater coordination between agriculture and industry, and rid himself of punitive threats and measures.⁷⁶

While the CSU failed to remove Schlange-Schöningen, Bavarian farmers continued to ignore quotas and delivery schedules due to low prices even though the 1948 crop produced the first successful harvest of the occupation. When it came to potatoes, the Military Government found that farmers "have apparently decided to hold the potatoes themselves in hopes of getting higher prices," believing that imports would bridge potato shortages until prices were increased.⁷⁷ Regarding the grain harvest, by October, Bavarian farmers had failed to meet the 1947 collection level even though the 1948 harvest was 63% better than the 1947 harvest.⁷⁸ To encourage farmers to meet deliveries, the Economic Council and the Military Government approved price increases for grains and livestock, but farmers still refused to meet their quotas, leading Schlange-Schöningen to remark that farmers "think they can do exactly as they like."⁷⁹

⁷⁵ "Nicht mehr der gegebene Mann," *Landwirtschaftliches Wochenblatt*, December 11, 1948, 426. Seelos worked in the German Foreign Office from 1925 to 1944 and again from 1953 to 1966. During the Nazi regime, he worked in Warsaw, Lemberg (Lviv), and Copenhagen. Political differences led to his dismissal from the Foreign Office, but he continued working for the Wehrmacht as an interpreter at the Moosburg POW Camp. Here, Seelos started working with the Bavaria resistance, especially the Freiheitsaktion Bayern. Seelos first represented Bavaria at the Stuttgart Länderrat before moving to Frankfurt. He was eventually dismissed by Ehard over political differences and joined the Bayernpartei until he was expelled for encouraging the party to merge with the CSU. "Gebhard, Seelos," in *Biographisches Handbuch der Mitglieder des Deutschen Bundestages. 1949–2002. Band 2: N-Z*, ed. Rudolf Vierhaus, (Munich: De Gruyter Saur, 2002), 810.

⁷⁶ "Herr Dr. Schlange-Schöningen!" *Landwirtschaftliches Wochenblatt*, December 11, 1948, 427.

⁷⁷ Food Processing and Distribution Branch, Monthly Report November 1948, 3 December 1948, NACP, RG 260/390/48/2/2/160.

⁷⁸ Maximization of Deliveries, undated, NACP, RG 260/390/47/35/2/69.

⁷⁹ Notes on BICO Conference, 24 September 1948, NACP, RG 260/390/48/2/2.

According to the Military Government, Agricultural politicians and leaders had perpetuated this problem by continually demanding fair prices for farmers, statements that farmers, wholesalers, and retailers interpreted as giving them permission to “overlook ration controls.”⁸⁰ In fact, Ingwalson, the American Chief of Food, Agriculture and Forestry in Bavaria, viewed the BBV with disdain and believed that the association was controlling and undermining agricultural production and distribution. In an interview with a former BBV official, Ingwalson claimed that the BBV should be “liquidated,” stating that for “one year I have waited in vain for a change of the Association politics, but the patience also of a democratic occupation force has its limit. The Bav. Farmers Association doesn’t seem to act always very democratic.”⁸¹ Moreover, with the formation of the national DBV, Ingwalson fretted that there was a “growing of power in the hands of a few persons of all rural affairs, tending to undermine the position of the government and to lay the ground work for the rise of demagogic leadership.”⁸²

Increasingly frustrated, American Military Governor Clay resorted to the strategy used by the occupiers over the last year and informed leading German authorities that imports would be reduced if farmers failed to meet delivery quotas.⁸³ In Bavaria, Military Government officials continually pressured Schlögl to ensure that farmers provided grain for the coming winter and meat for Berlin, which had been under a Soviet blockade since the Currency Reform, and now communicated Clay’s threat to withhold food imports into Bavaria. Facing these threats, Schlögl, in several addresses before BBV gatherings in October and November, notified farmers that his ministry was implementing much stricter punishments for farmers who failed to meet

⁸⁰ Status of Food Situation and Action Required, 26 October 1948, NACP, RG 260/390/48/2/2/160.

⁸¹ Conference Report of Ingwalson and Luecker, 12 April 1949, NACP, RG 260/390/47/34/4/21.

⁸² Concentration of Power on the Rural Front, undated, NACP, RG 260/390/47/34/4/20.

⁸³ Trittel, *Hunger und Politik*, 187.

deliveries.⁸⁴ According to the directive, farmers who failed to supply one-third of their grain by November 15 faced seizures and fines of ten-fold the value of the grain; distributors and processors offering to pay higher than legally established prices faced closure of their firms; food inspectors would be making regular checks of certificates and documents to ensure adherence to the regulations; and police checkpoints would monitor traffic on all roads into and out of Bavaria. Schlögl's justification for the directive singled out "shirking" farmers whose actions damaged the reputations of all.⁸⁵

Weeks later, at a BBV meeting in Regensburg, BBV President Rothermel and Schlögl addressed the problems continuing to plague agriculture. Rothermel upbraided the farmers for listening to rumors about German agriculture being overwhelmed by the Marshall Plan when in fact much of the imported grain was stored away. By criticizing the farmers, Rothermel acknowledged that many farmers refused to make their deliveries while others sold off their crops early at cheap prices because they feared that prices would further decline. Rothermel then returned to the BBV's favorite scapegoat, VELF, and lambasted Frankfurt for failing to cooperate with farmers. To make the importance of cooperation clearer, he noted that all farmers know a farmer and his wife must work together to be successful, hinting that the VELF needed to work more closely with the farmers. He was particularly critical of VELF for not increasing prices until late September 1948, months after the Currency Reform. "We could protest as much as we wanted, Frankfurt did not listen to us because we came from Bavaria." To Rothermel,

⁸⁴ Extract from Minister Schlögl's Speech on the Occasion of the festive presentation of a Memorial Newsletter, 9 October 1948, NACP, RG 260/390/47/35/6/100.

⁸⁵ Directive, 3 November 1948, NACP, RG 260/390/47/35/2/69.

Frankfurt's failure was a failure of the control economy, a "control economy does not work out in a democracy. We must ask for a social directed economy."⁸⁶

While Rothermel focused on Frankfurt, Schlögl offered a much more wide-ranging speech that touched on numerous topics. He started by justifying the strict punishments instituted to fine farmers who avoided proper distribution channels. In stressing morality and order, he described the effects of the directives implemented to increase collections, noting that patrols had confiscated over 36 tons of butter in one district in only one week. He called this behavior "dreadful," especially among farmers who speak of Bavarian patriotism when voting but seek higher prices elsewhere. This type of behavior, he worried, indicated a moral lapse that disregarded Christian principles, and he stated that freedom from Nazi rule did not mean that everybody "can do what he likes." In justifying these strict directives, he stressed that without increased grain deliveries, rations might decline back to below 1500 calories a day.

After discussing the effects of the regulations, Schlögl addressed the continued grumblings over the Currency Reform and acknowledged that it remained a difficult problem to address because "we are not a sovereign state yet but we still live in a 'war-status,' we have no occupation statute and no peace treaty." Within this "war-status" condition, he acknowledged that the "occupation forces have the right of controls [sic] and can interfere on all sectors," and he admitted that the Bavarian government could not do "what she wants as she could in a state with full sovereignty. At present we are living in a state of reconstruction." In this state of reconstruction, Schlögl pointed out that Germans had no control over the currency, stressing that Bavaria "did not make this new currency . . . the occupation forces made it and took the

⁸⁶ Farmers Meeting in Regensburg, 20 November 1948, NACP, RG 260/390/48/2/2/160.

guarantee for it. We don't have the printing machinery for the bills in our possession, the occupation forces have."⁸⁷

Schlögl's remarks linking farmers' problems concerning the Currency Reform to sovereignty occurred within larger debates about the power of the occupiers, the occupation statute, and the shape and power structure within the future Federal Republic. In fact, as Schlögl was speaking, a Parliamentary Council composed of sixty-five elected members of the *Land* governments was meeting at the Koenig Museum in Bonn to draft a new constitution. In drafting the Basic Law, the council clearly considered the experience of the Weimar Republic to inform their debate. In this regard, they clearly weakened the office of the president, as *Reichspräsident* Paul von Hindenburg appointed Hitler as his chancellor in 1933, and established that a political party needed to obtain at least 5% of the vote to enter the Bundestag, a barrier to prevent small radical parties from entering and possibly destabilizing the parliament. While seeking to adopt the lessons of Weimar, the biggest challenge the council faced was the distribution of authority between the Federal government and the *Länder*. The CSU, along with the support of the American and French occupiers, firmly favored decentralization and, in fact, in February 1949 the occupiers rejected and strongly criticized a draft of the constitution that they found too centralizing, and they demanded that the *Länder* control financing for the future federal government, a position strongly supported by the federalist minded CSU.⁸⁸

The American and Bavarian position, however, faced fierce criticism from the SPD who feared that giving the future Federal Republic's financial authority to the *Länder* would undermine the federal government's power. Under the continued leadership of Schumacher, the

⁸⁷ Farmers Meeting in Regensburg, 20 November 1948, NACP, RG 260/390/48/2/2/160.

⁸⁸ Winkler, 122-125.

SPD announced that it would reject the Basic Law unless financing was returned to the federal government, a position even privately supported by Adenauer. While a dramatic confrontation with the occupiers, the SPD, informed by the British, already knew that the Americans were prepared to back down. In April, the occupiers publicly notified the Parliamentary Council of their reversal on the sections of the Basic Law concerned with financing. In the final version, the *Land* governments retained authority over education, religion, and culture, though they retained power at the federal level through the Bundesrat. The CSU, seeing their federalist position attacked and being pressured by the Bayernpartei,⁸⁹ believed that the draft of the Basic Law had strayed too far from their understanding of decentralization and federalism. The party was critical of several provisions, including the decision to return financing to the federal government, the lack of a concordat between Catholic and Evangelical Churches, and the weakening of the Bundesrat. With these grievances, the CSU chose to vote against the Basic Law in the Parliamentary Council. Nevertheless, the draft easily survived, passing 53 to 12.⁹⁰

With the Parliamentary Council voting in favor of the new constitution, the Basic Law now required ratification by the *Länder*. The debate over the Basic Law proved fierce in the Bavarian Landtag where the CSU and the Bayernpartei used the debate to demonstrate Bavaria's autonomy and to win over federalist voters. In fact, both parties claimed that the Basic Law, like the Weimar Constitution, would result centralization. Ehard made this connection in his report on the vote in the Parliamentary Council, and he recommended that the Landtag vote against ratifying the Basic Law. While not supporting the Basic Law, Ehard also claimed in his report that he did not want Bavaria to be separate from the Federal Republic, stating that "our no is a no

⁸⁹ "Kampfansage Dr. Baumgartners an Dr. Ehard," *Fränkischer Tag*, March 22, 1949, 1.

⁹⁰ Winkler, 125-126. For Bavaria's specific objections, see *Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 108, Band IV, 13 May 1949, 3-4.*

within our democratic community to which we belong.” With this statement, he informed the Landtag that they would hold two votes. The first vote would be a straight vote on whether Bavaria should accept or reject the Basic Law. The second vote would be for or against a provision that Bavaria would agree to become a part of the Federal Republic and accept the Basic Law if two-thirds of the *Länder* ratified the Basic Law.⁹¹

The Landtag debate started on 19 May and lasted for hours as numerous speakers, almost constantly heckled by their opposition, argued for supporting or rejecting the Basic Law. The political divisions, however, were clear. The CSU and the Bayernpartei remained firmly opposed to ratifying the Basic Law while the SPD and FDP supported ratification. The SPD’s main speaker, Waldemar von Knoeringen, recognized that the document was a product of compromise, and he stressed that much of the CSU’s demands for a strong federalist state were evident in the Basic Law, specifically pointing to the significant powers of the Bundesrat. He was also critical of CSU’s political tactics, noting that a “No” to Bonn but a “Yes” to Germany was impossible, implying that a “Yes” to Germany meant a “Yes” to Bonn. Thomas Dehler, speaking first for the FDP, also pointed out the inconsistencies of the CSU’s position. He stressed that the occupying powers gave Germans the freedom to draft the Basic Law, a constitution that offered more to the states than any other constitution in the world, including that of the United States. The CSU’s obsession with federalism, he lamented, meant that they failed to see the positive provisions of the law that would allow the western part of Germany to regain some of its sovereignty. For Dehler, the political games of the CSU and the Bayernpartei

⁹¹ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 108, Band IV, 13 May 1949, 4-5.

monarchist crying “Heil Wittelsbach!” reflected the unruly and unstable politics of Weimar. The way forward, he argued at the end of this two-hour speech, was to support the Basic Law.⁹²

Speaking on behalf of the CSU, Anton Pfeiffer reiterated the party’s position that the *Länder* should have financial authority over the federal government, should execute the federal laws, and should hold cultural, administrative, and police sovereignty. In taking this position, the CSU did not criticize any specific articles in the Basic Law but simply held that the constitution was inherently centralistic. In conclusion, Pfeiffer made clear that even if the Landtag supported the second measure and agreed to join the Federal Republic, the CSU would remain a strong proponent of federalism in the new national government. Baumgartner, speaking for the Bayernpartei, called the CSU’s stance nothing but “party politics” and a surrender to Military Government pressure. Baumgartner attacked specific provisions within the Basic Law that he believed would fundamentally alter the cultural character of Bavaria, a culture, he claimed, that was birthed in Renaissance and Baroque periods. He specifically called attention to Article 15 that permitted the transfer of land, natural resources, or the means of production to public ownership if done for the public good and if property owners were properly compensated. Baumgartner clearly saw this article as a backdoor to the socialization of West Germany, an outcome that would negatively affect Bavaria’s mixed economy of medium and small businesses and farmers. To him, the Bonn Constitution represented the centralistic thinking of the SPD that would ultimately lead to radicalism and a new dictatorship. With this fear, he claimed that voting

⁹² Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 110, Band IV, 19 and 20 May 1949, 93-105.

“No” was the responsible decision for Germany and Europe. This, he declared, was an honest federalist position, not, as many in the Landtag implied, a call for separatism.⁹³

After these party leaders staked out the major positions, the debate over the “Yes” or “No” to the Basic Law continued into the early the morning. When Horlacher, as President of the Landtag, finally read out the result of the vote, he announced that 64 had voted Yes, 101 had voted No, and 9 had abstained, making Bavaria the only *Land* to reject the Basic Law. The second measure, however, passed, with 97 voting for this initiative, 6 against, and 70 abstaining, a vote that permitted Bavaria to join the Federal Republic without ratifying the Basic Law.⁹⁴ In this second vote, much of the FDP and SPD voted to abstain while the CSU voted overwhelmingly to support it, underscoring Baumgartner’s comment that it was simply party politics and a way for the CSU to claim strong federalist inclinations while becoming part of the Federal Republic. With this vote, the Bavarian “*Jein*” (yes/no) signaled to Bonn that Bavaria would strongly defend federalism and the state’s sovereignty within the Federal Republic.

With the approval of the Basic Law, the end of the occupation was evident in statements acknowledging that the Military Government’s control was decreasing and that the German government was coming into power.⁹⁵ In the countryside, American field inspection branches in Bavaria found food offices shrinking and inspectors playing little role in the autumn harvest. They also concluded that there seemed little need for the inspectors as they found most “farmers

⁹³ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 110, Band IV, 19 and 20 May 1949, 80-93, 106-112.

⁹⁴ Verhandlungen des bayerischen Landtags, Wahlperiode 1946/1950, Stenographischer Bericht Nr. 110, Band IV, 19 and 20 May 1949, 174, 177.

⁹⁵ Minutes of the Food, Agriculture and Forestry Group Conference, 25 February 1949, NACP, RG 260/390/48/2/2/160.

will sell for legal prices.”⁹⁶ Moreover, BICO sought to align German domestic prices with world market prices and announced that the cost of food imported into Germany would increase starting March 1: changing from 3.33 DM per dollar to 4.20 DM. While agreeing in principle, German politicians sought to prevent a radical increase in consumer food prices and, with BICO’s approval, the Economic Council enacted the Import Equalization Law (*Gesetz über die Errichtung einer Importausgleichsstelle für Einfuhrgüter der Land- und Ernährungswirtschaft*), a law permitting the Foreign Trade Agency (*Aussenhandelsstelle*) to resell imported foodstuffs at domestic prices. When market prices were higher than domestic prices, the agency generated an income that it used to subsidize imported goods whose price was more than domestic prices.⁹⁷

Although agricultural production was improving and prices for agricultural products increased at the end of the occupation, the issues surrounding agricultural and food prices remained unsolved and would continue playing an important role in the early Federal Republic. Without VELF and the Military Government, these issues required Germans to address the problem themselves but they faced a new sovereignty regime, the Allied High Commission. Under the Occupation Statute, the AHC held significant powers to approve or disapprove West German legislation and, because agricultural prices were deeply entangled with the larger economy, the AHC would take a great interest in West Germans’ efforts to find a balance between farmer income and consumer prices.

From Market Regulation to Agricultural Law

In the summer of 1949, the BBV published an article discussing the many initiatives that the Bavarian government had taken since the Currency Reform to improve economic conditions

⁹⁶ Report on Field Trip, 9 August 1949, NACP, RG 260/390/48/2/2/160.

⁹⁷ Wilhelm Niklas, *Sorgen um das tägliche Brot* (Bonn: Agricola Verlag, 1951), 12-13.

for farmers. After highlighting the numerous agricultural schools, a draft of a Bavarian hunting law, a Bavarian import-export association, and the government's mechanization efforts, the BBV reminded readers of the 1948 Bavarian market regulation law that was repealed by the Military Government. While struck down in early 1949, the BBV noted that VELF was still discussing this type of law for the future. Although the newspaper saw this a positive sign and a way forward, it reminded farmers that they could not rest and that agriculture needed to continue fighting for farmers to have a place in West Germany's economic recovery.⁹⁸

The future of West German agriculture in late 1949 was murky as the first West German government came into power in September. In the months leading up to the elections in August, the CDU/CSU fully embraced Erhard's social market economy as inflation stabilized, unemployment shrank, and industrial productivity increased. In taking this position, they placed themselves in opposition to the SPD who they characterized as wanting to maintain the dreaded controlled economy.⁹⁹ On the national level, this argument proved successful and the Union collectively won 31% of the vote while the SPD received 29.2%. In Bavaria, the CSU won 29.2% of the vote with the SPD taking 22.8%, and the Bayernpartei 20.9%, an outcome demonstrating the widespread support for the Bayernpartei's hyper-federalist program.

At the national level, the CDU/CSU formed a center-right coalition government with the FDP and the German Party (*Deutsche Partei*). In the divvying up of minister positions, Bavaria's importance to the coalition was evident, and eight of sixteen minister positions went to Bavaria, including the post of agricultural minister. Although Schlange-Schöningen was initially offered the position, he was politically damaged from overseeing VELF and turned it down once he was

⁹⁸ "Bayerische Initiative seit der Währungsreform," *Landwirtschaftliches Wochenblatt*, July 9, 1949, 497.

⁹⁹ Spicka, 49-88.

unable to win the full support of the CDU. With Schlange-Schöningen declining the position, Adenauer turned to Wilhelm Niklas, most recently a deputy of Schlange-Schöningen in VELF, hoping that the CSU leader would garner support from agricultural interests and his Bavarian partners.¹⁰⁰

Following the seating of the new government on 20 September 1949, the *Landwirtschaftliches Wochenblatt* discussed what Bavarian farmers desired from the new government. They made it clear that they supported Erhard's social market economic policies and stressed the need for increased industrial exports and increased agricultural production to preserve the social market economy and prevent the imposition of a "socialist state economy" by the SPD. Although advocating that the new government free the economy from the "shackles of the still existing compulsory economy," they also encouraged the government to institute legislation that would regulate agriculture imports and balance them with domestic production. Using this type of regulation, they argued, would create a fair income for farmers and fair prices for consumers.¹⁰¹

The idea of using regulation to support prices was given support by Adenauer who remained keenly aware of farmers' early support for the Nazis and wanted to retain farmers' political allegiance. In outlining his government's major agricultural priorities, he stressed dismantling the last vestiges of the control economy, increasing agricultural production, reducing

¹⁰⁰ Niklas was long involved in agriculture and farming circles. After completing his studies, he was a professor of veterinary science in Munich, worked for the War Nutrition Office during the First World War, and in the Ministry of Food and Agriculture during the Weimar era. Dismissed from his university position by the Nazis, he spent war as a private farmer. Following the Nazi defeat, he worked in the Bavarian Ministry of Food and Agriculture and served as Schlange-Schöningen's deputy in VELF. See Ulrich Kluge, *Vierzig Jahre Agrarpolitik in der Bundesrepublik Deutschland*, Vol. 1 (Hamburg/Berlin: Verlag Paul Parey, 1989), 84-86.

¹⁰¹ "Bonn-und wir!" *Landwirtschaftliches Wochenblatt*, September 24, 1949, 725-726.

costly food imports, and improving animal husbandry.¹⁰² A month later, Niklas reiterated these positions in the Committee for Food, Agriculture and Forestry of the Bundestag and specifically stressed the need to form committees to investigate the end of the managed economy and the transition to the social market economy, but he was very clear that the poor condition of the food industry made it difficult for agriculture to achieve these objectives quickly.¹⁰³

Shortly after this speech, Niklas established two expert panels (*Gutachten*) to determine how best to secure the objectives of the agricultural sector in the social market economy. The first panel, Group A, composed of agronomists, voiced concerns over using market regulations to protect agriculture and violating the rules of open competition while Group B, formed from state food offices and agricultural associations, contended that West German agriculture was not prepared for competition. Unsurprisingly, agricultural associations, politicians, and Niklas supported Group B as they were all part of the political ecosystem that had spent the last year warning that world market prices would be detrimental to agriculture and advocating for a market regulation.¹⁰⁴

As this debate played out, the Import Equalization Law was set to expire in December 1949 without a replacement. In this situation, the Adenauer government sought to renew the law to protect agriculture from world market prices and to prevent rising food prices from increasing worker wages. Yet, this effort faced opposition from the AHC who notified Adenauer of High Commissioners' negative position toward extensions. The AHC argued that the law created hidden tariffs, indefinitely separated internal and external prices, dissipated foreign exchange,

¹⁰² Kluge, 109.

¹⁰³ Wilhelm Niklas, *Ernährungswirtschaft und Agrarpolitik: Ausführungen über die Ernährungs- und Agrarpolitik in den Sitzungen des Ausschusses für Ernährung, Landwirtschaft und Forsten des Deutschen Bundestages am 19. und 27. Oktober 1949*, (Bonn: Bundesministerium für Ernährung, Landwirtschaft und Forsten, 1949), 39-40.

¹⁰⁴ Kluge, 116-118.

and established an expensive bureaucracy. Ignoring the opinions of the AHC, the Bundestag approved the extension of the law to July 1950, but the AHC retained authority over West German legislation under the Occupation Statute. Once the Bundestag passed the extension, the Economics, Foreign Trade and Exchange Committee within the AHC recommended that the High Commissioners disapprove of the law because the Adenauer government had been warned of the AHC's negative opinion. Nevertheless, Adenauer, in a personal letter to McCloy, sought to persuade him to approve the law, stating that it would only cover commodities where significant differences existed between world and domestic prices, that all countries would be treated equally, and that it would expire in June 1950. As a result of the letter, McCloy informed Adenauer that the AHC would not disapprove of the law, but warned him that the AHC would not permit an extension of the law either.¹⁰⁵

When this temporary extension approached its expiration, Niklas and the agricultural associations strongly argued for continuing to protect West German agriculture by balancing imports to sustain a calculated price level.¹⁰⁶ The federal government clearly supported protecting agricultural prices, but rather than developing a comprehensive agricultural law, the Bundestag debated several market regulation laws that sought to protect specific commodities, including grain, dairy, sugar, and meat. These laws reflected the thinking outlined by Schlögl in 1948 and would create stocking boards to maintain prices, regulate imports, and hold stocks in reserve. In a pamphlet explaining and justifying these laws, Niklas argued that West German agriculture faced difficult challenges overcoming the damage wrought by the war and the

¹⁰⁵ Hubert Schmidt, *Food and Agricultural Programs in West Germany, 1949-1951* (Bad Godesberg: Office of the High Commission for Germany, 1952), 75-77.

¹⁰⁶ Denkschrift des Deutschen Bauernverbandes "Die gegenwärtige wirtschaftliche Lage der Landwirtschaft," 6 July 1950, BAK, B116/36278.

climate. These factors, he contended, justified special regulations to protect agriculture. If West German agriculture faced the market, he asserted, it would have dire consequences for the state, agriculture, and society. By protecting agricultural prices, Niklas contended, the government could create a fair balance between consumer and producers.¹⁰⁷

The first law debated by the Bundestag was the market regulation law for grain, and it proved controversial and lasted for several months. The grain law was first submitted for debate in July 1950 and sought to raise the fixed price of rye from 240 DM to 280 DM and that of wheat from 260 DM to 320 DM. While many in the governing coalition supported the grain law, the price increase would clearly hurt consumers and blunt trade liberalization efforts. To win over some in the SPD, a compromise was eventually reached that permitted price increases, but also introduced *Konsumbrot*, a bread sold at the previous fixed price and made with more rye and less wheat.¹⁰⁸ Additionally, the government also ensured that market regulation laws established fixed prices rather than price ceilings, guaranteeing stable prices that would not fluctuate with the market.¹⁰⁹

As the Bundestag debated the grain law, the Americans clearly saw it as a threat to liberalizing the West German economy. In an Economic Cooperation Administration report on the 1950 Bauerntag in Cologne, the observers described DBV President Hermes' "one-sided plea for the special interests of the farmers and, over and above all, for more drastic protection

¹⁰⁷ Niklas, *Sorgen um das tägliche Brot*, 147-153.

¹⁰⁸ Konsumbrot was initially denounced as "Poor-people's bread," but consumers liked the bread and demand grew quickly, leaving bakeries unable to sell the higher priced wheat bread. See Paul Erker, "Hunger und sozialer Konflikt in der Nachkriegszeit," in *Der Kampf um das tägliche Brot. Nahrungsmangel, Versorgungspolitik und Protest*, ed. Manfred Galius und Heinrich Volkmann (Opladen: Westdeutscher Verlag, 1994), 392-408.

¹⁰⁹ Verhandlungen des deutschen Bundestag, 78 Sitzung, 21 July 1950, 2802-2810. <http://dipbt.bundestag.de/doc/btp/01/01078.pdf>. Accessed August 11, 2019.

measures for fruit and vegetable farmers.”¹¹⁰ While the observers proved critical of the farmers’ efforts to secure economic protection, the Adenauer government, even with Erhard as Minister of Economics, passed the grain market regulation law in September. While the AHC saw the law as protectionists, the outbreak of the Korean War changed their opinion because the law would give the West German government the ability to control and conserve commodities in case the conflict expanded to Europe. With this rationalization, the AHC approved the grain market regulation law and paved the way for the others that were passed in early 1951.¹¹¹

The outbreak of the Korean War suddenly and immediately impacted the West German economy and raised questions about the Adenauer government’s economic and agricultural policies. When the war started, new orders for industrial goods streamed into the country and production almost doubled by 1952, but the purchasing of raw materials for industry on the world market caused inflation. Rising inflation led West Germany to quickly use up its \$320 million credits from the recently established European Payments Union, a clearinghouse for credits in foreign trade for nations participating in the Marshall Plan. In fact, the United States granted West Germany an extra \$120 million in credits that was used up by November 1950. By early 1951, West Germany halted all nonessential imports due to the lack of currency reserves, and the West German central bank (*Bank deutscher Länder*) withdrew a billion DM from *Land* banks to finance the federal government. Rising inflation, lack of international credits, and Erhard’s continued efforts at trade liberalization created a political crisis in Bonn, and Adenauer’s faith in Erhard was tested as the economy became especially precarious.¹¹²

¹¹⁰ Omar Pancoast to Ben Thibodeaux, 28 August 1950, NACP, RG 260/390/48/1/3/124.

¹¹¹ Schmidt, 79, 85.

¹¹² For discussions of the economic and political situation caused by the Korean War, see Nicholls, 270-299; Spicka, 94-105; and Van Hook, 213-232.

In the agricultural sector, the federal government sought to limit inflation on food staples, but the government held little food reserves, even though the Bavarian government had encouraged Erhard in August 1950 to stockpile three months of reserve grain.¹¹³ With little reserves, market prices spiking, predictions that grain shipments from the United States would decline, and farmers feeding their cattle wheat and rye as fodder prices skyrocketed, the price of bread and other foodstuffs in West Germany sharply rose and the federal government increasingly feared a food shortage. Yet, with Erhard fearing a wage-price spiral, the Minister of Economics refused to raise wages for workers who saw food prices rise by 3% to 7%.¹¹⁴ To compensate for the rising grain prices, the federal government provided a subsidy of 200 million DM to bakers and millers and increased the production of *Konsumbrot*, now purchased by 80% of the population.¹¹⁵

Nevertheless, even these efforts proved unable to stem fears and growing demands that the federal government abandon Erhard's policies and intervene in the economy. This growing pressure was clear in Bavaria where the topic of prices and agriculture became a central issue in early 1951. As fear penetrated the population, the recently formed Bavarian government, a coalition between the CSU and SPD under Erhard, agreed to address the topic in the Landtag.¹¹⁶ The discussion, opened by Lorenz Hagen (SPD), recognized that prices for goods continued to increase and were starting to price out the middle class. He acknowledged that the Korean War

¹¹³ Schlögl to Niklas, 20 March 1951, BAK, B116/36287.

¹¹⁴ Van Hook, 214.

¹¹⁵ Kluge, 114-116.

¹¹⁶ The decision was the result of discussions in the cabinet. See the Außerordentliche Ministerratssitzung on 29 January 1951 and the Ministerratssitzung on 5 February 1951 in *Die Protokolle des Bayerischen Ministerrats, 1945-1954. Das Kabinett Erhard III: 18. Dezember 1950 bis 14. Dezember 1954. Band I.* ed. Oliver Braun (München: R. Oldenbourg Verlag, 2013), 121-122, 150-153.

played a part in the rising prices, but he mostly blamed middlemen who took advantage of the situation and Erhard's policies, which he contended had "shipwrecked" the economy. He concluded by urging the Bavarian government to take action to alleviate the problem.

Responding to Lorenz, Hanns Seidel (CSU), the Bavarian Minister of Economics, reminded Hagen that the Bavarian state could not pass legislation regarding those commodities under market regulation laws that fixed prices because this was the prerogative of the federal government. Moreover, he also did not believe intervention was necessary and contended that world prices would soon stabilize after the initial shock of the war. This prediction reflected his belief that West Germany should not freeze prices and wages like the President Truman in the United States. Instead, he offered several ideas the Bavarian government could take to support the federal government, including implementing the export program supported by Erhard, approving laws that supported the federal government's efforts to acquire raw materials, offering discount vouchers to the socially disadvantaged, preventing unjustified price increases of goods not under fixed prices, and adjusting wages as necessary.¹¹⁷

While the Landtag debated Hagen and Seidel's assertions, the body did not reach any agreement or develop any legislation; however, the debate was closely followed in Bonn, and Niklas increased Bavaria's monthly wheat quota from 10,000 to 22,000 tons. In a report about the Bavarian debate, Schlögl warned Niklas that farmers were growing more reluctant in their grain deliveries as fodder prices increased and price subsidies went to bakeries and millers. He then reminded Niklas that, unlike the occupation time, there were no laws to force deliveries.¹¹⁸

¹¹⁷ Verhandlungen des bayerischen Landtags, Wahlperiode 1950/54, Stenographischer Bericht Nr. 10, 7 February 1951, 141-155; Verhandlungen des bayerischen Landtags, Wahlperiode 1950/54, Stenographischer Bericht Nr. 11, 8 February 1951, 163-170.

¹¹⁸ Schlögl to Niklas, 20 March 1951, BAK, B116/36287.

Schlögl's growing worries were also evident at a meeting of the Bavarian Agricultural Committee in late February. During this meeting, he denounced the federal government's economic policies, asserted that the free market could not function without sufficient reserves to offset sudden changes in world market prices, and criticized Erhard's obsessive focus on industry because this resulted in low food reserves.¹¹⁹

Even as Schlögl was criticizing Erhard, the leadership of the West German agricultural associations were meeting with Adenauer, Niklas, and Erhard at Rhöndorf to address prices and the future of agriculture in the Federal Republic. After a brief introduction by Hermes, Kurt Wittmer-Eigenbrodt, Chairman of the DBV Price Committee and President of the Hessen Farmer's Association, demanded that the federal government develop a program to increase agricultural production, protect agriculture from the world market, and utilize the market regulation laws to stabilize prices by balancing imports and exports. To increase the income of farmers, he also suggested the government draft legislation that would increase the producer's share of income compared with wholesalers. Finally, he asked that the government develop an agricultural law for West Germany, a law that would create a prosperous agricultural sector, recognize personal freedom, and protect private property. In responding to Wittmer-Eigenbrodt and the other speakers, Adenauer wholeheartedly embraced the farmers' program, pledging that the federal government would implement measures to ensure that prices reflected the cost of production, that wages of agricultural workers would reach parity with industrial workers, and that domestic production would be increased to reduce reliance on exports.¹²⁰

¹¹⁹ Ausschuss für Ernährung und Landwirtschaft, 22 February 1951, BAK, B116/36287.

¹²⁰ Niederschrift über die gemeinsame Sitzung der Bauernverbände und der ländlichen Genossenschafts-Organisationen, 17 February 1951, BAK, B116/36278.

Adenauer's remarks dedicating himself to supporting farmers and to securing them parity with industry in front of Erhard was certainly welcome news to the Federal Republic's agricultural leaders. Adenauer's position increased farmers' confidence and support of the government. In reporting on this meeting, the BBV, rather than providing an editorial, simply republished long excerpts from the conference report under the title "The New Agricultural Program."¹²¹ While this conference indicated Adenauer's support to aid West German farmers, the practical day-to-day work remained to translate these words into action and legislation.

Shortly after Adenauer committed his government to intervene in the economy to aid agriculture, McCloy demanded that the West German government help fight the Korean War by enacting regulations to control the distribution of raw materials and to manufacture materials needed to prosecute the war, steps the chancellor already personally agreed were needed.¹²² In fact, in March 1951, the Bundestag not only passed the Economic Security Law (*Wirtschaftssicherungsgesetz*) to regulate raw material imports, but also raised domestic prices for wheat (420 DM) and rye (380 DM). With the temporary suspension of trade liberalization, West Germany's economic situation started to improve and the inflation sparked by the Korean War leveled off; moreover, fears of a potential food crisis abated as higher grain prices improved farmer deliveries and worries over delayed grain deliveries from the United States proved false.¹²³ Nevertheless, while surviving the crisis and eventually returning to the social market

¹²¹ "Nach den Zusagen nun die Umsetzung in die Tat!" *Landwirtschaftliches Wochenblatt*, March 3, 1951, 175-176, 185-186.

¹²² The United States High Commissioner for Germany (McCloy) to the Office of the United States Special Representative in Europe, at Paris, 7 March 1951 in *Foreign Relations of the United States, 1951*, Vol. III, Part 2, European Security and the German Question, ed. Fredrick Aandahl, (Washington, DC: Government Printing Office, 1981), Document 147; Adenauer's response is reprinted in Werner Abelhauser, "Ansätze ‚Korporativer Marktwirtschaft‘ in der Korea-Krise der Früchten Fünfziger Jahre," *Vierteljahrshefte für Zeitgeschichte* 30, no. 4 (1982):739-745.

¹²³ Kluge, 115; Spicka, 100.

economy principles of Erhard, the government did not address the issue of a new agricultural law even as politicians continued advocating a “parity” law for farmers.

Adenauer himself reaffirmed the need for parity in late 1953 when he spoke before the Bundestag following his coalition’s reelection. In this speech, he announced that domestic agricultural production now provided two-thirds of West German consumption compared with 40% in 1951. The current level, he pointed out, now surpassed pre-war production levels. This success, he contended, was a result of the market regulation laws. While congratulating farmers for their growing production, Adenauer also recognized that German farmers had not yet been able to fully participate in the economic success of the Federal Republic because of the high costs of machinery and equipment. At the beginning of second term as chancellor, he promised that his government would develop legislation to ensure that farmers also enjoyed the nation’s economic growth.¹²⁴

The newly appointed Bundesminister for agricultural, Heinrich Lübke, faced little difficulty obtaining support across the political spectrum for a comprehensive agricultural law, but disagreements existed about the exact provisions. This debate started in June 1954 when both the FDP and CDU/CSU provided draft laws to help agriculture achieve parity with industry.¹²⁵ The major disagreement between the two parties centered on the best way for helping the agricultural sector. The FDP proposed using price indices to calculate an average global price for agricultural commodities which would be used to establish prices in West Germany. Creating price parity, argued the FDP, would increase farm income much quicker than the CDU/CSU’s proposal to increase farm profitability through subsidies and investments. Conversely, the

¹²⁴ Verhandlungen des deutschen Bundestag, 3 Sitzung, 20 October 1953, 17. <http://dipbt.bundestag.de/doc/btp/02/02003.pdf>. Accessed August 11, 2019.

¹²⁵ “Hilfe für die Landwirtschaft – eine Preisfrage,” *Süddeutsche Zeitung*, June 25, 1954, 3.

CDU/CSU claimed that adjusting prices had failed in the past and instead advocated for an automatic cost-profit mechanism that would ensure that farmer income covered farm costs. The SPD, while not rejecting either proposal, noted that they were both empty handed gestures and that the government needed to present a draft law instead of making promises.¹²⁶

Major movement on the law did not occur until February 1955 when Erhard and Lübke met at a subcommittee meeting for Parity Laws. Here, Lübke rejected both the automatic cost-profit mechanism and price indexes. He instead maintained that market regulation proved the best method of supporting the agricultural sector. According Hans Lückner (CSU), Erhard was initially skeptical, arguing that market regulations did not align with the social market economy philosophy, but he eventually came around to supporting the idea of market regulations when it was pointed out to him that he often intervened in the economy to aid shipbuilding, housing, transport, and other industries.¹²⁷

Momentum for what was being called the Basic Law for Agriculture accelerated following the government's Easter break. In May, the DBV reviewed and commented on the subcommittee's draft law, an important moment given that many politicians recognized that the DBV's disapproval of the draft would halt its progress.¹²⁸ The DBV remained skeptical of the draft law and specifically identified two areas of concern. First, they pointed out that the law did not clearly state how it would offset agriculture's natural and economic handicaps, and secondly, they remained concerned that the law did not provide specific information about how it would improve the lives of rural West Germans. Although skeptical, the DBV offered its tacit approval,

¹²⁶ Verhandlungen des deutschen Bundestag, 35 Sitzung, 24 June 1954, 1666-1689. <http://dipbt.bundestag.de/doc/btp/02/02035.pdf>. Accessed August 12, 2019.

¹²⁷ "Das Landwirtschaftsgesetz erläutert" *Landwirtschaftliches Wochenblatt*, February 19, 1955, 307.

¹²⁸ "Die Einwände des DBV," *Landwirtschaftliches Wochenblatt*, May 7, 1955, 831-832.

and the farmers' association received a boost following a meeting with Adenauer in late June. During this meeting, Adenauer agreed that the law needed to be more specific and state exactly how it would aid farmers, especially the small family farms that Adenauer considered central to German agriculture.¹²⁹

When the law emerged from committee, the *Landwirtschaftliches Wochenblatt* happily reported that it would not, like the West German hunting law, require a conciliation committee to ensure constitutionality and was only nine short paragraphs. Following a five-hour debate on 8 July 1955, the Bundestag passed the West German Agricultural Law with only two votes against, a vote that indicated the wide political support the law had garnered.¹³⁰ The law's central provisions sought to modernize farms, overcome economic and social disadvantages, and ensure that farmers had equal incomes and living standards to those in other professions. To achieve this, the law included tax concessions, investment assistance for modernization, fuel and fertilizer subsidies, market regulations, stocking boards for specific commodities, and annual reports, which became known as "Green Plans," analyzing the data of 6,000-8,000 farms to develop policies to help agriculture and improve farmers' standard of living.¹³¹

While some liberals and unions criticized the tax supports and feared rising food prices, the law did not result in parity and farm incomes did not immediately close the gap with industrial labor.¹³² Instead, the law slowly increased the amount of financial aid the agricultural sector received from the federal government, rising from 2.1% of the 1955 budget to 5.8% in

¹²⁹ "Geschäftsführendes Präsidium des DBV beim Kanzler," *Landwirtschaftliches Wochenblatt*, June 11, 1955, 1079.

¹³⁰ Verhandlungen des deutschen Bundestag, 96 Sitzung, 8 July 1955, 5418-5453. <http://dipbt.bundestag.de/doc/btp/02/02096.pdf>. Accessed August 15, 2019.

¹³¹ "Was bringt nun das Landwirtschaftsgesetz?" *Landwirtschaftliches Wochenblatt*, July 16, 1955, 1242-1243.

¹³² Walter Slotosch, "Der Bauer muß rechnen . . ." *Süddeutsche Zeitung*, July 12, 1955, 1.

1957.¹³³ Additionally, prices for agricultural goods increased over the years and closed the gap with industrial products. Thus, the agricultural law's combination of price controls, subsidies, and technical and social aid ultimately helped West German agriculture participate in the economic growth of the 1950s. Yet, despite Adenauer's hopes, the law did more to help large industrial farmers than small family farms, but the favorable economic situation made this transition easier and prevented radicalization or impoverishment. Additionally, industrial development during the Boom Years brought jobs into the countryside so that many did not have to leave their villages for work. In this way, the Agricultural Law and the positive economic conditions helped give farmers a stake in the new government.

Conclusion

In 1955, the BBV published a ten-year history of the association. It recognized that ten years meant very little in the history of a people but noted that a look back over the last decade was justified given the economic and social recovery of West Germany since 1945. The BBV placed much of this success on the efforts of the Bavarian farmer who helped to feed Germans in the face of shortages, severe weather, and harsh measures instituted by the occupiers and the Bizonal Administration. The publication proudly remarked that "without the Bavarian farmers . . . the food economy would have collapsed in many of the federal *Länder*." After praising the Bavarian farmers for feeding Germans and overcoming the challenges of the occupation, the narrative then stressed the efforts of the BBV and other farmers' associations in ensuring that the unique conditions of the agricultural economy were taken into full account by the West German government. This effort, the text happily claimed, proved immensely successful as the

¹³³ Gerhard, "Peasants into Farmers," 140.

Agricultural Law safeguarded price parity, secured agriculture's place in the social market economy, and placed agriculture on an equal footing with industry.¹³⁴

The celebratory attitude around the future of West German agricultural policy marked a decisive break with the “destruction, chaos, and drowning” of the occupation and announced the return of sovereignty after ten years of occupation and semi-sovereignty. During this ten-year period, agriculture, a sector central to maintaining German civilians, refugees, and expellees, proved to be a central site where the issues of sovereignty were contested and debated. This was especially true in Bavaria, a state with a strong agricultural sector and a long history of independence and autonomy that grew increasingly hostile towards the forced agricultural collection system implemented by the unelected Bizonal Administration. The Bavarian government and farmers proved so reluctant to meet the needs of the Bizone or the DPs that the American occupiers, using their authority, started withholding food imports into Bavaria, forcing the state to submit to the sovereignty of the occupiers.

The threat to withhold food imports developed into a new ruling strategy for the American occupiers, and they used it frequently in the last two years of the occupation as Germans became more dissatisfied with occupation policies and the limits imposed by the occupiers. In Bavaria, the continued challenges over food production and delivery led politicians and the BBV to deflect any criticism by blaming the unnamed, unelected bureaucrats in Frankfurt. While blaming Frankfurt for their problems, many believed and told farmers that the situation would improve with the Currency Reform. Initially, the Currency Reform appeared promising, but the maintenance of price controls over large sections of the agricultural economy

¹³⁴ *Zehn Jahre Bayerischer Bauernverband*, (Munich: Bayerischer Landwirtschaftsverlag, 1955).

created a sense of injustice among farmers who demanded fair prices for their goods and parity with the industrial economy.

To achieve farmer demands for better prices, the Bavarian government took extraordinary steps. Acting independently of VELF, the Bavarian government approved laws creating stocking boards to regulate agricultural commodities to find a balance between producers and consumers. With this effort stymied by the occupiers, the governing CSU sought to remove Schlange-Schöningen, long a target of Bavarian ire, for failing to take decisive action in Frankfurt to address the farmers' situation after the Currency Reform. Most dramatically, the majority of the Bavarian government, led by the governing CSU, refused to ratify the Basic Law because they feared centralization and a loss of autonomy.

When the occupation formally ended, prices remained the central question for West German agriculture and addressing these concerns was a priority for the Adenauer government. Although a major concern, West Germany did not have full sovereignty, and legislation remained subjected to AHC. The market regulation laws favored by the West German government to aid agriculture proved unsatisfactory to the AHC who viewed these laws as protectionist and undermining liberalization. Nevertheless, the economic situation brought about by the Korean War soon altered the position of the AHC. In fact, with the West German economy faltering and McCloy demanding that West Germany become more involved in the war effort, the AHC encouraged West Germany to take more interventionist actions into the economy and approved a series of market regulation laws that controlled imports and inflated agricultural prices.

While beneficial, these laws still did not bring farmers the economic parity and social aid they desired from the government. With worker incomes rising and an exodus from rural areas to

the cities, West German farmers demanded comprehensive legislation that provided them an equal standard of living and safeguarded their communities. Although Adenauer pledged himself to this in 1951, serious efforts did not get underway until late 1953. All political parties recognized the importance of supporting the agricultural sector and preventing the volatility that had destabilized the Weimar Republic. With this widespread recognition, all political parties and the DBV agreed to a combination of price supports, market regulations, subsidies, and taxes to benefit the agricultural sector, and they overwhelmingly passed the agricultural law. This 1955 law, designated the Agricultural Basic Law, demonstrated the state's support of agriculture and secured farmers' place in the growing economy.

CHAPTER VII

CONCLUSION

At noon on 5 May 1955, almost ten years to the day of the German surrender, the Allied High Commission abrogated the Occupation Statute and thereby its own sovereignty over West Germany. Three hours later, standing in the drizzling rain on the grounds of the chancellery, Chancellor Konrad Adenauer read a short message and proclaimed, “We are a free and independent state.”¹ Yet, even while announcing independence and the end of the occupation statute, the Federal Republic’s sovereignty remained limited and continued to coexist alongside their NATO partners who operated military bases across West Germany. In this regard, the United States retained the most extensive presence with access to approximately 9% of the Federal Republic’s total territory. Although the size of the American presence would fluctuate over time, in these spaces German law functioned alongside American military rules and diplomatic agreements, a situation that often resulted in conflicts over land management.²

Many problems emerged around the large American bases scattered throughout rural Germany, especially in areas like Grafenwöhr, Hohenfels, and Wildflecken that grew expansively after the start of the Korean War in June 1950. Before the summer of 1950, there was one American division in Germany, but three years later, when the Korean War concluded in an armistice, there were five divisions and 230,000 American soldiers stationed on military

¹ “Bonn Gets Sovereignty Today,” *Stars and Stripes*, May 5, 1955, 1, 24; M.S. Handler, “Western Germany Sovereign State; Allies’ Rule Ends,” *New York Times*, May 6, 1955, 1-2.

² Adam R. Seipp, “‘We Have to Pay the Price’: German Workers and the US Army, 1945–1989” *War in History* 26, no. 4 (November 2019): 565-566,

communities across the Federal Republic. To support this long-term commitment to defend Western Europe and NATO Allies, the American military undertook a massive construction plan that built new facilities and refurbished German military properties that the U.S. army had controlled since 1945. By the end of 1953, the Americans fully or partially constructed almost sixty “community areas” spread across West Germany at a cost of 4 billion DM.³

The construction and expansion of these military communities often resulted in military planners requisitioning farmland on the borders of existing communities for new facilities, a situation that led to frequent conflicts and negotiations, both small and large, and highlights the limited sovereignty of the Federal Republic. Minor examples involved base expansions blocking roads, confiscating parts of farmland, and, in one case, threatening cattle farmers’ access to grazing lands in the Alpine meadows.⁴ On a larger scale, the debate over expanding the former Wehrmacht base at Hammelburg in the summer of 1951 turned into a major political event. In this instance, the Federal Republic reached an agreement with American High Commissioner to expand the base and evict local farmers, mostly expellees, but did so without consulting the Bavarian government. The Bavarian government vehemently rejected the plan, and Maria Probst (CSU), a formidable politician who represented the area and was well known for defending expellees, openly challenged the American efforts by claiming that they violated democratic rights. Since the federal government made the agreement without informing the Bavarian government, the Landtag felt the rights of the *Länder* violated. Expellees and local farmers whose land and livelihoods were threatened protested the plans and drew significant press

³ Adam R. Seipp, “‘This Land Remains German’: Requisitioning, Society and the US Army, 1945-1956” *Central European History* 52, no. 3 (September 2019): 488-489.

⁴ Seipp, “‘This Land Remains German’: Requisitioning, Society and the US Army, 1945-1956,” 489.

attention, a situation that eventually led the High Commissioner to abandon the plan.⁵ Instead, EUCOM forces took over the base of Hohenfels north of Regensburg and chose not to expand it because this too would require the relocation of civilians.⁶

While debates over basing created an immediate conflict, the long-term presence of American and NATO forces in West Germany meant frequent exercises and maneuvers that reminded Germans of their limited sovereignty. These events became a constant source of frustration among West Germans whose property, including cattle, crops, forests, fences, and roads were often damaged during military exercises. While U.S. Army, Europe (USAREUR) reimbursed German claimants, the costs grew so significant that by 1954 USAREUR decided to devolve damage inspection responsibilities to area commanders who could properly investigate and ensure that Germans were not making false claims.⁷ Additionally, some commanders instituted educational programs for soldiers to eliminate maneuver damage, formed repair teams to follow troops, and appointed commissioned officers to act as on-the-spot claims officials.⁸ By the time USAREUR scheduled Operation Sabre Hawk in early 1958, its largest military exercise since the end of the war, involving more than 125,000 soldiers over an area of 8,750 square miles, General Bruce Clarke, Seventh Army Commander, met with local German officials and the press to describe the exercise and inform them of efforts to reduce road and property damage. To achieve this, USAREUR purposefully planned the operation in early February between the harvesting of winter crops and the planting of spring crops, moved tanks by rail to keep road

⁵ Seipp, *Strangers in the Wild Place*, 201-209.

⁶ Donald A. Carter, *Forging the Shield: The US Army in Europe, 1951-1962* (Washington, D.C.: Center for Military History, 2015), 28.

⁷ "Area Commanders Given Claims-Settlement Role," *Stars and Stripes*, August 18, 1954, 4.

⁸ "9th Div Starts Plan to Cut Field Damage," *Stars and Stripes*, July 19, 1955, 10

damage to a minimum, and halted the maneuver on Ash Wednesday and Sunday to avoid blocking or interfering with traffic.⁹

The conflicts over basing and military maneuvers show that the large presence of the U.S. military in West Germany continued to limit, or modulate, the sovereignty of the Federal Republic.¹⁰ The construction of large military communities infringed on private property and interfered in daily life. Moreover, these military units required and participated in largescale training operations that affected West Germans' lives and resulted in damage to their property. However, it is also clear that by 1958, the damage to German property during military training had resulted in significant pushback from Germans, and U.S. commanders made significant efforts to assure Germans that exercises would not cause extensive damage and would not drastically interfere in their daily lives. Nevertheless, the presence of the U.S. military in West Germany would continue to be a political flash point, especially during times of international tension such as the Vietnam War, the placement of tactical nuclear weapons in Germany, and most recently during the 2003 Iraq War.

The long-term presence of the American military in West Germany also affected the German environment. When the Cold War ended, the U.S. military returned large amounts of property to the Federal Republic, but German officials have struggled with the cost of environmental cleanup because the U.S. military left behind spaces contaminated with pesticides, asbestos, fuel, acid, paints, cyanide, and old munitions, even though diplomatic agreements had stated that American bases must abide by the environmental regulations of the hosting nations. Air Force Base Rhein-Main near Frankfurt proved particularly troublesome as pollutants leaked

⁹ "Sabre Hawk Maneuvers To Test 100,000 Soldiers," *Stars and Stripes*, February 4, 1958, 8; "7th Army Units Returning Home From Maneuvers," *Stars and Stripes*, February 20, 1958, 8.

¹⁰ Adam R. Seipp, "'We Have to Pay the Price': German Workers and the US Army, 1945–1989," 565.

into German aquifers, including 317,000 gallons of fuel. Additionally, as military units left Germany, the Department of Defense specifically ordered them not to mitigate environmental problems unless they posed an immediate public health concern. All of these situations have made refurbishing these sites for civilian use costly and difficult.¹¹

On the other hand, the American presence inadvertently created a large nature reserve and one of the most biologically diverse spaces in Germany at Grafenwöhr where American units are still based today. Although foresters worried in the early 1950s that the large American presence would quickly destroy game populations, as of 2017, more than 7,000 deer roam the training area and more than 3,000 animal and plant species resides on the base, including 800 on the German Red List of endangered species. The foresters that oversee the forests and game populations outside the main drilling and maneuvering area state with sincerity that without the military presence, the diversity of nature would not exist there. Once a year, the U.S. military opens the base to German hunters who eagerly enter the *Hirschhimmel* (deer heaven) to partake in the annual hunt.¹²

While the American military legacy in Germany is environmentally mixed, many politicians, environmentalists, and intellectuals have labelled Germany as the so-called “Greenest nation,” even though the nation has its own very mixed environmental record. Many specifically admire Germany’s successful Green political party (*Bündnis 90/Die Grünen*) supported by a rich and diverse collection of civil society associations. Although focused on ecological and climate issues, these numerous and effective associations have their roots in the older, more conservative

¹¹ Michael Satchell, “The mess we’ve left behind,” *U.S. News & World Report*, November 30, 1992, 28-31.

¹² Christian Sebald, “Das Militär verwandelt ein riesiges Areal in der Oberpfalz in ein Naturjuwel,” *Süddeutsche Zeitung*, September 24, 2017. <https://www.sueddeutsche.de/bayern/grafenwoehr-das-militaer-verwandelt-ein-riesiges-areal-in-der-oberpfalz-in-ein-naturjuwel-1.3678227>. Accessed October 2019.

conservation associations that formed and re-organized in the aftermath of the Second World War to challenge the occupation. While environmental associations today often find themselves in conflict with foresters, hunters and nature protection organizations, these older organizations led conservation efforts in West Germany until the emergence of environmentalism in the late 1960s and early 1970s. In the tradition of *Heimatschutz* and *Naturschutz* organizations that had first emerged in the late 19th century, these older conservation associations remained deeply tied to the state and continued to focus their energies on behind-the-scenes discussions to reach negotiated agreements with state and local governments, but there also emerged a subtle shift, well represented in the SDW, that was moving towards a more democratic and active citizen in the conservation efforts of the 1950s and 1960s.

This blend of older conservation associations and more activist democratic protests appeared in several locations throughout the 1950s. In the Black Forest, a plan to dam the Wutach Gorge for hydroelectric power drew a coalition of foresters, farmers, and other experts who argued that the proposed dam would affect groundwater and alter the climate. In contesting this project, they used traditional and non-traditional methods of protest. The protestors certainly met with government officials and worked behind the scenes, but they also formed an activist working group that led a large petition drive and garnered press attention by publicizing and politicizing the gorge with organized protests. This mix of old and new proved effective in preventing the dam, and the power company eventually located other river valleys to dam and produce power.¹³

This mix of old and new was also evident in Bavaria during the 1950s and 1960s as numerous groups challenged the Bavarian state's modernization plans. This was evident in the

¹³ Chaney, 85-108,

Alps where hiking associations, farmers, and nature protection organizations protested against hydropower developments and the construction of cable cars but the Bavarian state, relying on 19th century legal traditions that placed the burden of proof on the injured party, defeated proposals to charged industry for using, polluting, and damaging waterways and the landscape.¹⁴ Additionally, while these projects were challenged by locals, the protestors never gained widespread support or publicity, and the Bavarian state, in the name of modernization, implemented its plans much to the locals' ire.

This modernization effort was also apparent in the construction of a research nuclear reactor in Garching, just outside of Munich. Although the CSU and the Technical University were eager to construct the reactor, Baumgartner led brewers, farmers, and nature protection groups against this project, stressing damage to the climate, landscape, and local culture – the same arguments he used against the occupiers. However, he also worried about radioactivity contaminating water sources and Munich becoming a wartime target. While these worries created much fodder in the press, the Bavarian state mustered science to demonstrate that the climate and water would not be adversely affected, local communities leveraged their positions to obtain funding to upgrades their infrastructure, and farmer protests tailed off when land prices suddenly improved.¹⁵ In this case, while showing some ecological worry over radiation, those associations drew on traditional conservation ideas and practices and eventually found a working agreement with the state that allowed the project to move forward.

A similar outcome occurred in the mid-1960s when the Council for European Nuclear Research briefly proposed building an atomic synchrotron in the Ebersberg forest outside of

¹⁴ Bergmeier, 154-255.

¹⁵ Kyle T. Miller, "The Bavarian Model? Modernization, Environment, and Landscape Planning in the Bavarian Nuclear Power Industry, 1950-1980," (PhD diss., University of Missouri-Columbia, 2009), 14-60.

Munich. The proposal, kept secret from the public due to a non-disclosure agreement, planned to clear-cut 1,500 hectares of forest for the facility. When word of the proposed project leaked, an alliance of foresters, hunters, and nature conservationists contested the project, citing Article 141 of the Bavarian Constitution which made it a state priority to protect memorials, nature, forests, landscapes, plants, and animals and to guarantee the people's right to access nature. These same organizations held protests and parades in nearby towns and villages and made references to an ancient, mythological history to defend the forest. At the same time, a fierce letter writing campaign worried over the loss of a popular weekend excursion site and criticized the government for its lack of transparency.

The debate over the Ebersberg Forest also saw increased ecological thinking as well. Many argued that the forest acted as a “green lung” for the region by cleaning the air and providing oxygen, and others worried that nuclear waste leaks might create long-term problems for humans, animals, trees, and insects. Conversely, supporters claimed that the “nature lovers” were also polluters who drove cars, used transportation to visit the forests, and left their rubbish behind. Finally, scientists claimed that the facility would not emit any radiation due to the strong shielding around the experiment hall, which would be built underground, and rejected worries of water contamination because of the low water table in the region. Ultimately, the energy and effort that went into the debate proved superfluous because soil samples failed to meet stability requirements for the synchrotron. Nevertheless, the debate shows conservationists still at the fore defending Germany's landscape, but it reveals the emerging ecological ideas that would influence and drive the environmental movement.¹⁶

¹⁶ Miller, 148-234.

According to scholars, the shift to environmentalism in West Germany did not occur until 1970. During this “transformative” year, the Federal Minister of the Interior, under the recently elected Willy Brandt (SPD), formed a directorate that soon developed the Federal Republic’s early environmental policy, including a suite of laws passed in the early 1970s such as the Air Quality Act (*Bundes-Immissionsschutzgesetz*), the Federal Forest Act (*Forstgesetz*), and the Federal Nature Protection Act (*Bundesnaturschutzgesetz*).¹⁷ Although Bavaria saw this federal initiative as an unwelcome intrusion on federalism, it was the first state to form a State Ministry for the Environment, but Bavaria still consistently lagged behind the federal government and other *Länder* in implementing environmental policy.¹⁸

While conservative conservationists gave way to environmentalism in the 1970s and 1980s, conservationists’ arguments throughout the 1940s, 1950s, and 1960s contained strong ecological components that appeared in their worries over the transformation of the landscape, the contamination of the water table, and the linkage between the forests and the climate. This recognition, while not based in ecological science, demonstrated the presence of ecological ideas that would galvanize and activate the environmental movement in the early 1970s. The major problem for the forest, farming, hunting, and nature conservation associations of the 1950s and 1960s was their narrow social base that activated local individuals to save and protect local forests, waterways, and monuments. National mobilization to protect nature and the environment would take a national problem like “forest death” (*Waldsterben*) in the early 1980s, an ecological problem that posed a threat to the German nation and boosted the nascent Green Party. This party, founded in 1980, united anti-nuclear activist, new left social thought, and the peace

¹⁷ Uekötter, *The Greenest Nation?*, 86-87.

¹⁸ Bergmeier, 9-23,

movement and first entered into the federal government in 1983, becoming the first new party to reach the Bundestag since the 1950s.¹⁹ Today, the Green Party, in coalition governments, governs 9 of Germany's 16 *Länder* and recently received the second highest votes in the 2018 Bavarian state election.

All these events, the basing of American soldiers, the environmental cleanup of former bases, postwar conservationism in Bavaria, and the emergence of the German environmentalist movement, deserve to be told in their own right, but collectively they demonstrate that issues related to the environment and land management during the occupation continued beyond the formal occupation period. In this way, they show that scholars should not view the occupation period as a unique or exceptional period, but as an integral part of German history. Any effort to consider the occupation as only an interregnum cannot tell the full story of Germany in the 20th century.

In examining American occupied Germany from an environmental and land management perspective, this dissertation has recounted three stories across three different themes: the story of American and German interactions over land management and land use; the reemergence of conservation associations that sought to protect the environment from American occupiers by pressuring and negotiating with both the Bavarian government and the occupiers; and the ways that Germans contested the occupation and asserted sovereignty. Nevertheless, these stories cannot be understood in isolation as Americans and Germans across the mostly rural U.S. Zone interacted daily over questions of land management and land use because these issues were so closely linked to the life and death issues of the occupation. By engaging with the occupiers and challenging occupation policies during the postwar emergency, Germans contested the

¹⁹ Uekötter, *The Greenest Nation?*, 107-116.

occupation and demanded the authority to control the German environment and German natural resources, actions that helped renew German political life and initiate the recivilization process.

These interactions and challenges emerged relatively early in the forests, a site of the German nation that Americans targeted for demilitarization. While the American occupiers set out to demilitarize the forests and utilize the wood for export, reconstruction, and firewood, the inability of the American occupiers to provide the needed firewood or coal along with the massive clear-cuttings of the forests frustrated and angered foresters who believed that they were sacrificing the forests for no reason. As foresters grew increasingly critical of American forestry policies, Joseph Baumgartner, demonstrating the growing assertiveness of German politicians, delivered two speeches encouraging German politicians to take independent action and use the Hague Conventions to contest the sovereignty of the occupiers and save the German forests. The calls to save the forests and challenge occupation cutting policies resulted in a plethora of civil society associations, many of which coalesced under the SDW, an organization that spread across western Germany and implemented a widespread education program to teach Germans about the threat to the forests and the importance of the forests to the German landscape.

This pressure on the occupiers to reduce and to limit cutting plans proved successful, even as the occupiers rejected German claims that they sought to destroy the German forests. The American occupiers, in conjunction with Bavarian foresters, developed a reforestation plan that not only aimed to replant the large clear-cuts of the occupation period, but also clearly reconsidered German forestry practices, as the plan sought to focus on smaller diameter trees and transition into pulp and cellulose production. With this change, the American occupiers approved the plan, one that Bavarians fully implemented following the transition to semi-sovereignty. The Bavarian government, with control over its budget, dedicated millions of DM to the reforestation

plan. As efforts like Bavaria's spread across West Germany, the SDW along with *Land* governments planned and held the first Tag des Baumes to encourage Germans across the country to celebrate not only the forests, but also the return of forest sovereignty, an occasion to celebrate that Germans now controlled what happened to the German forests.

Like forestry, hunting also proved to be a site where Germans contested the sovereignty of the American Military Government. While American occupiers disarmed German civilians and banned German hunting, farmer complaints of wild game damage, whether valid or fabricated, proved especially concerning as the postwar food crisis struck occupied Germany. Seeking to protect fields and reduce poaching, the American Military Government agreed in early 1946 to rearm a small number of German hunters, a number that continually increased throughout the occupation, and placed stipulations on their actions, but American reports indicate that German hunters coopted the program for their own advantage by hunting without permission and using the distribution of Game Warden rifles as a source of local power – behaviors that clearly challenged the authority of the occupation.

The repeal of the *Reichsjagdgesetz* in late 1948, a decision that coincided with the reformation of German hunting associations, soon created a space for Germans to contest American efforts to influence German hunting laws and practices. German hunters denounced the repeal, and in Bavaria they pressured the government to prevent the Americans from drastically altering German hunting laws and traditions. To fend off American arguments about increasing the number of hunters and making German hunting more democratic, the BJV and the Bavarian government argued that German hunting was already democratic, and barred no one from obtaining a hunting license as long as they passed the required courses. Moreover, they claimed that American hunting laws, laws that permitted hunters to hunt on all public lands,

would quickly eradicate German wildlife. Although vocally critical of German hunting practices, the American Military Government eventually retreated from its position as the occupation ended and allowed the Bavarian government to promulgate a hunting law based on German legal traditions.

While saving these cherished legal practices, Germans remained unable to hunt, even as West Germany obtained semi-sovereignty in late 1949, because the Allied High Commission retained partial sovereignty over the Federal Republic. In regards to hunting, John J. McCloy, the first American High Commissioner, issued new hunting regulations for the American Zone that permitted Germans once again to own hunting rifles, but these ordinances violated German ideas of private property by allowing American hunters to hunt anywhere and to claim game animals without paying a fee to the landowner. The outrage over these ordinances proved fierce and emanated from politicians and hunters alike who openly contested the sovereignty of the AHC. Their vocal rejection of these new hunting regulations forced McCloy to hastily retreat and issue new regulations that not only limited American soldiers' ability to hunt on German private property but also required them to follow German hunting laws.

The total return of West German hunting sovereignty did not occur until the *Bundesjagdgesetz* entered into force in April 1953. The effort to pass the law proved tedious, but highlighted the functioning of the West German parliamentary system and the strong assertions of federalism emanating from Bavarians who maintained that they already passed a new hunting law and that a national law would neglect local hunting conditions. On the other hand, West Germany's hunting associations, who looked back fondly on the *Reichsjagdgesetz*, desired a national hunting law that would create uniformity across West Germany and encode their prized traditions and practices, an effort that proved successful over the protestations of Bavaria. This

law placed American soldiers under the power of the West German hunting authorities and required Americans to obtain German hunting licenses and follow all West German laws.

Agriculture also emerged as a place where Germans could and did contest the authority of the occupation and assert sovereignty. For American occupiers, the need to control and distribute food was clearly important and built into early occupation directives to ensure a relatively equal ration to all German civilians in the American Zone, but American deindustrialization policies hindered fertilizer production while American food imports failed to materialize, resulting in the slow decline of Germans' daily calorie intake. Recognizing this problem, American and British occupiers sought to address this issue and others plaguing the occupation by fusing their zones in 1947, aiming to send raw materials and agricultural products from southern Germany north in exchange for coal and finished goods. With this division of labor, the occupiers hoped the finished goods and coal for fertilizer production and threshing would address the problems hindering agricultural production and processing, but this inorganic process failed to materialize and the democratically elected Bavarian government grew increasingly frustrated with orders emanating from Frankfurt that directed food north when coal shipments and supplies of finished goods remained scarce.

This agitation erupted into full defiance in late 1947 when the Bavarian government refused to ship potatoes north after an unseasonably dry spring and summer. Bavarian claims on Bavarian food proved frustrating to American occupiers who, after conducting their own surveys on Bavarian crops, rejected the Bavarian claims and withheld food imports into Bavaria to force the state to participate in the Bizonal system. With the American Military Government asserting its authority and blocking food imports, the Bavarian state eventually conceded and sent potatoes north and provided foodstuffs to DPs.

While this American strategy forced Bavarians to collect food and make deliveries at the end of 1947, food issues continued to plague the Bizone in early 1948, but these problems stemmed from farmers' belief in the inequality of the Currency Reform. In the months leading up to the introduction of the Deutsche Mark, farmers withheld crops and cattle from the market, aiming to take advantage of the new currency. However, with the occupiers and the Bizonal Administration retaining price controls on foodstuffs, the Currency Reform angered farmers who argued that the price controls prevented them from taking part in western Germany's improving economy.

In Bavaria, the politically connected farmers' association pressured Bavarian politicians to take action and address their situation, and the Bavarian government sought to assert its own sovereignty and challenged the authority of the Bizonal Administration and the Military Government. This occurred when the Bavarian government designed and implemented its own laws to regulate the economy and agricultural commodities to improve the farmers' position. Although these ideas were being discussed at the Bizonal level, Bavaria refused to wait and went forward, but the Bizonal Administration's decision not to take up these ideas – mostly because the occupiers would not approve of them – meant that Bavaria's own law could not properly function. Additionally, the American Military Government, through its authority, abrogated the Bavarian law months after its approval by the Landtag.

Although this effort failed, it demonstrated Bavaria's assertion of sovereignty, a position the state made clear again in the debate over the ratification of the West German constitution. While the Basic Law afforded substantial powers to the *Land* governments, many politicians in the Bavarian government demanded more authority over the finances of the future Federal Republic, and the hyper-federalists believed that the constitution provided a backdoor to the

socialization of Bavaria. With the majority of the Bavarian Landtag supporting these positions, it voted against ratifying the Basic Law, but the government provided a backdoor into the Federal Republic by holding a second successful vote that agreed that Bavaria would become a part of West Germany as long as two-thirds of the *Länder* ratified the Basic Law. In this way, Bavaria remained a part of West Germany, but the state demonstrated its independence and indicated that it would be a fierce proponent of federalism.

With the formation of West Germany, the federal government now took up the challenge of addressing farmer concerns and demands for parity with industry. Initially this involved a series of market regulation laws, laws based on those supported by Bavaria in 1948 that aimed to regulate imports and create stocking boards for specific commodities in order to establish stable prices. To the AHC, these market regulation laws appeared to threaten efforts to liberalize the West German economy, and the High Commission appeared initially prepared to use their authority to disapprove of these laws, but the Korean War and the need for governments to control the distribution of materials within their economies for the war effort altered the position of AHC. Believing that West Germany needed to aid and prepare for a potential war, the AHC approved the market regulation laws and encouraged the federal government to intervene into the economy. Moreover, in the midst of this situation, which created inflation and negatively affected the West German economy, Adenauer and his government agreed to develop comprehensive legislation that would give agriculture parity with industry. Although this process took almost four years and lasted beyond the return of West German sovereignty, the 1955 Agricultural Law finally addressed the concerns of West German agriculture that stemmed from the 1948 Currency Reform and gave farmers a stake in the Federal Republic.

In all three cases, Germans found a space where they could and did contest the authority of the different sovereignty regimes governing defeated and occupied Germany. Germans used these spaces to assert sovereignty because they initially appeared to be relatively apolitical issues. Although they were all affected by the agreements reached in Potsdam, they were not central to the occupation's broader objective of preventing Germany from again waging a war of aggression and expansion. In this regard, while the Americans developed policies concerning forestry, hunting, and agriculture, their tangential relationship to the occupation's major political objectives allowed Germans to use these issues to contest the occupiers' authority and assert German sovereignty.

German politicians and civil society associations did this by drawing on prewar ideas, laws, and traditions and by contending that they were either apolitical or reframing them to fit within the objectives of the occupation. In forestry, this was evident in efforts to challenge occupation policies with the idea of *Nachhaltigkeit*. Using this forestry management concept, Bavarians attacked American forestry practices as destructive not only to the forest, but also to the German economy and to German culture. German hunters, witnessing the destructive practices of American hunters, rejected American hunting laws by claiming that they would wipe out German game animals and violated German conceptions of private property; moreover, they claimed that German hunting was democratic and open to all Germans, even though the American occupiers rejected this assertion. In agriculture, Bavaria drew on interwar market regulation policies to address farmers' ire and worked hard to disassociate these regulations from Nazi policies. By reframing these laws, practices, and traditions to contest the occupation, Germans publicly rejected the Nazi era and actively initiated the recivilization process. Although German society was not completely rehabilitated, by reinventing and reframing these laws and

traditions within the rhetoric of democracy, Germans reoriented society and allowed future generations to continue the recivilizing process.

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