

GEORGE STEPHENS AND THE SAAR
BASIN GOVERNING COMMISSION

by

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PREFACE

Studies of the Saar Territory during the period of the League administration although they have been of considerable variety have all possessed one common feature. Without exception, authors have tended to emphasize the early years of the League regime, i.e., 1920-1923, and the final years, i.e., 1933-1935. The intervening ten years, which have been dubbed "the years of peace", have been largely ignored. This study is primarily intended to redress this wrong and to examine the League administration while it was operating under what may be presumed to have been normal circumstances.

The emphasis on this period has been made possible largely by the kindness of Mr. Murray Ballantyne in making available the papers of George Washington Stephens, a Canadian who was a member of the Commission from 1923 until 1927 and Chairman from 1926-1927. Thus was made available for the first time material on the Commission which derived from within the Commission itself. The study of the Procès-Verbaux¹ of the Governing Commission, of which the volumes for the years 1920-1926

¹Commission de Gouvernement du Territoire de la Sarre, Procès-Verbaux. Although mimeographed and forwarded annually to the League, these records have never been published.

were found among the papers, in itself provides an insight previously impossible into the working of the Commission. In fact on this source further analysis remains to be made. In addition, Stephens' Diary, a thirteen-volume typewritten account of his impressions of the Saar, provides a new perspective for the researcher -- a revelation of Saar problems from the point of view of a Commissioner. Finally, the correspondence between Stephens and the British Foreign Office throws a good deal of light on the negotiations which brought about the withdrawal of French troops from the territory in 1927.

Other sources have been published only in recent years. In particular the publication of Paul Mantoux's "Lesdélérations du Conseil des Quatre" and the records of the American State Department¹ have made possible a much more balanced view of the Peace Conference than that previously provided by the account of André Tardieu.² In addition, the documents of the German Foreign Office Archives, recorded on microfilm by the National Archives in Washington, are now available to the student of German history.³

¹United States, State, Department of, Papers Relating to the Foreign Relations of the United States. The Paris Peace Conference, 1919.

²i.e. Tardieu, André, The Truth About the Treaty.

³Germany, Auswärtiges Amt, Politisches Archiv, Microfilm released by the National Archives, Washington, D.C., Microcopy T-120.

An attempt is made in the present study to throw light on the achievements of the Governing Commission of the Saar Basin particularly during the years 1923-1927 and to examine the extent of interference with the Commission by both the Germans and the French during this period when the Saar was not disturbed by any unusual circumstances. The relationship between the Commission and the League during this period is also examined in detail.

The study, then, is primarily concerned with the period when George Stephens was a member of the Commission. As a Canadian, the writer has had to restrain herself from centering the study too much on her fellow countryman. To do so would have been to render an injustice to the contribution of Stephens to the development of the Commission. For while Stephens saw the Saar Commission as a great experiment in international government, he was nevertheless aware that his own contribution to internationalism could best be limited to a constant effort to defend the interests of the Saarlanders.

I would like to express my gratitude to Professor R. Vogel for his valuable suggestions and general assistance in the preparation of this thesis. I am also grateful to Professor G. de T. Glazebrook, formerly

of the Department of External Affairs, for his co-operation in making available to me at the National Archives, Ottawa, documents published by the League of Nations.

Thanks are also due to the staff of Redpath Library of McGill University. I should also like to express my gratitude to McGill University for financial support extended to me during the time of research and preparation of this thesis.

HISTORIC AND GEOGRAPHIC BACKGROUND OF THE SAAR PROBLEM

The struggle between France and Germany for control of the Saar territory after World War I was by no means a new feature in Saar history. On the contrary, it was merely the perpetuation of a long history of conflict in this region. One reason for the importance of the Saar, which comprises the territory extending along the banks of the Saar river which flows north to the Moselle, is its significance as a route between the Rhine and the territory to its west. Although the area separated from Germany in 1919 is small in size, its surface covering only 730 square miles, its richness in coal further explains the interest of both France and Germany in the region.

The most important industrial sections of the territory are to be found in the central and southwestern parts. While the coal seams themselves begin near Homburg and extend into the Warndt and Lorraine, the deposits which can most easily be exploited lie along the river valley. However extraction is difficult in the basin and the coal is of inferior quality to that of the Ruhr Valley. Second in importance only to the mining industry is iron and steel production, the most important ironworks being at Dillingen, Wölkingen, Burbach, and Brebach. Other industries of some significance are the making of ceramics and glassware, the importance of which predated that of

coal and steel.

In 1919, although the area was very thickly populated it contained only one large city, Saarbrücken. This fact in itself is significant for it is a reflection of the social customs of the Saar miner who preferred to live in a small community where he owned his house and a small piece of land. Thus the population tended to be more stable than that of many industrial areas. Furthermore the population was a homogeneous group with the majority of the adult male population being industrial workers and over seventy percent of the inhabitants being members of the Roman Catholic Church.¹ Moreover almost all were German-speaking.²

The history of the Saar is largely a story of Franco-German rivalry. For over a thousand years the territory has passed back and forth between French and German hands. With the division of the Carolingian Empire by the Treaty of Verdun in 843, the Saar area was incorporated into the Kingdom of Lothaire; however, within a generation, by the Treaty of Mersen in 870 it became a

¹Saargebiet, Saarwirtschaftsarchiv, Saarwirtschaftsstatistik, VII, 1933, 7-9.

²A History of the Peace Conference of Paris, edited by Harold Temperley, II, 176n.

part of the Kingdom of the East Franks. Subsequently, in the Tenth Century, the citadel and chateau of Saarbrück, along with other territory in the region, were given by the German emperor in fief to the Bishopric of Metz. A century later the fief was given by the Bishop to the Count of the lower Saargau.

In 1235, on the death of the Count of Saarbrück, the estate came, through the marriage of his daughter, into the hands of the French house of Commercy. Subsequently the counts of Sarrebruck-Commercy paid homage to the King of France, the Emperor of the Holy Roman Empire, and the Bishop of Metz. However, in 1381 the estates passed into German hands in the person of the Count of Nassau-Saarbrück.

Nevertheless the region was never completely out either of the French or the German orbit and during the wars of the Seventeenth Century successive counts altered their allegiance from the Emperor to the French king. In 1648, the Peace of Westphalia confirmed the cession to France of the Bishoprics of Metz, Toul, and Verdun. Although the Saar was not included in this acquisition, nevertheless the town of Saarbrücken was at the time a fief

of the Bishopric of Metz. Later Louis XIV set up Chambres de Réunion to investigate his title to additional territories that were or had been dependencies of his new possessions. By virtue of the decisions reached in these courts much of the territory of the Saar was incorporated within France. In addition, after Louis acquired Lorraine he ordered his military engineer Vauban to draw up plans for a belt of fortified cities to secure the eastern frontier of France. For this purpose the city of Sarrelouis was founded. In the territory a new province was created, the Province de la Sarre. However, in 1697 by the Peace of Ryswick France was obliged to restore the territory of the Count of Saarbrücken to the Empire and only Sarrelouis remained in French hands.

Nevertheless, the French influence in the region was still apparent in the Eighteenth Century. Furthermore, the French Revolution was welcomed by the classes which stood to benefit from the termination of feudalism and the promise of the right of self-government. As the revolutionary armies crossed the territory, petitions for union with France were sent to Paris. Subsequently in secret articles of the Treaty of Campo Formio of 1797, the German Emperor ceded provisionally to the French Republic territory on the left bank of the Rhine including the

Saar which was organised as one of the four Départements du Rhin. At this time the Département extended east to include the former Duchy of Zweibrücken and south beyond Saarbrücken. Later, by the Treaty of Lunéville in 1801 the cession of the territory on the left bank to France was made final.

By the terms of the Peace of Paris in 1814, the major part of the Saar, including about three-quarters of the coal basin under exploitation at the time was retained by France. But after the battle of Waterloo practically all the Saar region including both Saarbrücken and Sarrelouis and the coal basin were ceded to Prussia, the rest of the region merging with the Bavarian Palatinate.

Later the French pointed with pride to the assistance they had given the region in the development of the coal-mining industry. The mines had been first nationalised by Prince Wilhelm Heinrich (1741-1768), the head of the House of Nassau-Saarbrück, and systematically worked for the first time under his direction. However, at that time the coal industry being of comparatively little significance no shafts were sunk. The greatest impetus in the development of the mines came in the Napoleonic era. In 1802, the Ecole des Mines was founded at Geislautern by Napoleon. The purpose of the school was

to promote the use of coal and coke in the manufacture of iron. In 1813 alone fifteen new mines were opened.

With the incorporation of the Saar area in Prussia and Bavaria in 1815 the system of state exploitation was retained and the mines became mostly state mines. After the annexation of Alsace-Lorraine by Prussia in 1871, the Saar steel industries came to rely on Lorraine minette and on Westphalian coal which was imported to mix with Saar coal for coking. Thus by the time of the First World War, the Saar, the Ruhr, and Lorraine had become closely tied industrially.

The determination of the French to recover Alsace-Lorraine is well known. In view of the industrial and strategic significance of the Saar region and the tradition of French ambition in the Rhineland, that France should have attempted to recover the Saar as well in 1919 was not surprising.

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CHAPTER I

THE PARIS PEACE CONFERENCE

It was at the Paris Peace Conference that the notion of a commission of the League of Nations to govern the Saar Basin was conceived. At the conference the Basin was subject to discussion owing to the ambitions of the French in that region. For although the annexation of the Saar had never been one of her officially acknowledged war aims, nevertheless France had had ill-concealed designs on this territory for some time. Moreover, her motives appear to have been both economic and strategic.

As early as 1915 a committee of the Comité des Forges, an organisation of steel manufacturers, had been formed to prepare a report to be presented to the French government on the economic implications of the return of Alsace-Lorraine to France. This report, presented to a Senatorial commission in October, 1915, indicated that the restoration of the iron mines of Alsace-Lorraine to France would create a need for additional coal resources for the French steel industry. The report concluded:

On était donc naturellement conduit, devant cet accroissement redoutable de notre déficit charbonnier, à envisager la question du bassin de la Sarre et du retour de la France à ses anciennes frontières de la vieille Monarchie et de la Révolution.¹

¹Cited in Pinot, Robert, Le Comité des Forges de France au service de la nation, 228.

Later, in a note of January 12, 1917,¹ to the French ambassador in London, Aristide Briand, Premier of France, revealed that the political authorities went along with this argument when he expressed the conviction that Alsace-Lorraine must be restored to France as it had existed before 1790. A demarcation along these lines would give France the Basin of the Saar, the possession of which M. Briand said he regarded as essential to French industry.

Furthermore, a secret agreement between the French Government and the Government of Imperial Russia, which was concluded in February, 1917, provided for the annexation by France of the entire coal district of the Saar Basin as part of the terms of peace to be offered to Germany.²

Although this agreement was first made public by the Soviet Government in November, 1917, it had been shown to Arthur Balfour, the British Foreign Secretary, in July. At that time, Balfour made no comment on the extension of the boundary of Alsace-Lorraine to include the Saar Basin.³ Both the British and the Americans

¹H C Cmd. 2169 of 1924, 2-3, xxvi, 188-9.

²Ibid., 7.

³Document of the British Government C9743/493/18 p.3. A chapter of an unpublished history of the peace conference by J.W. Headlam-Morley.

had, of course, acknowledged the restoration of Alsace-Lorraine to France as one of their war aims, but with the boundaries of 1871.¹ Somewhat later, in answer to a question in the House of Commons, Balfour denied that the British Government had ever encouraged ambitions for a bigger Alsace.² For his part, the Prime Minister, David Lloyd George, maintained that he learned of the secret agreement only after its publication by the Soviet Government.³

The French demands in the Saar Valley were officially conveyed to the British Government on November 26, 1918. In a memorandum⁴ presented by the French ambassador, a claim was made for the restoration to France of a frontier which Headlam-Morley of the British Foreign Office found to be "practically identical with the claim originally made in 1814."⁵

¹See Official Statements of War Aims and Peace Proposals, Dec. 1916-Nov. 1918, ed. by James Scott, 125 & 238.

²House of Commons Debates 5S, Vol.106, May 16, 1918, col. 579.

³Lloyd George, The Truth About the Peace Treaties, I, 385.

⁴H C Cmd 2169 of 1924, 10, xxvi, 196.

⁵Doc. of Br. Gov. c9743/493/18, p.4.

Finally, on December 2, 1918, the Commission on foreign affairs of the Chamber of Deputies of France reported that, after a study of the problem of the French frontier, the conclusion had been reached that the boundary between France and Germany should be the boundary of 1814 and comprise the Basin of the Saar.¹

Because of these claims by the French, the fate of the Saar Valley was made the subject of an investigation in the British Foreign Office, prior to the Peace Conference. The Foreign Office did not consider the strategic question since this was considered the domain of the War Office. The conclusion of the study was that there was no sound historical argument in favour of a revision of the frontier such as France suggested, since the population, as far as could be ascertained, was purely German. Furthermore, it was considered that to separate the German population of the district from Germany would be inconsistent with the agreed basis of the peace.

Yet there remained one argument in favour of France's claim which was not easily to be dismissed. The researchers of the Foreign Office found that the destruction of the French coal mines by Germany might be regarded as a justification for the restoration to France

¹See Barthou, Louis, Le Traité de Paix, 139-42.

of the coal fields of the Saar Basin which she held before 1815. Such an arrangement would be part of the indemnity payable to France by Germany on account of damages sustained during the war, i.e., would be part of the reparations settlement. The members of the Foreign Office pointed out, however, that even if Germany agreed to cede the Saar Valley to France, the consent of the population concerned would be necessary and such consent was unlikely.¹

The American view of the French demands had been expressed in October, 1918, in a commentary on the Fourteen Points drawn up by Colonel House and Walter Lippman and apparently approved by President Wilson. Attention was called:

...to the strong current of French opinion which claims the 'boundaries of 1814' rather than 1871. The territory claimed is the Valley of the Saar with its coal fields. No claim on grounds of nationality can be established, but the argument leans on the possibility of taking this territory in lieu of indemnity. It would seem to be a clear violation of the President's proposal.²

On the other hand, the conclusions reached by the American technical experts were not in complete agreement with the view expressed above and in fact were

¹Doc. of Br. Gov. c9743/493/18, pp.4-6.

²Cited in The Intimate Papers of Colonel House, IV, 197, edited by Charles Seymour (hereafter cited as Intimate Papers).

actually in considerable contrast to it. The Intelligence Section established by the Americans prior to the conference recommended that:

...territory in the basin of the Saar forming a part of Lorraine in 1814 be...restored to France...

The restoration of the line of 1814 in Lorraine...may be viewed as an indemnity for damages inflicted by Germany on the French coal mines of Lens and Valenciennes.¹

It would not have been difficult to predict that the Saar question would be a subject of controversy at the Peace Conference. Therefore, although the question did not come before the Council of Four until March, 1919, it had been the subject of informal conversations between members of the British and American delegations during the month of February. There was general agreement that the matter should be approached purely from the point of view of reparations. In addition, there was agreement, among the technical advisors, that:

...there should be transferred to France full and complete right to the management, administration, exploitation and ownership of the Saar coal field...

It is agreed that with regard to this district it would be desirable that some special form of régime should be devised with the object of avoiding the subjection of considerable German population to French institutions.

¹Miller, David, My Diary at the Conference of Paris, With Documents IV, 213-14.

....while maintaining the supremacy and administration of France over this district...the inhabitants should be exempted from military service either in France or in Germany, and they should not send representatives either to the Chamber of Deputies in Paris or to any national assembly which may be established in Germany...The district would...be included in the French Customs Union and be subject to French taxation.¹

It is interesting to note that the terms of this general agreement which had been worked out, without reference to the political authorities, were not dissimilar from the terms of the final solution. The role of the technical advisors in settling the Saar question at the Peace Conference was from the beginning a considerable one.

The French case was finally brought before the Council of Four in the form of a memorandum drawn up by André Tardieu, one of the French Plenipotentiaries. The memorandum was based on the studies of the Comité d'Etudes, which had prepared data on all the territorial questions relating to Europe and the Near East. The Comité had concluded that without the Saar Basin, Alsace-Lorraine would lack the coal necessary to its industries. It had also been emphasized that the steel industry was of major significance in the conduct of modern warfare. France,

¹Doc. of Br. Gov. C9743/493/18 p.24-5. See also Miller, op. cit., XIX, 59-60.

since she was always in the first line in face of Germany would be at a disadvantage strategically without the coal of the Saar Basin for her steel industry.¹

In addition, a statement of the strategic argument had already been made by Marshal Foch. In a note to the Plenipotentiaries of all the states he had maintained that the Rhine must be the western military frontier of Germany, and Germany must be deprived of "territorial sovereignty on the left bank of the river".² It is well known that Lloyd George and Wilson refused to consider French demands for the separation of the Rhineland from Germany and as a substitute offered treaties of guarantee to support France in case of unprovoked aggression by Germany. In a note of March 17, Clemenceau set out his conditions of agreement to this alternative. Among his terms was the stipulation:

Great Britain and the United States to recognize to France her frontier of 1814 and by way of reparation the right of occupation without annexation of that part of the coal basin of the Sarre not included within this frontier.³

Lloyd George responded to this demand in a note of March 25, in which he proposed the cession by Germany

¹Travaux du Comité d'Etudes, edited by Ernest Lavissee, I, 116-29.

²H C Cmd 2169 of 1924, 22, xxvi, 208.

³Cited in Tardieu, Andre', The Truth About the Treaty, 182.

to France of the 1814 frontier, or, in order to compensate France for the destruction of her coal fields, the use of the coal mines of the Saar Valley for ten years.¹ When this note was given a cool reception by Clemenceau, who declined to accept temporary use of the coal fields of the Saar, Lloyd George withdrew his offer.²

Tardieu's memorandum,³ which was distributed among the heads of the delegations in March, was divided into two parts, the first part being a statement of the historical claim of France to the boundary of 1814; the second part was based on the right of France to the coal mines beyond the 1814 boundary as compensation for damage done to her coal mines. M. Tardieu, arguing that the region had been separated from France only by force, referred to the enthusiasm with which the people of the territory had greeted the French during the Revolution. Furthermore, he maintained that the mines themselves had in fact been first developed by the French:

There exists, even to-day in the Sarre Basin, a strong middle-class and peasant element passionately attached to French tradition. In the region of Sarrelouis it forms a large majority.

...the whole of this country which was French for a long time and never had any reason to

¹H C Cmd 1614 of 1922, 9, xxiii, 651.

²Lloyd George, op. cit., I, 419-22.

³See Tardieu, op. cit., 251-62.

complain of French sovereignty, was wrested from France by force, without the inhabitants having been consulted.

The second part of the memorandum laid stress on the wanton destruction of the French coal mines by Germany in the North of France. Two-thirds of the surface had been systematically destroyed. This destruction was an integral part of the plan of the German staff, by which France was to be rendered economically impotent. As a result of this plan two hundred shafts had been rendered useless for several years. All plants had been entirely destroyed. A production of over twenty million tons, fifty percent of the national production had been withdrawn from the country. Because most of the coal mines lay beyond the 1814 frontier;

...we are led to consider the cession of the German part of the Coal Basin of the Sarre as a necessary element of the reparation due by Germany to France.

The issue was the subject of discussion in a meeting of the Council of Four on March 28.¹ In addition to the members of the Council, Clemenceau's chief advisors, M. Tardieu and Louis Loucheur, were in attendance. On this occasion, an oral presentation of the

¹Mantoux, Paul, Les délibérations du Conseil des Quatre, (24 Mars - 28 Juin, 1919) I, 63-75.

French case was made by Tardieu. Lloyd George rejected Tardieu's historical argument but expressed sympathy with the French claim to compensation for the destruction of her coal mines. He therefore proposed the creation of an autonomous state in the Saar Basin and the restoration of the mines themselves to France. On the other hand, he expressed decided opposition to the idea of the annexation of the territory by France, and warned that the people of Great Britain did not want to create a new Alsace-Lorraine.

The attitude of President Wilson, by contrast, was far more rigid than that of Lloyd George. He recognized that France was entitled to compensation in the form of the use of the mines. Further than this he was unwilling to go to meet the French demands. He denied the validity of the historical argument because a part of the territory had been French only for twenty-five years, the rest had been separated from France for more than one hundred years. He was opposed to the idea of the creation of an autonomous state because he felt that a violation of the principle of self-determination was implied in giving a people independence which they had not requested. A heated argument ensued between Wilson and Clemenceau in which Clemenceau mentioned the alleged 150,000 Frenchmen living in the Saar Basin.¹ For his part, the French

¹See below, 126.

Premier pointed out that the history of the United States was short, for it, one hundred years was a long time, but not for a Frenchman. He also referred to petitions sent by the people of the Saar Valley to President Poincaré, although he did not elaborate on these petitions.¹ In addition, he managed to refer to the one and a half million Frenchmen who had been lost in the war before the United States entered and even made reference to Lafayette.

The following day, "on which it appeared not improbable that a complete rupture might take place between M. Clemenceau and the President,"² Charles Haskins and Douglas Johnson of the American Commission conferred with the British experts. The Americans were by this time very concerned because President Wilson had told them:

I do not know whether I shall see M. Clemenceau again. I do not know whether he will return to the meeting this afternoon. In fact, I do not know whether the Peace Conference will continue. M. Clemenceau called me a Pro-German and abruptly left the room....I want to be fair to M. Clemenceau and to France, but I cannot consent to the outright transference to France of 300,000 Germans.³

The uncompromising attitude of President Wilson was not reflected by many even in his own camp. His chief

¹These petitions, presumably held by the French Foreign Office, have never been made public. See Lambert, Margaret, The Saar, 42-3.

²Doc. of Br. Gov. C9743/493/18, p.11.

³Cited in What Really Happened at Paris. The Story of the Paris Peace Conference, 1918-19, edited by Edward House and Charles Seymour, 265.

advisor, Colonel House, recorded that he strongly urged the President to bring his position into harmony with that of the British.¹ In addition, the technical experts, led by Professor Haskins, favoured the frontier of 1814 and felt that some political adjustment was necessary in the region.²

Meanwhile the French experts had been working feverishly in an effort to re-state their claim in terms which would be acceptable to the American President. Clemenceau, Tardieu, and Loucheur decided to recast their argument and to assert two principles. The first was that the operation of the mines required a special political organization of the territory. The second was that there were too many people of French origin in the territory for France to consent to leave them under Prussian domination.

The French memorandum³ which they prepared renounced any claim to annexation of the Saar as enclosed in the boundary of 1814 and instead proposed that France be granted ownership of the mines and special economic privileges, and the whole territory placed under the protection of the League of Nations and a mandate granted

¹Intimate Papers, IV, 397.

²See above, 6.

³See Tardieu, op. cit., 266-9.

to France. Provision was also made for the possible annexation of the territory by France. French nationality was to be conferred upon those who asked for it. When in each of the principal administrative sections the majority of the electors should have adopted French nationality, and when the district council should ask for annexation to France, this annexation would occur de jure upon its acceptance by the League of Nations. In addition the suggestion of a plebiscite was first made in this memorandum. At the end of fifteen years those who had not already manifested their choice should be given an opportunity to do so. No demand for reunion with Germany would be considered before that date, as this term of fifteen years was fixed with a view to allowing events to shape themselves and the population to decide justly and freely as to its sovereignty. After all Prussia had had "one hundred years to consolidate her work of violence".

This note represented the recognition by France, for the first time, of the necessity of consulting the population concerned. In effect, the note was suggesting the plebiscite which was to become an integral part of the ultimate solution.

On March 31, at a meeting of the Council of

Four,¹ Wilson presented a proposal which accepted in principle the ownership of the coal mines of the Saar Basin by France. In the note he presented, which had been drafted by the American and British experts, the following principles were recognized:

1. That full ownership of the coal mines of the Saar Basin should pass to France to be credited on her claims against Germany for reparation.

2. That for the exploitation of these mines the fullest economic facilities shall be accorded to France...

3. That the political and administrative arrangements necessary to secure the foregoing results be enquired into.²

The decision of Wilson to accept the idea of French ownership of the mines was of great significance. Previously, he had recognized the right of France only to the use of the coal mines. The cession of rights of possession of the mines to France made some sort of political adjustment inevitable. The question now really was what kind of adjustment would be made. In fact, he had also agreed that political adjustments should at least be investigated. He was, however, still determined that a separate state should not be established. About this time Tardieu, Haskins, and Headlam-Morley began to confer

¹Mantoux, op. cit., I, 89.

²Miller, op. cit., VIII, 26.

unofficially, to attempt to reach a solution which would assure the French control of the coal mines but would not involve the transfer of a large German population to French sovereignty. On April 2, this trio was formed into the Committee of Three by the Council and instructed to seek a solution of the Saar problem.¹ It worked out a plan² which was submitted on April 5. This scheme, which mainly concerned the economic control to be given to France, formed the basis of the clauses of the Treaty which regulated the working of the mines. Included in the covering minute was a very significant declaration:

If these articles, the substance of which appears economically and socially necessary, were to be applied without the establishment of some special political and administrative régime, serious friction and conflict would inevitably arise.

In fact, Headlam-Morley was so convinced of the necessity of political adjustment that, at the same time, he sent a separate note to the Prime Minister saying that it was impossible to secure to the French what they demanded without introducing a very much more extended political control. This opinion was endorsed by both Sir Eyre Crowe, Assistant Under-Secretary of State, and Arthur Balfour himself.³

¹Ibid., IX, 226.

²Ibid., VIII, 26-33.

³Doc. of Br. Gov. C 9743/493/18, p.13.

The American advisors, on the other hand, were experiencing great difficulty in convincing their President that further concessions were necessary from him. Colonel House recorded that on April 2 the President tried to get him to admit that the solution proposed even by the American experts was inconsistent with the Fourteen Points. House replied merely that there were many who thought otherwise.¹ The President himself fell seriously ill on April 3, and on April 7 ordered the George Washington to sail immediately from America. R.S. Baker, director of the Press Bureau of the American Commission, interpreted this move in the following way:

The President's ultimatum in ordering the George Washington was thoroughly meant. He was prepared to sail for home rather than accept the French programme of settlements, which, he considered, would destroy the accepted principles of peace.²

On the morning of April 8, the Council of Four met without the presence of Wilson.³ Lloyd George expressed the view that major economic concessions to

¹Intimate Papers, IV, 397.

²Baker, R.S., Woodrow Wilson and the World Settlement, II, 59.

³Mantoux, op. cit., I, 181-3.

France were not possible if sovereignty rested with Germany. He therefore favoured the granting of independence to the Saar Valley, under the authority of the League of Nations, the territory to be attached to France in a customs union. In addition, he exposed three plans which had been prepared by the British experts.¹ All were based on the separation of the Saar Basin from Germany and the granting to France of ownership of the mines. The first two schemes proposed conferring upon France a mandate to administer the Basin on behalf of the League of Nations. They differed from each other only on the question of the retention of sovereignty by Germany which was provided in the first but not the second. The third scheme proposed the creation of an independent state of the Saar under the protection of France and united to France in a customs union with France controlling foreign affairs. The British Prime Minister expressed a preference for the third plan. He denied that there were any natural economic ties between the Saar Basin and Germany. All its relations were with Alsace-Lorraine. He was convinced that if a plebiscite took place after a few years the population would not request to return to Germany. Colonel House, present because of

¹U.S., State Dept. of, Papers Relating to the Foreign Relations of the United States, the Paris Peace Conference, V, 66-70. (Hereafter cited as FRUS). See also Tardieu, op. cit., 271-2. These schemes had been drafted by the British on March 31 at the request of Lloyd George (Doc. of Br. Gov., C 9743/493/18 p.11).

the absence of Wilson, found these remarks very reasonable.

At the afternoon session,¹ President Wilson was in attendance and he again expressed his opposition to any change or suspension of German sovereignty and granting of "semi-independence" to the Basin. Instead, he proposed the establishment of a Commission of Arbitration² to decide all questions and differences which might arise in regard to the construction, interpretation or operation of the economic articles proposed by the Committee of Three. Decisions of the Commission would be taken by majority vote of the five members, one of whom would be appointed by France, one by Germany, and three by the League of Nations. These decisions would be accepted as final and conclusive by both the French and German Governments. At the end of fifteen years a plebiscite would be held in the territory. In all of the territory which was to remain German by virtue of the vote in the plebiscite, the French property rights in the mines would have to be repurchased by the German Government. The price which would be payable in gold would be determined by three appraisers, one appointed by Germany, one by France and one by the

¹Mantoux, op. cit., I, 193-4.

²Miller, op. cit., viii, 22-4. This plan had been drafted by Miller on April 7.

League. If the price fixed had not been paid within a fixed period the territory would be occupied and administered by France.

The immediate reaction of the French to these proposals was one of opposition to the idea of a Commission of Arbitration which Clemenceau regarded as unworkable. However, attention should be drawn to two other parts of the plan. First of all, the plan proposed the creation of a commission. This was not, of course, to be a governing commission, but a commission of arbitration. Nevertheless, we have here the origin of the idea of a commission for the Saar Basin. Secondly, the proposal that in default of repurchase of the French property by Germany, the territory would revert to France, should be noted. This clause was later to cause the greatest difficulty with the German delegation. This particular problem, however, will be discussed below. Its full implications do not seem to have been realized at this time.

At the Council meeting itself, Clemenceau objected to the proposed system because it would not provide France with the security necessary to guarantee compensation for her loss of coal, and it would lead only to incessant disputes.

Tardieu and Loucheur set to work immediately to draft an answer to Wilson's proposal. In a new memorandum,¹ they claimed that the Saar Basin would, under such a scheme, be administered by a court and would be plagued by perpetual lawsuits. The inhabitants would be represented in the Reichstag where incidents could be artificially provoked. Every economic measure taken by the French Government would be indefinitely held up by the German authorities by bringing an action before the Court of Arbitration. Moreover, the American plan did not ensure to the population withdrawal from the pressure of Prussian administration prior to the plebiscite. The French delegation therefore rejected the President's proposal but declared themselves willing to adhere to one of the British proposals which had been submitted by Lloyd George.

Another meeting of the Council of Four took place on the morning of April 9.² On this occasion Lloyd George expressed sympathy with the French note. He pointed out that a part of the population of the Basin was anti-Prussian and that Tardieu had made a major concession in accepting the idea of a plebiscite.

¹Ibid., VIII, 148-52.

²Mantoux, op. cit., I, 196.

Wilson, however, continued to object to any transfer of sovereignty from Germany. Further discussion of the Saar question was postponed until the afternoon session. There seemed to be little possibility that the deadlock would end soon.

Quite unexpectedly, however, at the afternoon meeting,¹ Wilson presented a new plan² to the Council. Germany was to renounce the administration of the Saar in favour of the Allied and Associated Powers as trustees of the League of Nations. A commission under the League was to be charged with the government of the region. The commission was to consist of five members, one appointed by the Government of France, and one by the German Government from among the inhabitants of the district; the remaining three were to be appointed by the League from other states. The commission was to have all powers of administration previously belonging to Germany, Prussia, or Bavaria. This was indeed the governing commission that was to govern the Saar territory for fifteen years from 1920 until 1935.

¹Ibid., I, 203-7.

²Miller, op. cit., VIII, 158. This plan was a British draft dated April 9.

Why Wilson altered his position so greatly at this time remains a mystery. Headlam-Morley confessed ignorance as to how the decision was arrived at in the meeting of the Council of Four. Even a careful reading of Mantoux's minutes of the meeting provides little additional insight into the President's decision. That he was under pressure from all sides, including from his own advisors, we have already noted, little more than this can be said, although it has been suggested that the fear of communism may have had some influence on his decision.¹ However unexplained, the decision was of great significance for it provided the basis of the solution of the Saar problem.

Accordingly, the Committee of Three was instructed to draft immediately the necessary provisions to be inserted in the Treaty to carry out this decision. The committee worked well into the night using the British draft as a basis for discussion. A revised draft² was submitted to the Council of Four the following morning.³ The clause which was the main subject of discussion at the meeting read:

¹See Hirsch, Helmut, *The Saar Territory*, 45-46, Ph.D. Thesis, University of Chicago, 1945.

²Miller, *op. cit.*, VIII, 167-70.

³Mantoux, *op. cit.*, I, 209-13.

Germany, while preserving her sovereignty, renounces in favour of the Allied and Associated Powers as trustees of the League of Nations all her rights of administration over the territory...

Clemenceau objected to the retention of sovereignty by Germany, and preferred that sovereignty be transferred to the League of Nations. Lloyd George answered this objection by suggesting that any reference to sovereignty be omitted and the clause read merely that Germany abandon the rights of administration of the territory to the Allied and Associated Powers as trustees of the League of Nations. Wilson now brought up the point that it would be preferable to provide that administration of the region be renounced in favour of the League itself instead of the Allied and Associated Powers. In addition a discussion ensued as to the significance of the French word "administration" and it was decided to use the word "gouvernement" instead.

The draft proposals provided for government of the region by a commission of five. One member was to be French and one a native of the region but all were to be appointed by the League. The inhabitants were not to be represented in any assembly outside the territory. The right to vote in the plebiscite which was to take place after fifteen years was reserved to persons living in the territory at the time of the signature of the peace treaty. This last clause was the subject of some

controversy in the Council meeting, Lloyd George preferring a less extended period of residence. Another disagreement arose over the stipulation that France sell back the mines to Germany, Clemenceau preferring that she have the right to retain the mines if she chose. With regard to the boundaries of the region, however, agreement was easily reached that the frontier of the territory would be the limits of the coal basin as far as possible.

Discussion of the proposals at the meeting of the Council the following day¹ centred mainly around a new claim made by the French to a guarantee that Germany would supply France with coal if, after the plebiscite, the region was to return to Germany. However no decision was taken. This meeting was significant, nevertheless, but for another reason. It was on this occasion that the suggestion was first made by Lloyd George that a third choice be offered to the inhabitants of the region in the plebiscite, i.e., the option of remaining a separate state.

Accordingly, the Committee of Three, with the assistance of other experts, was instructed to prepare a plan for a plebiscite, which would include this third choice, and also to work out an article with regard to the

¹Ibid., I, 224-8.

supply of coal to France after the plebiscite. Definite proposals with regard to the boundaries of the territory were also to be made. The Committee's report¹ on these points was accepted by the Council on April 13.²

Provision was to be made for the supply of coal to France. An arrangement regarding amounts, time of contract, and prices was to be fixed at the time by the Council of the League of Nations. As to the boundaries, according to Headlam-Morley, they were drawn up in such a way that the territory would include all inhabitants who were in any way connected with the mining and industrial life of the Basin. It was also thought desirable to make the new frontier coincide with the existing boundaries of administrative districts. The line proposed coincided closely with that suggested by the French in their note of November.³ A revision of the boundary was made very shortly after so that the territory would include the district of Mettlach. This revised boundary was accepted by the Council on April 29.⁴

¹See Miller, op. cit., VIII, 341-51.

²Ibid., IX, 228.

³Doc. of Br. Gov., C 9743/493/18, p.15.

⁴FRUS, V, 335-6; see also Miller, op. cit., IX, 228.

The technical experts continued to work on the final draft which was presented at a plenary session of the Peace Conference on May 6,¹ and forwarded it to the German delegation the following day.

Thus far no mention has been made of the German view, both official and otherwise, of the proposals with regard to the Saar Basin. As early as December 1918, steps had been taken in Saarbrücken to organize resistance to the French demands. Subsequently, a petition signed by leaders of various local organizations was forwarded to President Wilson. The petitioners claimed that the region was a purely German territory and therefore they protested against the pressure to separate the region from Germany and unite it to France, a fully foreign state. They stated that they were German by origin, history, language, and spirit. They wanted to remain united with their German brothers and sisters in this time of misfortune. It was pointed out that the annexation of the territory by France was incompatible with the Fourteen Points of Wilson which had been accepted as a basis of peace.²

¹FRUS, III, 337-40.

²Germany, Foreign Office, Das Saargebiet unter der Herrschaft des Waffenstillstandsabkommens und des Vertrags von Versailles, 22. (Hereafter cited as Germany, White Book). English text in Osborne, Sydney, The Saar Question, 361.

An official view was expressed in February, 1919, by Count von Brockdorff-Rantzau, Minister of Foreign Affairs, in the German National Assembly. He described the French plan of joining the Saar district with Alsace-Lorraine as "imperialistic aggression".¹

In April, the German Foreign Office drew up instructions for the German delegation to the Peace Conference, which was to comment on the draft treaty when it was presented by the Allied and Associated Powers. In this document² the separation of the Saar territory from Germany and its government by an International Commission were held to be unacceptable. If possible, Allied control of coal production of the region was to be avoided. It was suggested that the claim of France for compensation could be satisfied by an exchange of coal and coke for phosphorous iron ore.

After receipt of the draft treaty, a formal protest was made by the German delegation on May 13. In a letter³ signed by the German Foreign Minister the whole scheme for the Saarland was rejected. It was pointed out that the region was inhabited by a purely German population.

¹FRUS, XII, 20.

²Cited in Luckau, Alma, The German Delegation at the Paris Peace Conference, 199-209.

³See Miller, op. cit., XVIII, 302-6; a slightly different translation is given in FRUS, V, 817-20.

Although the population refused with the utmost determination to be separated from its fatherland, the Allies were proposing completely to sever the connection between the territory of the Saar and the rest of the Empire. Specific criticism was levelled at the provision of the draft treaty that the return of the territory to Germany after the plebiscite be made dependent on the ability of the German Government to repurchase, from the French Government, in gold, and within a short time, all the coal mines of the territory. In default of this payment, France would acquire the territory permanently.¹ That France had a just claim to compensation for damages done to the mines of northern France was, however, not denied. The German delegation therefore proposed an alternate solution. It was ready to enter into discussions with a view to working out an arrangement for supplying coal to France to make up for her deficiency in coal.

In a second note,² dated May 16, more specific proposals for coal delivery were submitted. The German

¹These terms are given in Miller, op. cit., VIII, 351.

²Ibid., XVIII, 306-9; see also FRUS, V, 820-2.

authorities were prepared immediately to ascertain to what extent they could supply the required quantities of coal and also to draw up a plan of delivery. They had in mind to grant "a right of precedence as to the surplus of the entire German output in coal over and above the home-requirements". It was not surprising that an arrangement which made available to France only surplus coal was to have little appeal for Clemenceau. Finally, economic reasons against the separation of the Saar Basin from Germany were stated. It was held that the separation would paralyze the productive capacity of Germany. It was for this reason that alternative proposals were being made.

At a meeting of the Council of Four on May 22,¹ Lloyd George drew attention to the German objection to the terms of repurchase of the coal mines. There was general agreement that this clause should be altered. According to Headlam-Morley, Lloyd George expressed surprise and indignation that this term had ever been included in the draft.² It was agreed by the Council that an amendment be made indicating that in the case of a delay of one year the

¹Mantoux, op. cit., II, 165-7; see also FRUS, V, 813-5.

²Doc. of Br. Gov., C 9743/493/18; p.16.

Reparation Commission would regulate the question of payment, if necessary, by liquidation of the mines in question. Subsequently a reply under the date of May 24¹ was forwarded to the German delegation. The German proposal of delivery of coal to France was dismissed:

...the Allied and Associated Governments have chosen this particular form of reparation because it was felt that the destruction of the mines in the North of France was an act of such a nature that a definite and exemplary retribution should be exacted; this object would not be attained by the mere supply of a specified or unspecified amount of coal.

...no arrangement of the kind put forward could give to France the security and certainty which she would receive from the full exploitation and free ownership of the mines of the Saar.

On May 29, German counterproposals were submitted.² The offer to furnish France with coal was repeated. The point was made that the reconstruction of the coal mines in northern France would be completed after ten years. The deficit in annual output of coal would arrive at a maximum of twenty million tons annually. The amount of coal in the Saar mines exceeded eleven billion tons. Transfer of ownership of the mines to France would therefore accord to France a hundredfold her justified demands. In other sections, this German protest

¹See Miller, op. cit., XVIII, 310-2; see also FRUS, V, 915-7.

²See FRUS, VI, 795-901. On Saar see 825-9.

anticipated the exaggerated complaints that were later to be levied at the Governing Commission by the inhabitants of the Basin. The proposed Commission was criticized, firstly, because it was not responsible to the population for its actions. Furthermore, the member of the Commission who was a native of the region was not to be elected by the people, but appointed by the League. A representation of the people with any legislative competence was not to exist. The population was to lose all rights of citizenship. The future position of every official and employee was made uncertain. There was no law to protect a citizen of the Saar district from expulsion. In addition, a complaint was lodged against the conduct of the authorities of the French Occupation Forces,¹ who were accused of using every possible means to prepare the people for annexation to France. Many who had made public profession of their attachment to the Fatherland were said to have been expelled from the territory.

Within the Allied camp itself, there were a number who had serious reservations as to the justice of the settlement of the Saar question. Lloyd George informed the Council of Four² on June 2, that his

¹See below, 44f.

²Mantoux, op. cit., II, 267; see also FRUS, VI, 140.

colleagues had been a good deal concerned about the Saar. He had pointed out to them, however, that at the end of fifteen years, the Saar could become Prussian, and he thought they would not press their objections. The following day, at a meeting of the members of the American Commission, Herbert Hoover hinted that an alteration of the Saar terms would not contravene the principles of justice. The President replied that he did not see any essential injustice in the Saar Basin clauses. On this occasion, Haskins supported the arrangements for the region in the least convincing terms possible:

I believe that everyone feels that the League of Nations has something very real and very important to do. The Saar Basin is something for the League of Nations to do.¹

It could hardly be expected that clauses of the treaty which existed only to give the League something to do would be executed smoothly.

A reply to the German counterproposals was made on June 16.² The Allies were convinced that this arrangement was necessary to give France immediate and certain compensation for the destruction of her northern coal mines. The scheme avoided annexation of the

¹FRUS, XI, 221.

²Ibid., VI, 926-96. On Saar see 931-2; 942-3.

territory by France, yet gave France possession of the coal field and, in addition, preserved the economic unity of the district. That the provisions for the Saar were of a punitive nature was emphasized:

It has been the desire of the Allied and Associated Powers in determining upon the form of reparation to be imposed to choose one which, by its exceptional nature, will be for a limited period a definite and visible symbol. At the same time, they intended, by assuring themselves of the immediate possession of a security for reparation, to escape the risks to which the German memoir itself has drawn attention.

Presumably the arrangement was to be considered a "symbol" of punishment, not because it provided for government by an International Commission but because it provided for the separation of the Saar Basin from Germany. An International Commission which was established to execute punitive measures, and, in this case, some of the most odious clauses of the Treaty of Versailles could have little chance of success. That the task of the Commission would be difficult was inevitable.

The Treaty of Peace was signed at Versailles on June 28, 1919. The clauses concerning the Saarland are to be found in Part 3, Section 4, Articles 45-50, and in the Annex to these articles.¹ By Article 45 Germany ceded to

¹H C Cmd 153 of 1919, 26-37, L111, 152-63.

France full possession, with exclusive rights of exploitation, of the coal mines of the region. The value of the property ceded to the French State was to be determined by the Reparation Commission¹ and this value credited to Germany in part payment of the amount due for reparation. (par. 5 of Annex).

The boundary described in the Treaty was to be traced by a Commission composed of five members, one appointed by France, one by Germany, and three by the Council of the League. The Commission was to be constituted within fifteen days of the coming into force of the Treaty. The decisions of the boundary Commission were to be taken by a majority.

Germany renounced, in favour of the League of Nations, the government of the territory (Art. 49). The government of the region was to be entrusted to a Commission of the League of Nations, which was to sit in the territory. The Governing Commission was to consist of five members chosen by the Council of the League, and was to include one citizen of France, one native inhabitant of the Saar Basin, not a citizen of France, and three members belonging to three countries other than France or Germany (pars. 16 and 17).

¹On the value of the mines, see below, 177 n.

The Commissioners were to be appointed for one year and be eligible for re-appointment. They could be removed by the Council of the League. The Chairman, who was to be appointed by the Council for one year from among the Commissioners and might be re-appointed, was to act as the executive of the Commission (pars. 17, 18).

Within the Saar Basin, the Governing Commission was to have all the powers of government previously belonging to the German Empire, Prussia, or Bavaria, including the appointment and dismissal of officials and the creation of such administrative and representative bodies as it deemed necessary. Its decisions were to be taken by a majority (par. 19). Moreover, it was to be the duty of the Governing Commission to ensure, "by such means and under such conditions as it may deem suitable", the protection abroad of the interest of the inhabitants of the territory (par. 21).

The laws and regulations in force on November 11, 1918, in the territory were to continue to apply. Any modification of this law was to be put into effect by the Governing Commission only after consultation with the elected representatives of the inhabitants "in such a manner as the Commission may determine" (par. 23).

The civil and criminal courts in existence in the territory were to continue. In addition, a civil and

criminal court was to be established by the Governing Commission to hear appeals and to decide matters for which these courts were not competent. The Governing Commission was to be responsible for settling the organisation and jurisdiction of this court and justice was to be rendered in the name of the Governing Commission (par. 25).

The Governing Commission was to have sole authority of levying taxes and dues. The fiscal system existing on November 11, 1918, was to be maintained as far as possible. No new tax except customs duties was to be imposed without previous consultation of the elected representatives of the inhabitants (par. 26).

The existing nationality of the inhabitants of the territory was not to be affected. In addition, they were to retain their local assemblies, religious liberties, their schools, and their language (pars. 27 and 28). There was to be no military service, compulsory or voluntary, in the territory and the construction of fortifications was forbidden. Only a local gendarmerie for the maintenance of order might be established. It was to be the duty of the Governing Commission to provide in all cases for the protection of persons and property (par. 30).

The territory was to be subjected to the French customs regime. However, for five years from the date of the coming into force of the Treaty goods which originated in the Basin were to be exported into Germany free of duty. During the same period articles imported from Germany for local consumption were to enter the territory free of duty (par. 31).

Two rights accorded to the French state should be noted carefully. Their execution was to cause considerable controversy in the territory. Firstly, France was to have the right of establishing and maintaining, as incidental to the mines, primary or technical schools for its employees and their children. Instruction in these schools would be given in the French language, in accordance with the curriculum and by teachers selected by the French State (par. 14). Secondly, no prohibition or restriction was to be imposed upon the circulation of French money in the territory. The French State was to have the right to use French money in all purchases, payments, and contracts connected with exploitation of the mines and their subsidiaries (par. 32).

Finally, the Governing Commission was to have the power to decide all questions arising from the interpretation of the above provisions (par. 33).

After fifteen years a plebiscite was to occur in which the population of the territory would be called upon to choose: (a) maintenance of the regime established by the Treaty; (b) union with France; (c) union with Germany. The right to vote in the plebiscite was limited to persons more than twenty years old at the date of voting and resident in the territory at the date of the signature of the Treaty. The conditions, methods, and date of voting were to be fixed by the Council of the League (par. 34).

The clauses of the Treaty which pertained to the Saar Valley were the result of a compromise, mainly between the view of Clemenceau and that of Wilson. Because they were a compromise they were subject to criticism from all sides. Generally, British and American critics have viewed the Saar terms with little favour. Headlam-Morley therefore felt it advisable to attempt a justification of the concessions made to the French by the British at the conference:

Even if we believed that these claims were ill-founded, to the French they were very real and just, and in matters of this kind the strength and feeling by which a demand is supported is often more important than its intrinsic merit...Least of all could a feeling of this kind be ignored when it was expressed by the French. They gave full and unswerving support to nearly all British claims...

there must be some limitation to the censorship and control which the British could exercise as against the French. On that question, which was of the most vital interest to them -- the future of the left bank of the Rhine -- we did in fact refuse our support, and for this reason their hopes were frustrated. Just because of this it was quite impossible to maintain an attitude of undeviating and unflinching resistance to their claims for the Saar.

According to Headlam-Morley, the question of the Saar was linked in the minds of the British with French designs on Luxemburg. It was felt, apparently, that a frustration of French ambitions in the Saar Valley would result in an intensified effort by the French for concessions in Luxemburg. Balfour and Eyre Crowe had discussed this possibility and were in agreement that Luxemburg should not be forgotten in dealing with the Saar.

The form of government established by the Treaty was justified by Headlam-Morley by an emphasis on the fact that it was to endure for a limited time only. Presumably such an "undemocratic" form of government could not be justified on a permanent basis. He further defended international government of the Saar as an experiment in government:

...the moment when the League of Nations was being established was just the time when it might be of great use to see if, under favourable

auspices, a satisfactory system of international administration might not be set up...In many ways the Saar district was an extremely convenient and suitable place for such an experiment.

This reasoning is, however, at best, of doubtful merit. A government for 750,000 people can hardly be justified as a political experiment.

In one particular Headlam-Morley felt that an error in judgement had been made at the conference. The Committee gave to the Governing Commission full power to interpret the Treaty clauses which concerned the Saar Basin. As an after-thought, the British expert felt it would have been better, to have provided a right of appeal to the Council of the League on matters of interpretation by the Governing Commission.¹

A much less sympathetic view of the basic aim of the French was taken by R.S. Baker who concluded that the French were striving permanently to cripple Germany in an economic sense as a guarantee of French security. Baker took issue with any attempt to justify the Saar settlement which he felt had been forced by the French desire for annexation and was not the reflection of an impartial attempt to apply the principles of the peace.²

¹Doc. of Br. Gov., C 9743/493/18, pp.18-21.

²Baker, op. cit., I, 363-4.

A very critical French look at the terms of the Saar settlement was made later by Alcide Ebray, a confirmed revisionist, who considered the arrangement to be a direct violation of Wilsonian principles. In his opinion, separation of the territory from Germany for fifteen years, without consultation of the population was a violation of the Fourteen Points just as much as a permanent separation would have been. He considered:

...the plan adopted had an element of the hypocritical and even the ridiculous...what reason was there for separating from Germany for fifteen years this admittedly German territory and consulting it at the end of fifteen years to ascertain whether it desired to remain as it is, to return to Germany, or to go to France? The plan is absurd on the face of it, but it is very comprehensible if it is regarded as a round-about way, chosen to save appearances, of realizing at the end of fifteen years a design, in flat contradiction of the Wilsonian principles, which no one dared to carry into effect in 1919.

...the arrangement...had this triple purpose -- to eliminate German influence, to substitute French, and finally to furnish France with the means of denationalizing -- 'de-Germanizing' -- this German territory, so that the plebiscite to be held at the end of fifteen years should go against Germany.¹

Scathing criticism was also levelled at this part of the Treaty by J.M. Keynes, the British Economist, who regarded the Saar settlement as an "act of spoliation and insincerity".²

¹Ebray, Alcide, A Frenchman Looks at the Peace, trans. E.W. Dicks, 72.

²Keynes, J.M., The Economic Consequences of the Peace, 83.

These remarks represent an exaggerated, although by no means unique view. They are quoted here not so much on their own merits, but rather as an illustration of the current of opinion in which the Governing Commission of the Saar Basin operated. The Governing Commission found itself in the position of having to execute the terms of a settlement which could not really be defended on the basis of justice. One must assume, of course, that any International Commission would be established in an area of dispute and that therefore a certain amount of controversy would be bound to surround the Commission. Whether or not the Saar Governing Commission was established in particularly difficult circumstances is a moot point. However, it will be seen that many of the difficulties of the Commission were caused not by internal but by external factors, such as unreasonable criticism of its activities by the Press, both within and without the territory itself.

CHAPTER II

THE ADMINISTRATION 1920-1923

The new regime for the Saar could not be put into operation until the Treaty of Versailles had come into force and the League of Nations had been organized. Therefore, at a meeting of the Council of Five on November 5, 1919,¹ it was agreed that the military occupation of the Saar Territory should continue until the Commission charged with the government of the district had been appointed.

French troops had first taken over the Saar area on November 21, 1918 as part of the inter-allied occupation of the Rhineland. On January 24, 1919, the territory had been placed under a military administration and the mines under a French direction militaire.² Thus, in all, the territory was subjected to a military administration for more than a year.

There can be little doubt that the period of military occupation by the French was one of fairly

¹FRUS, VIII, 955. The Council of Five consisted of the Foreign Ministers of Britain, France, the U.S., Italy, and Japan.

²Wambaugh, Sarah, The Saar Plebiscite with a Collection of Official Documents, 42.

intensive pressure to Frenchify the region. In fact, Robert Herly, the most persistent advocate of French control of the Saar territory, considered that within nine months of the inauguration of the military regime French propaganda in the region reached its peak.¹ A protest against the activities of French agents and military officers of the army of occupation was made by the leaders of local political parties and labour organizations to the German National Assembly at Weimar, on March 7, 1919.² They charged the military administration with the forced introduction of French instruction in schools, house-to-house efforts to enlist French sympathizers, and coercion of the press to publish French news and reports.

In addition, at this time, French economic influence expanded in the basin. This expansion was largely the result of the efforts made by various French groups to buy majority shares in Saar industrial establishments. Since by the terms of the Treaty the customs barrier between the Saar and France was to be abolished, it was to the advantage of French industrialists

¹Revire, Jean (pseud. for Robert Herly) Perdons-nous la Sarre?, 29. Herly was Secretary of L'Association Française de la Sarre.

²English translation in Osborne, Sidney, The Saar Question a Disease Spot in Europe, 362-3.

to bring Saar industries under their control and thereby limit competition in France. Ultimately, of the chief metallurgical firms in the Saar all except the one owned by the Röchling family yielded to the pressure and accepted approximately sixty percent participation by French industrialists in the ownership of their businesses.¹ Apparently the French Government supported these efforts by the industrialists. As a result of a study of the role of the French Government in this development, Professor Eugene Staley concluded:

...the French government was more than a passive observer; it certainly advised and counseled its capitalists to enter the Saar, probably requested them to do so, and probably induced others to enter who would not have done so otherwise...

The pressure...occured in 1919 and the early months of 1920. There is no evidence that it lasted longer, nor that such methods were employed after the military occupation was terminated...and the League of Nations Governing Commission set up.²

Two odious features of the military regime, however, did extend themselves into the history of the

¹See Staley, Eugene, Private Investments and International Politics in the Saar, 1919-20, Journal of Political Economy, XLI, Oct., 1933, 577-601.

²Ibid., 599.

territory after the establishment of civil administration. One was the presence of French troops in the region which was to prove to be a constant source of grievance until their final withdrawal in 1930. The other was trial of civilians by the court martial. These problems, however, will be considered below.

The League of Nations itself formally came into existence with the coming into force of the Peace Treaty on January 10, 1920. The Governing Commission of the Saar Basin, however, was not appointed until the meeting of the League Council held in February, 1920. Apparently at the Peace Conference, the presumption being that the United States would enter the League, it was generally supposed that Professor Haskins would become the first Chairman of the Commission.¹ However, at the League meeting the case in favour of a French chairman was made very effectively by the Rapporteur, M. Caclamanos. He pointed out that the economic development and prosperity of the basin depended largely on the co-operation of France. Furthermore, the Treaty had granted France rights on which it did not have to consult the Governing Commission.

¹Wilton, Ernest, The Saar Plebiscite and After, The Quarterly Review, Vol. 264, April, 1935.

These rights should be applied by means agreed to by the Governing Commission. The welfare of the population and the necessity of maintaining order in the region required a close collaboration between the French Government and the Commission. This collaboration could be best assured by the relations which a French chairman of the Commission would maintain with France.¹

The Council, after hearing this recommendation by M. Caclamanos, appointed Victor Rault of France, Alfred von Boch of Saarlouis, Major Lambert of Belgium, and Count de Moltke-Huitfeldt of Denmark, as members of the Commission for one year. M. Rault was to be Chairman of the Commission. The name of the fifth member of the Commission was to be announced later, since formalities in connection with his appointment had not been completed.²

Included in the Caclamanos report was a recommendation which was to prove to be of considerable significance. Since it was the duty of the Commission to provide in all cases for the protection of persons and property in the Saar basin, the Commission was to have the

¹League of Nations Official Journal, March, 1920, 46 (Hereafter referred to as LNOJ).

²Ibid., 49-50.

power to demand the maintenance of the troops called up to preserve order until the establishment of a gendarmerie of the Saar.¹

In addition, general directions were given to the Commission by the Council. In particular, the Governing Commission was reminded that it was to have "no occupation and no interest except the welfare of the people of the Saar Basin". Nevertheless, considerable latitude was granted to the Commission which was to determine its own rules of procedure and assign responsibility to its individual members. It was to meet in permanent, though not necessarily continuous, session. The question of validity of decisions taken in the absence of one or more members would be settled by the Commission. Substitutes for any member were to be appointed by the Council. However, both the French member and the member from the Saar might, in case of urgency, appoint their own temporary substitutes. This procedure was made conditional on the expressed agreement of the other members of the Commission that such a step was necessary. To ensure contact with the League, the Commission was to report to the Council on all questions

¹Ibid., 47.

of interest.¹

The first meeting of the Commission was held on February 21, at which time it decided to enter officially upon its duties despite the absence of the fifth member. Responsibilities were temporarily distributed among the members present. The President assumed authority over the most significant posts -- the Departments of the Interior, Foreign Affairs, Commerce, Industry and Labour. The Department of Finance was accorded to von Boch, Public Works, Railways and Postal and Telegraphic Service to Lambert, and finally, Education, Ecclesiastical matters, Charities, and Health and Social Insurance to de Moltke-Huitfeldt. The Departments of Justice, Agriculture, and Supply, which were reserved for the fifth member of the Commission, were temporarily placed in the charge of the President.²

Subsequently, a proclamation³ under the date of February 25, 1920, was issued by the Governing Commission

¹Ibid., 50-52. The Governing Commission subsequently decided to submit monthly reports to the League until the administration was firmly established and thereafter quarterly reports (LNOJ, June, 1920, 205-6).

²LNOJ, April-May, 1920, 100-101. When the fifth member, Mr. R.D. Waugh, a former Mayor of Winnipeg, Canada, arrived in April, some adjustment in the allotment of duties was made. The respective domains of the President and Major Lambert remained unchanged. However, supervision over the administration of justice was accorded to de Moltke-Huitfeldt, Waugh taking over the Department of Finance and the office of Food Controller. To make this arrangement possible, von Boch relinquished Control of Finances, and assumed control of Agriculture, Public Health, and Social Insurance. (Ibid., June, 1920, 192).

³Ibid., 107-8.

to the people of the territory. There was a decidedly paternalistic tone in this document which emphasized that the Commission would tolerate "neither open violence, intrigue, nor passive resistance." The maintenance of peace and order throughout the territory was regarded by the Commission as its first duty. On the other hand, it pledged itself to respect the rights and well-being of the population.

The first task of the Commission after its assumption of power on February 26 was to substitute a civil administration for a military one. In order to make this adjustment smoothly, most of the officials appointed by the Imperial, Prussian, and Bavarian Governments were retained. However, a reduced staff of the military administration of the Saar was temporarily retained. In addition, a Secretary-General was installed by the Commission, his principal duties being to draft minutes of Commission meetings, keep archives, and to maintain relations with the League of Nations.¹ It is interesting to note that this key position was first held by M. Jean Morize, a nephew by marriage of President Rault.²

¹Ibid., 103.

²Röchling, Hermann, Wir halten die Saar, 56.

Finally, steps were taken to restore freedom of movement, liberty to the press, and the right of public meeting. Nevertheless, the Commission decided that until a local gendarmerie was organised it could not completely dispense with the French troops. This decision was taken under the authority of the recommendation of the Caclamanos report to the League Council.¹ However, the Commission pointed out that the troops were no longer to be considered troops of occupation, but were garrison troops.²

Throughout the following three years the history of the Saar was coloured by complaints of the local political parties and protests from the German Government against the League administration.

During the early months of its existence, the most awkward problem which faced the Commission was that of regulating the status of the German officials it was to employ. An ordonnance³, issued on March 16, established the right of the Commission to dispense with the services of officials and place them at the disposal of their own

¹See above, 48-9.

²LNOJ, April-May, 1920, 104.

³Ibid., 109-10.

Governments. This right had to be exercised within six months of settlement of details with Germany. In addition, the ordonnance provided that the officials were to take an oath of loyalty to the Governing Commission.

In July, the political parties of the territory forwarded a petition to the League in defence of the rights of the officials. They complained in particular that the Commission had filled important positions with foreigners, especially French officers. Moreover they contested the right of the Commission to dismiss officials whose loyalty was in doubt.¹

On August 6, the officials themselves issued a strike proclamation.² They prefaced their demands with the comment that they were not inspired by any nationalistic motives and did not wish to interfere with the operation of the Governing Commission. They did not, however, want to see their rights diminished. The officials found that the written guarantees of the Commission did not correspond with its oral promises. Furthermore, the Commission had refused to reconsider the Statute of Officials³ which it had approved on July 29.

¹German White Book, 183-6.

²Ibid., 187-9.

³Ibid., 168-73.

The officials therefore declared that they were going on strike in support of certain demands. The demands listed by the officials are revealing for they show that their grievances were not limited to the Statute itself, which they felt accorded them insufficient security, but extended much further. However, the demands of the functionaries themselves were stated first. Basically, what they sought were definite assurances that they would have the same rights as were in effect for the civil service on November 11, 1918, and the same privileges as might be granted in Germany. They also wanted the right to maintain affiliation with the professional organizations of Germany and other countries. The other demands were, however, of a more general nature, i.e., the liquidation of the remainders of the military regime, reduction of prices, and the introduction of popular representation into the government.

In the face of a strike in the public services, President Rault declared martial law and placed the police under military authority. The operation of the railways was taken over by the French military. Under the orders of General Brissaud-Desmaillet about 100 notorious pan-Germans were expelled from the territory. In addition, public meetings were prohibited and censorship of the press enforced. The reaction of the Saarlanders was

equally dramatic. On the day the strike began, the member of the Commission from the Saar resigned his position; on August 7 and 8, the miners declared a sympathy strike. The Commission, however, refused to reconsider the terms of the Officials' Statute. Therefore on August 13, as a final gesture of protest, a twenty-four hour general protest strike was held in the territory. Work, however, was resumed on August 14, and the state of siege lifted. Nevertheless, the officials took care to point out that their return to work was not to be interpreted as an acceptance of the Statute.¹

Throughout the strike President Rault regarded it as a political manoeuvre engineered from Berlin:

The strike of public officials was in the nature of an offensive, prepared long beforehand, with the object of destroying the authority of the Governing Commission and of proving that the regime provided by the Treaty of Peace for the administration of the Saar Territory could not be established.

At the end of the strike he congratulated the Commission on having weathered the storm:

The Governing Commission was able to demonstrate that this defection of the part of the population did not render it incapable of governing, of keeping order in the territory, and of ensuring the unhindered working of the French State Mines, and even of the railway traffic.²

¹Confidential Report of President Rault to the League, August 18, 1920. National Archives (hereafter cited as NA), T-120, serial K2110, frames K577174-K577204. (II, b.G., Saar. Pol. Ang.).

²LNOJ, November-December, 1920, 69-70.

There can be little doubt that M. Rault was justified in his suspicion that the officials were in close contact with persons outside the territory. In fact, a confidential circular, issued after the strike by the German Minister of the Interior, assured the German officials in the service of the Governing Commission that they were to remain "German officials". Accordingly, they were to be promoted to higher grades by the German Government, and their sworn allegiance to the Commission was not to affect their status in regard to Germany.¹

Nevertheless, as a symbol of good faith, the Commission revised the list of expulsions ordered by the military authorities during the strike. Similarly, a large number of persons sentenced by court-martial were pardoned. In addition, the Commission authorized payment for strike days of those employed in public services. On the other hand, the Statute of Officials remained unchanged and several officials were sent back to their former Governments.²

A settlement was reached between the officials and the Commission before the year ended. The officials

¹Ibid., March-April, 1921, 206-7.

²Ibid., November-December, 1920, 70.

themselves, in an effort to make their posts secure as soon as possible, requested to take the oath of allegiance to the Commission as a body. All but a few were granted the right to do so. After this time an official could be removed only after trial before a disciplinary Court.¹ The security of the officials was further assured as a result of an agreement signed by the German Government and the Commission in 1925.² Nevertheless, a major trouble spot remained: the presence of French officials in high positions in the administration never ceased to be a cause of grievance on the part of the German officials.³

The dispute with the officials was undoubtedly the greatest single issue which confronted the Commission in its first year of operation. However it was by no means the only cause of discontent among the inhabitants. By a decree of July 7, 1920, the protection of the interests of the inhabitants of the territory abroad was entrusted by the Governing Commission to the French State.⁴ A protest against this decision was made by the

¹Ibid., March-April, 1921, 206.

²See below, 121 f.

³In 1923, of 12,000 officials and employees in the Saar territory, 73 were foreigners. (LNOJ, Sept. 1923, 1064).

⁴Ibid. September, 1920, 375. The Treaty stipulated that the Commission was to ensure "...by such means and under such conditions as it may deem suitable, the protection abroad of the interests of the inhabitants of the territory of the Saar Basin." (par. 21 of annex to Arts. 45-50).

German Government in a note of December 31, 1920. The German authorities contended that they could not recognize a representation of the interests of Saarlanders through France since the Saar "dem übrigen Deutschland gegenüber nicht Ausland ist".¹ Somewhat later, in a letter to the League² the German Government protested that entrusting the protection of Saarlanders abroad to the French Government had caused practical difficulties and consequently did not provide adequate facilities for the personal and business interests of the population of the territory. Furthermore, it was maintained that protection should be accorded to the German Government, since the Saarlanders were German nationals. The German Government claimed that as soon as a resident of the Saar left that territory, he automatically returned to the protection of Germany.

This attitude was consistent with the refusal of the German Government to recognise the sovereignty of the Governing Commission in matters outside the Saar, e.g., on international conferences, on postal services, railways, etc.³ Obviously, the basic conflict in these issues was between the desire of the Commission to assert the

¹German White Book, 87-8.

²LNOJ, April, 1923, 412-3.

³See below, 185.

autonomy of the Saar and the attempt of the German Government to retain what ties it could with the territory. Hence, it was unfortunate that protection of inhabitants apparently could not be accorded to a neutral nation.¹

According to the terms of the Treaty of Versailles, modifications of laws in force in the territory on November 11, 1918, could be made only after consultation of representatives of the inhabitants of the region.² For this reason, if for no other, one of the first tasks of the Commission was to restore local assemblies in the territory. Therefore on April 28, 1920, the Commission adopted an Electoral Law regulating elections for these local bodies.³ The first elections for Municipal and District Councils took place in July, 1920. Subsequently, the Commission, upon occasion, submitted draft decrees to these bodies for their consideration.⁴

One of the first decrees submitted to the local assemblies was that defining the term "inhabitant of the Saar territory". This term, although employed throughout

¹See Russell, Frank, The International Government of the Saar, 153n.

²Par. 23 of Annex to Arts. 45-50.

³LNOJ, June, 1920, 195-6.

⁴Ibid., November-December, 1920, 67-69.

the Treaty, had not been defined. The draft decree provided that the term be extended to all persons, without distinction of nationality, who had resided in the territory for at least three years. Public officials, however, could attain the status after only one year's residence. All other persons residing in the territory would be considered as foreigners. The members of the local assemblies, however, saw in this decree a threat to their German nationality. Furthermore, they were repelled by the idea that a German who had resided in the territory for two years would be considered an alien.¹ Nevertheless, despite the opposition of the representatives of the inhabitants, the decree was issued by the Commission on June 25, 1921.² Subsequently, a protest was made by the German Government to the League. In the opinion of the Government the idea was more of a "citizen of the Saar State" than that of an "inhabitant of the Saar".³

The system of consulting their representatives, however, was an even more serious grievance of the inhabitants. In fact, one of the most persistent demands

¹Ibid., October, 1921, 842.

²Ibid., 859-61.

³Ibid., February, 1922, 126.

of the political parties of the territory was that a parliament be convened. In a petition¹ presented in December, 1921, they complained that the various assemblies did not constitute a single representation of the population, that Commission ignored the opinion expressed by the assemblies, and finally, that not all questions were submitted to the assemblies.

These complaints, however, could not be supported by reference to the Treaty which had specified that the Commission had an obligation to consult the elected representatives of the inhabitants only before imposing new taxes or modifying laws and regulations.² There could be no doubt that the framers of the Treaty did not have it in mind to establish a parliament to which the Commission would be responsible.

Nevertheless, because of the opposition in the territory to the method of consultation adopted by the Commission, the local assemblies themselves often refused to consider draft decrees.³ Finally, the political parties of the territory adopted a resolution on March 18, 1922, demanding that full rights of participation in

¹English translation printed in Osborne, op. cit., 367-72.

²See paragraphs 23 and 26 of Annex to Articles 45-50.

³LNOJ, May, 1922, 459-60.

government be conferred on a popular assembly. Furthermore, they demanded that the deputies of the proposed assembly be granted immunity. In case of a divergence of opinion between the Governing Commission and the parliament, the League of Nations could hold an enquiry and give a final ruling.¹

By this time, the Commission itself was aware of the inadequacy of consulting the population as represented in the local assemblies. It reported that not only were the assemblies themselves too numerous and their members not competent to consider the draft decrees submitted to them, but communication between the Commission and the assemblies was inadequate. Therefore, it was decided by a decree of March 24, 1922, to create an Advisory Council (Landesrat) elected by the whole of the inhabitants of the basin. The Council was to consist of thirty members elected by universal, direct, secret suffrage. It was to be a purely consultative body and would discuss only proposals submitted to it by the Commission. The budget of the territory would be communicated to it, but would not be discussed by it. The Council was to be convened at least once every three months. In addition to the Advisory Council, a Technical Committee of eight members was created by the same decree.

¹Ibid., 457-8.

The Committee was to give "its technical views on all matters which are submitted to it by the Governing Commission".¹

However, the establishment of an assembly with such limited powers was bound to find little support among the political parties of the territory. The absence of a true parliament was one of their chief grievances against the Commission and, naturally so, for this fact limited their power greatly. Consequently, protests of the political parties appeared in the local press shortly after the decree had been issued.² In fact, some of the political parties indicated that they would not participate in the election for the Council. Eventually, however, they all seized the opportunity to criticize the Commission in the election campaign.³

The Advisory Council was convened for the first time on July 19, 1922. An awkward situation arose when the representatives of the various political parties asked to state their political programmes. Since these declarations were not on the agenda, and the representatives could not discuss matters not included on the agenda, the

¹Ibid., 459-61, and 414-6.

²Commission de Gouvernement du Territoire de la Sarre, Procès-Verbal, April 21, 1922. Stephens' Papers (Hereafter cited as Procès-Verbal).

³LNOJ, August, 1922, 768-9.

Chairman of the Council adjourned the meeting. Subsequently, however, President Rault decided to permit the reading of declarations by the political parties, but to permit no discussion on the declarations.

The declarations themselves revealed the dissatisfaction of the political parties with the Advisory Council as constituted by the Governing Commission and were unanimous in their demand for extension of the authority of the Council. The demands of the parties included the right to present grievances, the right to draw up their own agenda, the right of initiative, and the right of parliamentary immunity. In addition, the parties were strongly opposed to the appointment of the Chairman of the Council by the Governing Commission.¹

The fight for an extension of the authority of the Advisory Council was never given up by the political parties. The following September the Commission considered a request that the members of the Council be permitted to put written questions to the Commission. However, the Commission unanimously rejected this request.² A similar request that the Council discuss the budget of the territory was also rejected.³ The member in charge of

¹Ibid., 1044-52.

²Procès-Verbal, September 22, 1922.

³Ibid., March 7, 1923.

finance, R.D. Waugh, was of the opinion that the Council under no circumstances should have the right to vote on the budget since it would vote credits only for expenditures it approved and thereby would have held a veto over the Commission.¹

Undoubtedly the most persistent charge of both the inhabitants of the territory and the German Government was that the policies of the Commission were dictated by Paris. However, public opinion on this question was certainly not freely formed, for opinion in the territory was subject to a great deal of pressure from Berlin as well as Paris. For example, very shortly after the installation of the Governing Commission an organization was founded, the Saarverein, with headquarters in Berlin, whose purpose was to unite the territory against the Governing Commission. One of the main activities of the society was the publication of a bi-weekly magazine, the Saar-Freund, which attempted to mould opinion in the territory against France.²

In addition, a number of unauthorized ties bound the territory to Berlin. The publication of a German White Book³ on the Saar in November, 1921, in itself

¹Document of British Government C9487/493/18, June 4, 1923, Memorandum on the Administration of the Saar under the League of Nations, 6, contained in Stephens' Papers.

²Wambaugh, op. cit., 79. See below, 135.

³See above, 27n.

verified that there were irregular relations between some of the functionaries in the service of the Commission and the German Government. Some of the documents printed in this book were available to the German Government only through irregular channels. Furthermore, as the Commission pointed out, periodic reports on developments in the territory were submitted to the German Foreign Office by confidential agents.¹

Consequently, it would be naive to accept all the charges of French imperialism in the territory at face value. On the other hand, there can be no doubt that during the first years of the operation of the Commission it was to a considerable extent under French influence.

Almost from the beginning, both the Saarlanders and the German Government considered that the composition of the Commission was calculated to place the administration in the control of France. Certainly many of the appointees of the League Council to the Commission were guilty of subservience to French interests. As the first Chairman of the Commission, the Council decided to appoint a Frenchman and, unfortunately, one who did not speak German. The other members seemed almost invariably to have some close connection with France. For example, the Count de Moltke-Huitfeldt, son of a former Danish

¹LNOJ, March, 1922, 227.

Minister in Paris, had lived in Paris for many years. In fact his nomination to the Commission had never been proposed by the Danish Government.¹ The Belgian member, M. Lambert, quite aside from his personal ties with France, was undoubtedly in a compromising position, because of the close relations between his state and France. The subservience of these two members to the will of President Rault invariably assured the Chairman of a majority vote in the meetings of the Commission.

In addition, the member from the Saar was usually under the control of the French President. We have already noted that the first member from the territory, Herr von Boch, resigned his position in protest during the officials' strike in 1920.² His successor, Dr. Hector, was a man who appears to have been universally disliked by the inhabitants because of his leanings toward France. In a pamphlet³ circulated in the Saar in September 1922, it was maintained that Dr. Hector:

As a town councillor of Saarlouis...had furthered the dispatch of a petition from this town to Paris in view of promoting the union of Saarlouis to France. Appointed Mayor of Saarlouis by the French military authorities, he converted an economical petition of the Saarlouis town councillors...into a declaration of loyalty to France.

¹Ibid., August, 1923, 911.

²See above, 534.

³The French Policy in the Territory of the Saar Basin, contained in Stephens' papers.

The resignation of Dr. Hector in 1923 was in fact submitted to the League during the course of an uncompleted libel action which he brought against a local editor in connection with the publication of these accusations.¹

When he submitted his resignation Dr. Hector named Herr Julius Land as his substitute. The appointment of this weak personality was regarded as being so favourable to the interests of France that at the League Council meeting in April, 1923, both the British and Swedish members refused to sanction Land's nomination as Commissioner. Nevertheless, because of the support of France, he was appointed a member of the Commission.²

Basically, the controversy over the member of the Commission from the Saar was seated in the desire of the inhabitants to elect this member themselves. Sympathy with this view was expressed by the British in the person of Lord Robert Cecil speaking in the League of Nations Assembly in September, 1922:

...I should like very much to ask the Council, or any member of it who is good enough to speak in this debate, whether he thinks the time has not arrived for the Council to nominate the Saar member in collaboration with the Advisory Council it has created.³

However, the time was not yet right for this advanced

¹For text of letters see Der Fall Hector und seine Konsequenzen, petition of political parties, 1923, contained in Stephens' papers. See also Röchling, op. cit., 81-88.

²LNOJ, June, 1923, 598.

³Records of the Third Assembly of the League of Nations, 1922, I, 44.

thinking and, in fact, the Saarlanders themselves did not press this point until later.¹

During the first years of the existence of the Commission the only Commissioner who did not fall under French influence was the Canadian, R.D. Waugh. Breaks with unanimity in the meetings of the Commission were owing only to the vote of Waugh. In fact, it was the French nationalists who were dissatisfied with Waugh, who had gained considerable support among the Saarlanders.² However, Waugh laboured under the disadvantage of speaking neither French nor German. Undoubtedly the language barrier tended to increase his isolation from the other Commissioners and make it difficult for him to exercise a really significant influence on the Commission as a whole.

A biting protest against French influence was made in an anonymous pamphlet circulated in the territory in 1922. It was argued that the appointment of a French Chairman and his assumption of control of both the departments of the interior and the exterior had assured to France a dominating influence in the Commission:

From the beginning it (the Governing Commission) has considered the carrying on of

¹See below, 146.

²See Revire, Perdons-nous la Sarre? 40.

French propaganda in the Saar territory to be its principal task, and the preparation for the future annexation of the country by France, its principal business. With this object it has sought to detach the native population from Germany to make it materially dependent on France, depriving it of its political rights.¹

Any veil of doubt as to the aspirations of the French Government in the Saar was removed with the publication in 1923 of a secret report of that Government.² Thus, it was revealed that in June, 1922, M. Dariac of the Finance Committee of the Chamber of Deputies had been commissioned by Premier Poincaré to make a secret report on the Rhineland and the Saar. In this document, as in the reports made to the French Government prior to the Peace Conference, the strategic and economic significance of the Saar territory was stressed. In addition, Dariac outlined what he felt should be the basis of French policy in the Saar:

The French policy in the Saar should be one of methodical and prudent action, without premature rashness or excessive timidity.

A delicate, prudent, sustained policy is essential: the progressive replacement of...pan-German officials, the conquest of the school, alliance with the clergy...the utilisation of the press, the organisation of the working classes into trade unions with a defined tendency being problems which offer themselves to our meditations.

¹The French Policy in the Territory of the Saar Basin, see above, 67.

²Published in the Manchester Guardian, March 5, 1923.

On the other hand, the establishment of the Advisory Council was regarded as a definite threat to the position of France in the region:

.can one prevent an elected assembly on pain of nullity, from passing resolutions, from bringing them to the attention of public opinion, of opinion in the Saar, in Germany, in Allied countries?

The fact is that for the first time the power of speech has been restored to the Saar populations, which will have to pronounce for or against France.

It is no piecemeal consultation by districts, in which it is possible to avoid a great current of opinion, to split it up in some way.

There was of course no question that the French Government had good reasons to attempt to influence the course of events in the Saar prior to the plebiscite. The only question was to what extent the policies of the Commission itself reflected the aims of France. Certainly many of the decisions of the Governing Commission tended to extend the influence of the French in the territory in a fashion presumably not foreseen by the authors of the Peace Treaty. However, it does not necessarily follow that these decisions were taken solely with a view to increasing French influence.

Undoubtedly, the full implications of some of the provisions of the Treaty were not realised in 1919. For example, the Treaty provided that there was to be no

restriction on the circulation of French money in all purchases, payments, and contracts connected with the exploitation of the mines.¹ As early as July, 1920, the French State Mines decided to exercise this right and henceforth paid their personnel and conducted all their financial operations in francs.² This decision triggered a series of events, the final outcome of which was the establishment in 1923 of the franc as the sole currency of the Saar.

In 1920, the introduction of the franc into the territory coupled with the depreciation of the German mark accelerated the increase in the cost of living in the territory. In these circumstances the employees of the mines were in a singularly advantageous position because of the fact that their wages were paid in francs. Consequently, within a short time, most of the ironworks of the territory, in response to demands from their workers, began to pay wages in francs.

The Commission itself considered the continued growth of the circulation of the franc as inevitable. Because it foresaw "grave problems" if the franc came into general circulation, the Commission decided to create a

¹Par. 32 of Annex to Arts. 45-50.

²LNOJ, September, 1920, 369-70.

Committee to study the financial and economic questions involved in such an adjustment. Subsequently, a circular was distributed to various associations, including trade unions to ascertain their opinion on the payment of wages and salaries in francs.¹

In February, 1921, M. Lambert, member in charge of Public Works, reported to the Commission that over seventy percent of the railway workers had voted for wage increases in marks. According to Lambert, the heads of the railway unions actually recognized the advantage of wage-payment in francs. These leaders, however, were under pressure from Berlin and therefore hesitated to make the benefits of the franc known in the territory. On the other hand, the Commissioners agreed that the budget would not permit wage-increases in marks. Nevertheless, Waugh urged that no pressure be put on the railway workers in favour of the franc. Even informing them that no increase in marks was possible he regarded as pressure. He therefore proposed that a commission be established to consider salaries and wages of functionaries. The President however felt this measure would be interpreted as a delaying tactic and consequently the proposal died.²

¹Ibid., Nov. - Dec., 1920, 75-6; March-April, 1921, 199-203.

²Procès-Verbal, February 9, 1921.

On March 16, a report on the necessity of employing the franc in the public services was presented by Lambert to the Commission:

The retention of the mark by railways and postal services amounts to condemning them to continue to work at a loss...

It therefore appears to be essential, for financial reasons, to authorise the Member of the Governing Commission, who has charge of Public Works, to introduce the franc, as from May 1st, as the only currency for use in the railway postal telegraph and telephone budget. After that date, the railway and postal rates would be expressed in francs.¹

At this time there was no division of opinion in the Commission and the report was accepted unanimously.² Apparently, Waugh, who as head of the Finance Department was personally in favour of the franc as sole currency, no longer supported the cause of the majority of the railway workers who were opposed to payment in francs. Consequently, it was agreed that the staffs of these services would be paid in francs as of May, 1921. Shortly afterwards, and, according to the Commission, in response to petitions from other functionaries, it was decided to pay in francs salaries and wages of officials of the central administration, the constabulary, the Saar police officers, and the waterworks staff.³

¹LNOJ, July-August, 1921, 625-7.

²Procès-Verbal, March 16, 1921.

³LNOJ, July-August, 1921, 627. See also Procès-Verbal, March 30 and April 20, 1921.

In a note of April 18, 1921, the German Government protested against the decree authorising the use of the franc in the public services. Berlin maintained that the Treaty clearly intended that the mark be the sole legal currency and the franc be only legally tolerated.¹

Nevertheless, the French currency continued to spread throughout the territory. In July, 1921, the principle was adopted by the Commission that whenever sixty percent of the functionaries of a certain category expressed a desire for payment in francs, the request would be granted.² The dual currency system was legally recognised by a decree of August 2, which substituted in articles of the Civil and Commercial Codes the words "the two currencies of the country" for "the currency of the Empire".³ During the next few months, the mark further depreciated and the cost of living continued to rise. The situation for workers still paid in marks was severely aggravated.⁴

In a petition to the League,⁵ the political parties complained that the introduction of the French

¹LNOJ, September, 1921, 688.

²Procès-Verbal, July 6, 1921.

³LNOJ, July, 1923, 742.

⁴Ibid., January, 1922, 40-1.

⁵English translation in Osborne, op. cit., 367-72.

franc had caused great damage to the economic life of the Basin by separating it from its "natural eastern market". Furthermore the parties considered that the Government had brought about this situation by refusing to grant the necessary increases of wages and salaries in marks. Evidence of pressure by the Commission in favour of the establishment of the franc as sole currency has been seen in the attitude of the Commission toward the budgets of the Communes.¹ The Commission refused to authorise the Communes to grant their officials and workers increases in marks because "...a bottomless abyss would have been opened in the Communal budgets". Therefore the Commission placed at the disposal of the Communes sufficient resources to enable them to pay their employees in francs up to April 1, 1922. Most of the Communes accepted the proposal.²

In the opinion of the Commission, by the end of 1922 the simultaneous circulation of both the franc and the mark had created an intolerable situation in the territory. A regular budget could not be balanced either by the Commission or by the Communes. Three-quarters of the inhabitants were by this time being paid in francs. Salaries which were still paid in marks were subject to

¹See Hirsch, The Saar Territory, 100-1.

²LNOJ, March, 1922, 225-6.

constant revision.¹

Finally on June 1, 1923, the franc became the sole currency of the territory. The report of the Commission to the League on this decision described in detail the factors which had made this move necessary. The decisive factor was held to be the plunge of the mark at the beginning of 1923.²

In reviewing these events, there can be no doubt that the Commission did act in such a way as to favour the adoption of French currency in the territory and did not adopt the neutral attitude it claimed on this issue. Furthermore there can be little doubt that the effect of the introduction of the franc as sole currency was to increase French influence, particularly of a commercial nature, in the territory. There is, however, considerable doubt which has yet to be eliminated on one question--what actually was the attitude of the inhabitants. The periodic reports made to the German Foreign Office by its agents³ give a very different picture from the reports made by President Rault to the League which suggested that the Saarlanders themselves favoured the use of the franc. The German reports, on the other hand, emphasized the

¹Ibid., January, 1923, 91.

²Ibid., July, 1923, 741-8.

³NA, T-120, serial K2110, passim (II, b.G., Saar. Pol. Ang.).

opposition of the inhabitants to the circulation of the francs. The German Government, of course, feared that the disappearance of the mark would lead to the economic isolation of the Saar from the rest of Germany. On the other hand, it must be admitted that the Saar, because of its detachment from Germany, never experienced the economic and financial difficulties of Germany itself and escaped the inflation of 1923.

Another serious grievance of the inhabitants of the Saar was the presence of French troops in the area. As mentioned above, when civil administration was installed in the territory it had been decided that French troops would be retained until the local gendarmerie was established.¹ A few months later, the Commission decided to appoint only a small police force and to continue temporarily to depend on the French garrison troops, until the financial resources of the Saar were sufficient to support an adequate gendarmerie.² The presence of these troops inevitably became a symbol of French interference in the territory. Until they could be withdrawn strained relations between the Commission and the inhabitants were bound to prevail.

¹See above, 52.

²LNOJ, November-December, 1920, 65.

Furthermore, although the Commission announced shortly after its installation that no inhabitant would be summoned before a court-martial,¹ nevertheless this practice did in fact continue for some months. The first request to initiate court-martial proceedings was made to the Governing Commission by the Commanding Officer of the French troops in April, 1920. The General wished to bring to trial the editor of the Socialist paper "Volksstimme" because of a "violent article in which serious charges were brought against the French Army". At this time, the Commission had not yet set up the Civil and Criminal Court provided for in the Treaty. In the opinion of the Commission, a fair trial of the editor could not be obtained in one of the local courts which it considered to be under German influence as yet. The Commission therefore "allowed military justice to take its course".²

During the following year, the German Government lodged a series of protests against the court-martial of civilians and the presence of French troops in the territory.³ The German Government had no difficulty in finding support for its case in the terms of the Treaty, which had provided for the maintenance of no force in the

¹Ibid., April-May, 1920, 104.

²Ibid., June, 1920, 196-7.

³Ibid., September, 1921, 683-4. For texts see German White Book, 137-43.

Saar for the preservation of order except the local gendarmerie. Berlin lodged a particularly strong protest against the exercise of French military jurisdiction over the inhabitants, which was also a violation of the Treaty. A demand was made that the French troops be removed, the jurisdiction of the court-martial abolished, and the sentences pronounced under it, since the Governing Commission had taken office, declared void.

President Rault replied to the German Government in a letter of April 14, 1921. Emphasis was laid on the duty of the Commission to "provide in all cases for the protection of persons and property in the Saar Basin".¹ The troops were not a force of occupation but were a garrison which operated in accordance with requests from the Governing Commission. The Commission considered it impossible to provide protection without recourse to these troops:

The local police force, to be able to replace the garrison efficiently, would have to be of a strength of at least four thousand men, including five hundred mounted police. There seems to be no possibility of procuring such a force in the Basin, since the population is attracted by remunerative employment in the mines and workshops... The upkeep of such a large force would be a crushing charge upon the resources of the Territory....The finances of the Governing Commission could not...by any possibility, bear the expense of a police force of sufficient strength...

¹Par. 30 of Annex to Arts. 45-50.

With regard to the court-martial, the President replied that the newly established High Court of Justice of Saarlouis was now "engaged in considering means of liberating the inhabitants of the Territory from the jurisdiction of the court-martial".¹

On June 15, 1921, the Commission considered a report presented by the member charged with Justice, Count de Moltke-Huitfeldt, on the competence of the French court-martial in the territory. At this time, the President himself commented that although the French garrison was indispensable, the French authorities had tended to interpret the competence of the court-martial in too free a manner. A decree was therefore issued by which inhabitants of the Saar were made subject only to the jurisdiction of ordinary Civil Courts. The courts-martial were to be competent only to try soldiers of garrison forces. Only in cases of espionage would inhabitants fall under jurisdiction of the court-martial, and then only if the case was referred to it by the President of the Governing Commission.²

However, although the evil of the court-martial had been virtually eliminated, French troops were still

¹LNOJ, September, 1921, 684. For full text see German White Book, 143-4. On the establishment of the Supreme Court of Justice, see below, 281.

²LNOJ, October, 1921, 843. See also Procès-Verbal, June 15, 1921.

much in evidence in the territory. President Rault's argument that the basin could not bear the expense of maintaining an adequate gendarmerie was taken up by the political parties of the Saar in a petition forwarded to the League in 1921.¹ In their opinion, a police body of fifteen hundred would be ample "in consideration of the acknowledged peaceful disposition of the inhabitants". It was considered absolutely unnecessary to maintain garrison troops to guard the French mines. The reply of the President was that the Commission, which was responsible for the safety of property and persons, and for the safety of the French State Mines, could be the sole judge of the conditions and means by which it could accomplish these duties.

A further protest of the German Government was made on August 18, 1922.² It was pointed out that the development of the local gendarmerie was taking place at a painfully slow rate. Furthermore, the presence of French troops was incompatible with the character of a plebiscite territory. A free vote could not be conducted if one of the two states concerned maintained troops in the region prior to the plebiscite.

¹English translation in Osborne, op. cit., 367-72; see above, 61, 75.

²LNOJ, November, 1922, 1126-7.

Another petition of the political parties was forwarded to the League on December 29, 1922.¹ They complained that thus far only one hundred and fifty-five gendarmes had been appointed. Emphasis was again placed on the docile nature of the population and hence on the superfluity of a police force of four thousand. Furthermore, the population were able and willing to defray the cost of an adequate police force. Finally the charge was made that the unreasonable support given by the Commission to the French military authorities proved its French bias:

The population is firmly persuaded that the real reason for the presence of the French troops is to be found in the support given to the ardent French propaganda energetically carried on in the district, and in the attempt to prepare our German population for annexation to France by intimidation.

The Commission could no longer ignore the pressure to increase the strength of the local gendarmerie. Indeed this pressure came not only from Berlin and the Saar but from Geneva as well. In fact, the French Government itself at the request of the Commission had begun to reduce the number of troops in the Saar as early as 1921.² Therefore at a meeting of the Commission on

¹Das französische Militär im Saargebiet. English trans. in The Nation, Treaty-Breaking in the Saar Basin, CXVI, March 14, 1923.

²LNOJ, November, 1921, 965.

December 15, 1922, it was agreed that the gendarmerie must be increased and in the first stage of development fifty new gendarmes would be recruited. However, since the effectives of the French troops had already been reduced to four thousand five hundred, the Commission considered that no further reduction of that force was possible.¹

Reporting on this decision to the League Council, the Rapporteur, M. Tang Tsai Fou stated:

No further reduction...would be advisable in view of the extreme opinions of certain newspapers and of agitation which might result from the rise in the cost of living brought about by the depreciation of the mark.

Nevertheless, the Council gave the Commission a gentle push:

The Council...requests the Governing Commission to adopt such measures as it thinks suitable for increasing the strength of the local gendarmerie.²

Undoubtedly, because of the limited budget of the territory, development of the local gendarmerie was bound to be a slow process. However, it probably can be assumed that the growth could have taken place more quickly had the Commission made more strenuous efforts to advance the development. The attitude of the member

¹Ibid., March, 1923, 363. See also Procès-Verbal, December 15, 1922.

²Ibid., March, 1923, 363.

responsible for Finance, R.D. Waugh, seems to have been vacillating. At times he agreed with his colleagues that the gendarmerie could not be developed more rapidly, at other times he urged the complete withdrawal of French troops to points outside the territory.¹ It is interesting to note that this latter proposal was ultimately to become the solution to the problem, but its acceptance lay far in the future.

Another sign of French interference in the territory, in the eyes of the Saarlanders, was the existence of French schools. The Treaty had provided that the French State might establish schools for the employees and children of the mines "in the French language, in accordance with such curriculum and by such teachers as it may select".² However, the inhabitants protested that the facilities of these schools were extended to students other than those defined in this clause. By a decree of July 10, 1920, and, according to the Governing Commission, in response to requests from parents, children of German nationality were permitted to attend the schools opened by the French State Mines.³ In addition, measures were taken by the Commission to expand and improve the teaching of

¹See Procès-Verbal, December 15, 1922 and January 10, 1923.

²See paragraph 14 of Annex to Articles 45-50.

³LNOJ, July-August, 1921, 630.

French as an optional subject in the public schools.¹

These decisions on the part of the Commission were the cause of a surprisingly violent press campaign directed not only at the Commission but also at the teachers who were prepared to teach French in the German schools.² The basis of the German objection to the admission of German children to the mines schools and to the increase in French instruction in the public schools was that these measures represented further attempts to Frenchify the inhabitants. This particular means of influence had been adopted, they argued, in order to mould the minds of children who would be eligible to vote in the plebiscite in 1935.³

The German Government protested to the League against the scholastic policy of the Commission in a letter of January 18, 1923. The Germans maintained that the innovations introduced into the system of education by the Commission constituted a violation of the Treaty which had guaranteed to the inhabitants retention of their school system. In addition, the French State Mines were accused of offering:

¹Ibid., October, 1921, 845 and March, 1922, 221.

²Procès-Verbal, January 25, 1922.

³See Fittbogen, Gottfried, Die französische Schulen im Saargebiet.

...pocket money, free school outfits and clothes, Christmas presents, favourable treatment of parents who send their children to the French schools and detrimental treatment of those who refuse to do so, less severe discipline, great laxity in case of non-attendance....In this way the ordinary schools of the Territory have become positively deserted.

The German Government therefore demanded that the French schools be restricted to French children.¹

The reply of the Governing Commission to these charges was made in a letter dated March 8, 1923. The Commission denied that it had ever received any complaints regarding the exercise of pressure by the French State Mines to increase enrollment in its schools and that there had been any marked decline in enrollment in the German schools.²

The failure of inhabitants to report pressure to the Commission did not of course necessarily imply that pressure was not exerted. On the contrary, it may have only been a sign that fear was real. Consequently, this is one of the issues on which clear evidence is lacking. Hence it proved one of the most enduring points in the propaganda campaign against the Commission.³

¹LNOJ, April, 1923, 414-6.

²Ibid., 417-20.

³See below, 149f.

French influence in the Saar under the administration of the Commission reached a peak in 1923, however, in that same year it went into a fairly marked decline. Of the factors which converged to produce this alteration in the position of France, the most obvious was the series of events which followed the outbreak of a miners' strike in the territory on February 5, 1923. Ostensibly the issue between the miners and the French State Mines was wages, however, it is generally accepted that, in fact, the strike was a German reaction to the French occupation of the Ruhr Valley, in January, 1923.¹

Almost from the beginning, President Rault was convinced that the strike was being financially supported from outside the territory and therefore might endure indefinitely. Nevertheless, during the early stages of the strike the Commission felt that no extraordinary measures beyond troop reinforcement were necessary, because a general state of order existed in the region.² However, after the strike had endured a month, the Commissioners altered their view and a special decree for the maintenance of order and security was adopted. Only R.D. Waugh objected to the promulgation of this provisional decree on March 7, 1923.

¹See Röchling, op. cit., 88.

²LNOJ, July, 1923, 736-40. See also Procès-Verbal, February 14, 1923.

He pointed out that other strikes in the territory had always been carried out in perfect order and calm. The decree was not only unnecessary but would be harmful since a curtailment of freedom of the press might excite the population. Furthermore, he maintained that the decree should be submitted to the Advisory Council. However, his counsel did not prevail and the provisional decree was issued.¹ By its terms, imprisonment for a period up to five years and a fine up to ten thousand francs were provided for anyone who spoke contemptuously against the Treaty of Versailles, or insulted either the League of Nations or the Governing Commission. Newspapers or periodicals guilty of offences of this nature could be prohibited, dailies for a period up to four weeks, others up to six months. In addition, the editor of the offending periodical could be fined ten thousand francs.²

The decree soon raised a storm of protest throughout the world. At the League Council meeting on April 23, the Swedish delegate, M. Branting, questioned the wisdom of this decree. He could not appreciate the necessity of establishing a regime justifiable only in time of war:

This provisional decree authorises the severest penalties for acts which are not punishable at all or are considered merely as insignificant misdemeanors in any other country.

¹Procès-Verbal, March 7, 1923.

²LNOJ, April, 1923, 421-4.

On the other hand, President Rault assured the Council the decree had been made necessary by the irresponsible attitude of the press:

It (the Press)...incited the strikers against the miners who had remained at work and against the troops, and attacked the regime established by the Treaty and the Governing Commission.¹

Ignoring the criticism it had received at Geneva, the Commission proceeded to issue a second decree on May 2, 1923, which had the effect of prohibiting picketing.² This decree was regarded by Rault as a compromise with the demand of the French Government that a state of siege be declared to ensure freedom of exploitation of the mines. On this occasion Waugh objected to the permanent character of the decree, but agreed that strong measures were necessary to meet the present situation, i.e., the situation created by the miners' strike. He therefore abstained from voting on the decree.³

As a result of these measures, the Saar Commission became the subject of debate for the first time

¹Ibid., June, 1923, 595-6.

²Ibid., July, 1923, 738.

³Procès-Verbal, April 30, 1923. According to the Commission's report, the pickets were organized in an extraordinary fashion, being armed and accompanied by trained dogs, (LNOJ, July, 1923, 737-8).

in the British House of Commons. Criticism of the Commission came from both sides of the House. Sir John Simon regarded the decree of March 7 as:

...the most astonishing abuse of legislative power that the supporters of the League of Nations could ever have imagined would proceed from a body constituted by the League.¹

Similarly, in the eyes of H.H. Asquith it was:

...the gravest blow which has been struck at the moral authority of the League of Nations since it was established.²

During the course of the debate, E.F. Wood, who had represented Britain at the League Council meeting on April 23, announced that the British Government was going to propose that an impartial enquiry be conducted into the general administration of the Saar.³

Accordingly, a confidential report⁴ on the Saar administration was prepared by the British Foreign Office, and telegrams of May 18,⁵ suggesting that an enquiry be held were despatched to Foreign Offices in Paris and the major capitals of the world. These telegrams summarized the British criticism of the Saar administration. The first point of attack was the composition of the

¹Br. H.C. Deb. 5 S, Vol. 163, May 10, 1923, Col. 2627.

²Ibid., 2647.

³Ibid., 2643.

⁴Doc. of Br. Gov. C 9487/493/18, see above, 63 n.

⁵Ibid., Annex V and VI.

Commission. In particular, the British objected to the recent appointment of Herr Land as member for the Saar, saying that he had been selected solely because he was subservient to the French. Count de Moltke-Huitfeldt was considered equally unsuitable because he was under the influence of Rault and the same could be said of Major Lambert. In the opinion of the British only Waugh acted as an impartial member of the Commission.

The British telegrams were subjected to a decidedly cool reception in Paris. In fact, the French ambassador in London informed the British Government that his Government could not assent to any enquiry into the Saar administration. The strike had been a purely political move organised by the Germans, and there was therefore no need for an enquiry.¹

However, despite the opposition of France, the British were successful in inserting the Saar question in the agenda of the next meeting of the League Council. Furthermore, on July 2, Lord Robert Cecil, the British delegate, pleaded, with success, that the Saar question be discussed in public sessions.²

The following day, the British delegate outlined the reasons for an enquiry into the administration of the

¹Ibid., 13.

²LNOJ, August, 1923, 856n.

Saar. In particular he mentioned the autocratic nature of the recent decrees issued by the Commission. He also referred to the question of the adoption of the franc as sole currency and the presence of French troops in the region. The enquiry which he proposed was, however, to be of a limited nature. He did not consider it advisable to send a commission of enquiry into the Saar, nor did he feel that a commission should be established at Geneva. Instead, he proposed that the Council itself conduct an enquiry and that the Commissioners be summoned by the Council to appear before it. With this type of enquiry the French delegate, M. Hanotaux, had no objections, although his defence of the administration indicated that no enquiry was in fact necessary.¹

The actual enquiry into the Saar administration was held at a private meeting of the Council on July 6, 1923. A guarantee of privacy at the meeting had been granted at the request of M. Hanotaux; however, Lord Cecil raised no objection "in view of the fact that personal questions might be raised".

The enquiry,² at which all the Commissioners were present, had the effect of revealing certain details about

¹Ibid., 859-71.

²Ibid., 909-27.

the operation of the Commission which had not been known previously. In answer to Lord Cecil's questions, President Rault clarified the division of responsibility among the Commissioners. Each member was absolute master in his own particular ministry. However, when decisions involved changes of law or regulations or involved expenditure, the matter was brought before a meeting of the whole Commission, where decisions were taken by majority vote. In addition, he explained the procedure with respect to periodic reports submitted to the Council. Since 1921 the procedure had been for the Chairman to request a statement from each Commissioner as to what he wished inserted in the report. However, because of the grave nature of the observations made in the last report to the Council he had submitted it in toto to the Commission for its approval before forwarding it to Geneva.¹ He was ready in future to follow this procedure if the Council so wished.

Later, Lord Cecil raised the question of certain charges of French influence that had been made against the Commission. With regard to his close contacts

¹R.D. Waugh had voted against the adoption of the report because he did not agree that the strike was a political manoeuvre. (Procès-Verbal, June 19, 1923).

with the French Government, President Rault said that the Chairman of the Commission had to be in constant touch with both the French and the German Governments. In answer to a question about the nature of an office which the Governing Commission had in Paris, Rault pointed out that it consisted of one stenographer who forwarded correspondence. The office promoted the economic interests of the Saar by furnishing information for commercial and industrial interests.

With regard to the provisional decree of March 7, which had by this time been withdrawn,¹ the President pointed out that it had been applied with great moderation. In fact, the Governing Commission had recently extended an amnesty to all persons who had been guilty during the strike, under the terms of the decrees of March 7 and May 2.

When granted the opportunity to speak, the Canadian member of the Commission, R.D. Waugh, gave a slightly different picture of the operation of the Commission. In particular, he explained that the periodic reports as far as they concerned matters of general policy, although they appeared to represent the view of the Commission as a whole, were in fact formulated

¹The strike itself had ended on May 15, 1923 and the decree had been withdrawn on June 18, (LNOJ, December, 1923, 1551-3).

by the Chairman alone.

At the conclusion of its enquiry, the Council adopted the following resolution:

The system of government in the Saar was established under the treaty in order to assure the rights and well-being of the population and to guarantee to France complete freedom in working the French State Mines...

...the Commission is responsible to the League of Nations for the execution of its duties...

The Council has decided that it is unnecessary to discuss the Provisional Decree of March 7th last, as the decree has been withdrawn.

The Council appreciates the economic considerations which have led the Commission to introduce the franc as the sole legal currency in the Saar.

With regard to the question of the maintenance of order, the Council has on various occasions stated that it is desirable that the support of a foreign garrison should be withdrawn, as soon as the development of the local gendarmerie permits.¹

This resolution concealed in diplomatic language a warning to the Governing Commission that it was responsible to the League and not to any foreign government. In addition, care had been taken to place the welfare of the population before the right of the French State to exploit the mines. More important than the resolution, however, was the fact of the enquiry. This was the first occasion on which the Council had acted in

¹LNOJ, August, 1923, 930-1.

such a way as to emphasize that the Commission was responsible to it and that responsibility did not end with the submission of reports. Even the inhabitants of the Saar took an optimistic view of the significance of the enquiry, and well they might for the next few years were to furnish them with a decidedly improved administration.

It is ironical that one of the indirect results of the enquiry conducted by the League Council was the resignation of the very member of the Commission who had done much to bring about the investigation. It appears that the British Government had been persuaded of the necessity of an enquiry into the Saar administration largely because of an unfavourable report made by Waugh in 1923.¹ Yet, on August 2, 1923, less than one month after the enquiry, R.D. Waugh resigned his position on the Commission in order to accept an important post with the Manitoba Government.² Because of the role the Canadian member had played on the Commission during his term of office his resignation has been generally interpreted as a protest against the French-dominated administration. However because of the timing of the resignation it appears likely that his retirement from the Commission

¹See Stephens, G.W., Diary, XI, March 25, 1925. See also Document of the British Government c/9487/493/18, p.3-4.

²LNOJ, November, 1923, 1482.

was related in some way to the enquiry itself. Hence Waugh's decision to resign can probably be best explained as a result of his dissatisfaction with the limited scope of the enquiry. It is likely that he would have preferred a more extensive investigation of the Saar administration and the formulation of a resolution more condemnatory of the Commission than the one adopted by the League Council on July 7, 1923. Therefore Waugh's resignation would appear to represent a protest against the enquiry itself as well as against the Saar administration.

An entirely different explanation for Waugh's retirement was offered by the other Commissioners who maintained that the main cause of Waugh's dissatisfaction as a Commissioner was caused by the fact that he had understood in 1920 that he was to be Chairman of the Commission. In their opinion, he had never gotten over his disappointment at not receiving that position.¹ Indeed there may have been some truth in this version for in 1920 at the time of Waugh's appointment it was announced in error in the Canadian House of Commons that Waugh had been appointed as Chairman of the Commission.²

¹See Stephens, Diary, I, October 30 and November 9, 1923.

²Canada, House of Commons Debates, Vol. 141, March 11, 1920, 344.

In any event the resignation of the Canadian member was the cause of considerable regret among the population of the territory. The German press paid him tribute on his departure, commending him for his insight into the problems of the region and into the personality of the Saarlanders despite the fact that he did not speak their language. The gratitude of the population was also expressed for the objectivity which Waugh had displayed while in office.¹ The political parties of the Saar expressed their appreciation for his honest and courageous championship of the Ideals of the League of Nations and the rights of the Saar population. In particular, he was commended for his opposition to the special decrees issued during the miners' strike.²

Furthermore, his resignation occasioned two letters from Hermann Röchling, the most prominent member of the Advisory Council, to Lord Robert Cecil. In a personal letter,³ Röchling mentioned the regret with which the Saarlanders greeted the news of Waugh's resignation.

¹Saarbrücker Landeszeitung, August 8, 1923. (Hereafter cited as Saar Landeszeit). See also Deutsche Allgemeine Zeitung, Aug. 5, 1923; Frankfurter Zeitung, August 8, 1923, Kölnische Zeitung, August 10, 1923.

²Letter of Saar Political Parties to Waugh, August 15, 1923 (Waugh Papers).

³Letter of Röchling to Lord Cecil of August 8, 1923. N.A, T-120, Serial K2110, frames K578790-4 (II, b.G., Saar. Pol. Ang.)

In another letter,¹ written on behalf of the political parties of the region, the Saar industrialist urged Lord Cecil to use his influence in the League Council to guarantee the appointment of a British member to replace Waugh since "only a British member of the Governing Commission would have influence enough to guarantee effectually the rights of the population and the ideals of the League".

This plea for the attention of the British to the situation in the Saar is of significance, for in fact the renewal of British interest in the Saar which began in the spring of 1923 proved to be a factor of prime importance in the improvement of the Saar administration.

¹Letter of Röchling to Lord Cecil of August 12, 1923. N.A., T-120, Serial L1562, frame L473050 (II b.G. Saargebiet).

CHAPTER III

IMPROVED ATMOSPHERE AFTER 1923

It was no coincidence that the year 1923 was to mark the end of an era in the Saar for it also marked the end of the period of post-war Rightist domination in France where the ultimate failure of the Ruhr experiment heralded the defeat of the foreign policy of the Right. During the second half of the twenties rapprochement with Germany was to be the key to French foreign policy with Aristide Briand dominating the scene on the French side, and Gustav Stresemann on the German side. Thus, in many ways the improved atmosphere in the Saar was merely a reflection of the altering relations between France and Germany.

On the other hand, it should not be forgotten that the main sore spots in the Saar remained -- French troops, French schools, French officials. The press, both within and without the territory, continued to be very critical of the administration. Nevertheless, within the next three years, although there were still unresolved problems before the Commission, a change in atmosphere was discernible, and the Commission itself gradually took on the appearance of a more liberal body.

One of the prime factors in the improvement of the Saar administration was a number of changes in the

personnel of the Commission over the course of the year 1923-1924. The first of these was the appointment of the Canadian, George W. Stephens, by the League Council on September 20, 1923, to replace Waugh. Stephens' background had prepared him well for a post as an international administrator. Born in 1866 of a prominent Montreal family, at one time a student at McGill University, he had also studied in France, Germany, and Switzerland. In consequence of his academic background, he spoke both French and German, in addition to his native English. He had been for some years interested in the Canadian local militia and was made a reserve officer in 1906. His background was partly political as well as administrative, including as it did membership in the Legislative Assembly of the Province of Quebec. As an administrator, most of his experience had been gained as Chairman of the Montreal Harbour Commission from which position he directed many improvements in the harbour.¹ Moreover he possessed two major assets as an international administrator which were lacking to R.D. Waugh. Stephens' background in languages was undoubtedly of major importance in his ability to establish a rapport both with his colleagues and with the

¹The Gazette (Montreal), September 21, 1923. See also Morgan, H.J. Canadian Men and Women, 1912, p.1059.

Saarlanders themselves. Equally significant were his basic friendliness and desire to communicate with the inhabitants without which his linguistic talents would have been of little avail.

The Germans appear to have been reasonably content with the appointment of Stephens to the Commission. On the day of the appointment a report was forwarded to Berlin from the German consul in Winnipeg to the effect that Stephens had been a happy choice because ".... (er) habe immer deutsche Sympathien gehabt und sei auch waehrend des Krieges im Gegensatz zu anderen Kanadiern immer freundlich ihm gegenueber gewesen." In addition Stephens was considered to be capable of independent views.¹

Stephens' concept of the task before him is clearly revealed in this prayer recorded shortly after he received word of his appointment:

May God give me strength, ability and tact to render a loyal service to the cause of peace by a contribution of effort that shall have for its object a prudent and just interpretation of the Treaty, a loyal service to the League and a fair deal to both the great nations in contact.

May I be given the strength to keep a true balance without favouritism to either.²

¹Telegram, German Consul at Winnipeg to Berlin, Sept. 21, 1923, N.A, T-120, serial L1562, frame L473063 (II, Bes. Geb., Saar.).

²Stephens, Diary, I, September 23, 1923.

Prior to his arrival in the Saar on October 30, 1923, in order to discuss the situation in the territory, Major Stephens visited a number of persons who were interested in the Saar. These included Waugh himself, Headlam-Morley, and Friedrich Sthamer, the German ambassador in London. According to Stephens, Sthamer expressed the view that conditions in the Saar were better than in Germany.¹

Later, Stephens' own impressions upon arriving in Saarbrücken were favourable. He described the:

...busy, clean...small well-equipped harbour... Bright shops, tramcars, traffic police at corners, everything well ordered.²

I am every day impressed by crowds in the streets...; I see streaming crowds in procession, coming to their daily work from the country. They are all, young and old, clean cut, well-dressed, happy looking people...none show signs of distress.

The stores are all bright, goods nicely displayed and in abundance. I have not seen any signs of want anywhere.³

In the Saar, Stephens soon formed the opinion that the Saar problem had been largely misrepresented in the foreign press and the state of the Saarlanders in

¹Stephens, Diary, I, September 24, October 15, 1923.

²Ibid., I, October 30, 1923.

³Ibid., I, November 15, 1923.

comparison with that of their fellow Germans never presented. He felt that on the whole the foreign correspondents, however well-intentioned they may have been, tended to fall under the influence of extremists during their short visits to the territory and therefore they presented to the world a false picture of the workings of the Commission. It was Stephens' opinion that a considerable amount of French influence in the territory could not be avoided owing to the situation created by the Treaty and the rights granted to France by the Treaty.¹

Clearly Stephens' judgment of the inevitability of French influence was a realistic one. On the other hand, the full exploitation of French influence in the Saar was only possible as long as the British remained indifferent to the fate of the Saarlanders. Therefore of considerable significance in the reduction of French influence and hence in the improvement of the Saar administration was the renewal of British interest in the affairs of the territory which had already sparked the enquiry of 1923.²

Evidence that the British were becoming more concerned with the composition of the Commission has been

¹Ibid., II, January 31, 1924.

²See above, 91 f

seen in the postponement of discussion of nominees by the League Council in December, 1923. At that time the appointment of the incumbents was prolonged from February 13, 1924 to March 31, 1924.¹ It is generally considered that the reason for this action was the fact that an agreement between Britain and France on candidates could not be reached and therefore the matter was postponed to the March meeting.²

In fact, the British had at last begun to heed the demands of the Saarlanders for a less francophil Commission. The inhabitants of the territory were naturally most concerned over the appointment of a suitable member from the Saar. In a memorandum³ submitted to the League in February, 1924, the political parties complained that the Saar had never had a true representative on the Commission. The present member, Herr Land, had entirely failed to take a firm stand in defence of the rights of the population under the Treaty. Since Herr Land did not possess the confidence of the people of the Saar he was not a suitable person to represent the interests of the population. Consequently the political parties pleaded

¹LNOJ, February 1924, 351.

²See Russell, International Government, 227.

³League of Nations Document C75. M25. 1924 I (Hereafter cited as LNDoc.)

that the Council of the League invite the elected representatives of the Saar population to make proposals before it appointed the Saar member. The Saar inhabitants, it was contended, were of the opinion that the Saar member should be a representative of the population not in name only but should really represent their interests and enjoy their confidence. The efficiency and reliability of the Saar representative could not be guaranteed unless he was elected by the inhabitants.

The Council was not yet ready to comply with this request but, in the 1924 meeting, significant improvements were made in the membership of the Commission and by the end of the next Council meeting, the composition of the Commission was very different from what it had been in 1920. Prior to the meeting in March 1924, and presumably because of the refusal of the British Government to support their re-appointment for another year, both Count de Moltke-Huitfeldt and Herr Land informed the Council of their desire to resign their positions.¹ Certainly their removal from the Commission was calculated to find the favour of the inhabitants and soon resulted in a decrease of French influence in the Commission. The unsuitability of Land as a representative of Saar opinion

¹LNOJ, April, 1924, 726.

was obvious.¹ As for Count de Moltke, undoubtedly he was never independent of French influence and for this reason had been an unsatisfactory member of the Commission.

On the other hand, the replacements made by the Council at the March meeting did not find the favour of the political parties. The truth was that at this meeting the hands of the Council were already tied. At the Council meeting in December, 1923, Lord Cecil had insisted that a more forceful personality than Land represent the Saar on the Commission. He himself had proposed the appointment of Herr Kossman of the Centre Party and Hanotaux had agreed. Because of this agreement there was no possibility of considering the nominee of the political parties at the March meeting.² Consequently, Herr Kossman, whom the Governing Commission had already twice appointed President of the Advisory Council was appointed member of the Commission. In addition, M. Espinosa de los Monteros of Spain was appointed to replace de Moltke.³

The appointment of Kossman, however, did not meet with the approval of the political parties because

¹See above, '18.

²Br. H.C. Deb. 5S, Vol.171, March 27, 1924, cols. 1600-1. See also The Times (London), March 18, 1924. Letter to the Ed. from H.W. Harris.

³LNOJ, April, 1924, 544-5.

his name had not been on their list of candidates for the post,¹ the chief candidate of the parties being Dr. Levacher, leader of the Centre Party.² The attitude of the parties was reflected in the local press which opposed the appointment of Kossman~~not~~ because he seemed unsuitable but on the principle that his nomination was a violation of democratic ideals. The "Saarbrücker Landeszeitung" asserted that the time had passed when it was the responsibility of the Canadian member to represent the interests of the population. Now the Saar member must take up this task. Just as the French member felt himself obliged to defend the interests of France, the Saar member should fight for the rights of the Saarlanders.³ The "Arbeiter-Zeitung," while regarding Kossman~~as~~ as decidedly preferable to either Hector or Land, nevertheless viewed his appointment as an indication that French influence still prevailed at Geneva, especially as against the influence of the political representatives of the Saar

¹Saar. Zeit. and Saar. Landeszeit., March 16, 1924.

²The Times, (London) March 18, 1924. Letter to Editor from H.W. Harris.

³Saar. Landeszeit., March 16, 1924.

people.¹

On the other hand, a confidential report from the territory to the Foreign Office in Berlin emphasized the favourable opinion of Kossman held by most of the inhabitants regardless of their party allegiance, status, or religion. In particular, the new Saar member had gained widespread popularity during the time of the military occupation of the territory.²

In fact in the Saar itself it was generally admitted that Kossman was personally well qualified to represent the interests of the Saarlanders. A former union leader, in 1912 he had been elected as a member of the German Reichstag and in 1919 had been a deputy in the National Assembly at Weimar.³ Moreover, he soon proved himself to be the most capable member of the Commission the Saarlanders ever had as their representative.

The appointment of Espinosa de los Monteros to the Commission was the cause of no particular reaction in the press of the Saar, either favourable or unfavourable, largely because of the fact that he was completely unknown in the territory. He was considered to be the

¹Arbeiter-Zeit., March 18, 1924.

²Confidential Report by A. Lillig, March 19, 1924, NA, T-120, serial K2110, frames K579188-94 (II, Bes. Geb., Saar.)

³Saar. Landeszeit and Saar. Zeit., March 16, 1924; Volksstimme, March 17, 1924.

nominee of France but on the other hand the fact that he understood German and was from Spain, a neutral country with no direct interest in the Saar, was viewed favourably. In addition, since he was to supervise the Department of Education, the fact that he was Catholic was an asset.¹ A favourable impression of de los Monteros was soon formed by George Stephens when the Spaniard told him that he had accepted the appointment because he felt that a member of the Commission from a neutral country could render a service to the conciliation and pacification of Europe, especially France and Germany.²

Within a very short time of his appointment a favourable report on him was made to the German Foreign Office by its agent in the Saar. Already, de los Monteros had shown his independence of thought and freedom from French influence.³ In fact, it was considered that with the presence of de los Monteros, Kossman, and Stephens on the Commission French influence had greatly diminished. The feeling was that Stephens was capable of more independence of Rault's dominant personality now that he had support on the Commission.⁴

¹Confidential Report of A. Lillig, March 19, 1924, NA, T-120, serial K2110, frames K579188-94(II, Bes. Geb., Saar.)

²Stephens, Diary, III, April 4, 1924.

³Confidential Report by A. Lillig, May 9, 1924, NA, T-120, serial K2110, frame K579349 (II, Bes. Geb., Saar.)

⁴Ibid., August 2, 1924, frames K579404-11.

Unfortunately, within less than six months of his appointment to the Commission the Spanish member met with an untimely death. His demise was mourned throughout the Saar. During his short term of office, the "Saarbrücker Zeitung" had already noticed an attempt to reduce French influence in the public education in the territory, an improvement which had been made by a man not only competent but forceful as well. The other leading daily, the "Landeszeitung," noted the contrast between the role which de Moltke-Huitfeldt had played on the Commission and that of de los Monteros.¹

Subsequently at the Council meeting on September 30, 1924, M. Vezensky of Czechoslovakia was appointed as member of the Commission to replace de los Monteros.² Again the appointment was regarded as being favourable to France, since Czechoslovakia was allied to that state. However M. Vezensky in a number of ways was well-qualified for the post, particularly since he spoke both French and German and had been in the Saar since 1920 as a judge of the Superior Court at Saarlouis.³

¹Saar. Zeit and Saar.Landeszeit, August 23, 1924; Neunkirchener Zeitung and Saar.Landeszeit, August 25, 1924.

²LNOJ, Oct. 1924, 1364.

³Saar. Zeit; Saar.Landeszeit; Volksstimme, October 1, 1924,

Thus by the end of 1924 of the original members of the Commission only Rault and Lambert remained. Admittedly, the presence of these two who were usually assured of the support of Vezensky still guaranteed France a dominant influence on the Commission. On the other hand, it became increasingly clear that with Kossman and Stephens on the Commission the Saarlanders were assured that at least two members of the Commission would fight for their interests wherever possible.

There were other signs of a new spirit in the Saar territory. A willingness of the Commission to co-operate with the representatives of the inhabitants was revealed at the time of the League Council meeting in March, 1924. One of the questions on the agenda of the meeting arose from difficulties which had arisen earlier in connection with the passage of representatives of the political parties of the Saar through occupied German territory while en route to Geneva.¹ The political parties had appealed to the League against a decision of the Inter-Allied High Commission for the Rhineland by which Hermann Röchling had been refused passage through occupied territory prior to the Council meeting in July,

¹See below, 146.

1923.¹ The Governing Commission had attempted to intercede on behalf of Herr Röchling but without success.² Subsequently the German Government issued a protest to the League on December 6, 1923. It was maintained that the inhabitants of the Saar Territory should have the right of freedom of movement throughout the whole of "their German fatherland." However, by the time the Council met in March, as a direct result of further negotiations by President Rault on behalf of Röchling and three other persons similarly excluded from occupied territory, the Rhineland Commission altered its ruling and permitted the four Saarlanders to traverse the territory in question.³

Subsequently the appointment in March, 1924, by the Commission of Herr Scheuer, a member of the Centre Party, as chairman of the Advisory Council was taken as a very favourable sign of the changing attitude of the Commission. Both the "Landeszeitung" (Centre) and the "Volksstimme" (Social Democrat) regarded optimistically

¹Durchreise von Saareinwohnern durch das besetzte Gebiet von Deutschland. As an officer of the German army Röchling had been charged by the French Government with having maliciously damaged French factories during the war. He had subsequently been tried by court-martial in absentia and since he had been found guilty he was not free to enter French territory (Staley, op. cit., 586).

²INDoc. C754. M300. 1923. I.

³Ibid., C757. M304. 1923. I.

the fact that the Commission had chosen the chairman from among the members of the Council itself. The newspapers naturally would have preferred that the Council choose its own chairman, however, the appointment of Scheuer was regarded as a step in the right direction.¹

Early in 1925 the liberalism of the Commission was subjected to the acid test when the Saar population planned to celebrate on June 20 and 21 the one thousandth anniversary of the union of the Rhineland with the Empire in 925.² The prospect of this festival aroused considerable apprehension in the mind of President Rault who feared the celebration might be exploited by the German propagandists and consequently call forth a protest from the French Government to the League. Herr Kossmann, on the other hand, envisaged an even worse situation if the Commission were to prohibit the fête.³ Thus, the issue was whether or not the attitude ultimately adopted by the Commission toward the fête would represent the unilateral views of President Rault or a compromise between his views and those of Kossmann.

¹Volksstimme and Saar. Landeszeit, March 28, 1924.

²See Wambaugh, op. cit., 98-9.

³Stephens, Diary, XI, March 25, 1925.

Because the Commission was agreed that the festival should not assume an official character it adopted certain measures to limit the scope of the festivities. It did not allow any subsidies to be granted from public funds and it forbade officials to sit on committees preparing for the celebration. The decoration of Government buildings and official quarters was also forbidden and speeches to be made at the various ceremonies and the songs and music which were to be performed had to be submitted to the police authorities.¹

The local press immediately protested against these restrictions particularly those limiting participation in the preparation of the festival by functionaries. The press argued that such an order restricted the liberty of the functionaries and their right of association. On the other hand the press did not hesitate to advance the idea that the fête should be a demonstration of loyalty to Germany.² In response to a letter of protest from the functionaries the Commission clarified its position by announcing that it had no intention to limit their activities as private citizens but only to limit their participation on an official level.³ This statement,

¹LNOJ, September 1925, 1207.

²Saar. Zeit and Saar. Landeszeit, April 23, 1925; Volksstimme, May 7, 1925.

³Procès-Verbal, May 15, 1925.

however, met with little sympathy from the press.¹

On May 12, the Central Committee of the Festival submitted a report² to the Commission outlining the activities which were planned for the celebration, including plans for a torch-light parade. The Committee assured the Commission that the festivities were devoid of political character and were merely a popular fête.

About the same time, President Rault, in his capacity as French member of the Commission, received a note from the French Minister for Foreign Affairs, M. Briand, informing him of the measures being taken by the Rhineland Commission with a view to restricting the festival. Of course, the restrictions to be applied to the occupied territory were much more extensive than those adopted by the Commission in the Saar, including as they did suppression of processions and meetings in public ways. The Foreign Minister suggested that the Governing Commission:

...take all necessary decisions for the purpose of avoiding that, under pretext of fêtes which are not, particularly in the Saar Territory, justified by any historic occurrence, certain fractions of the population from making (sic) pangerman manifestations which could not fail to provoke a protest from France before the Council of the League of Nations.³

¹See Saar. Zeit, May 19, 1925.

²Quoted in Stephens, Diary, XI, May 15, 1925.

³Quoted and translated in Ibid., XI, May 20, 1925.

For his part, President Rault was particularly apprehensive over the proposal of the festival committee to hold a torch-light parade.¹ Major Stephens, on the other hand, attempted to persuade the President that even from the French point of view it would be unwise to impose severe restrictions which would merely provide ammunition for France's critics.² Similarly, the member for the Saar, Herr Kossman, was convinced that it would be provocative on the part of the Commission to challenge the planning committee by prohibiting the torch-light parade. If too severe restrictions were imposed, they might easily be challenged by the population. The logic of these arguments being irrefutable, it was decided that the Commission would not take measures to prevent the parade but that it would, on the other hand, not authorize it and therefore would leave the festival committee responsible for any consequences which might arise.³

President Rault's fears were magnified by the activities of certain extremists who attempted to force

¹Procès-Verbal, May 15, 1925.

²Stephens, Diary, XI, May 22, 1925.

³Procès-Verbal, June 3, 1925.

French merchants to decorate their stores for the millenary. Apparently the President himself received letters in which threats were made that his life would be taken on the day of the celebration.¹ However, despite these extremists and because of its desire to avoid any unnecessary incidents, the Commission entrusted responsibility for the maintenance of order during the fête solely to the local gendarmerie. Accordingly, for the two days of the celebration, the French troops were confined to barracks.²

Even so, the measures taken by the Commission were too restrictive, in the opinion of Stephens, who wrote in his diary:

All these pinprick restrictions are far more dangerous to public order than what they attempt to prevent. Without doubt the spirit of the people is entirely German and they are entitled to their liberties within the law.

I am going to put a Saar flag on my house as a mark of respect for the feelings of the people.

This may arouse the President's ire, but he flies the Saar flag always from the Presidency; so I see no harm in my doing the same.

Stephens summed up the significance of the fête in simple terms:

If anyone doubted up to now where the hearts of the people are, there can no longer be any (sic). This fête was intended to show the soundness of the German sentiment and it has.³

¹Stephens, Diary, XII, June 14, 1925.

²Procès-Verbal, June 17, 1925. See also LNOJ, September, 1925, 1207.

³Stephens, Diary, XII, June 20, 1925.

Despite the fact that the two-day celebration took place in perfect order and there were no unfortunate incidents, the report of the Commission to the League¹ revealed that in the mind of the President the wisdom of the liberal attitude adopted by the Commission was open to question. It was pointed out that in a number of cases the instructions of the Commission had been ignored. The press had attempted to exploit these transgressions by pointing out that the inhabitants had successfully defied the orders of the administration.² Nevertheless, the Commission chose to ignore the offences committed against its authority at the time of the millenary.

The events of the millenary had illustrated two important points, firstly, the growth of liberalism in the Commission, where the views of Rault had been considerably tempered by those of Stephens and Kossman. In fact the Commission's policy in this regard represented a real compromise between the ideas of the French member and those of the Saar member. Secondly, despite the attitude of the press, the discipline of the population itself in its demonstration of loyalty to Germany was underlined. For although the orders of the Commission had

¹LNOJ, September, 1925, 1206-7.

²See Röchling, op. cit., 116.

not been carried out in every detail, nevertheless, it could not be concluded that the people disobeyed the Commission for the sake of defiance but rather to demonstrate their feeling for the "Fatherland," which was certainly a legitimate sentiment.

There were other optimistic signs about this time. One was the removal of a number of the grievances because of which the German officials of the territory had gone on strike in August, 1920.¹ The initiative for negotiations between the German Government and the Commission came from the German Foreign Minister, Gustav Stresemann, who requested that a conference be held, one of the main purposes of which was to consider the position of the German functionaries on service in the Saar.² Accordingly members of the Commission met with representatives of the German Foreign Office at Baden-Baden, Germany.³

Subsequently, an agreement⁴ between the two governments was signed on December 21, 1925 and came into effect on June 16, 1926. By the terms of the agreement Germany renounced her right arbitrarily to recall any

¹See above, 53f.

²Stephens, Diary, XII, September 3, 1925.

³Ibid., XIII, October 13-27, 1925; December 10-21, 1925.

⁴League of Nations Treaty Series, LV, 1926-7, 349-66.

functionary in the service of the Commission. Further, it was agreed that the same degree of promotion be accorded to German functionaries on service in the Saar, as would have been the case had the functionary remained in Germany. Additional protection for the functionaries was provided by the German Government which would in future inform the Commission of all changes in laws and regulations pertaining to officials. Subsequently the Commission would endeavor as far as possible to introduce these changes into the Saar territory. Similarly, the Commission was to fix the pay of officials at a rate comparable to that in force in Germany. Moreover, the period of service of the officials under the Commission was to be credited to them by the German Government for pay, pensions, etc.. Finally, arrangements were completed for contributions to pensions of Saar officials by both the German Government and the Saar Commission. On some questions, however, agreement could not be reached; for example, there was no reference to the disciplinary powers of either the Commission or the German Government. But in an exchange of notes, Germany admitted that no legal action of the German Government against a German functionary on service in the Saar was valid, the Governing Commission retaining full rights in this

regard.¹

Credit for the improved atmosphere in the Saar territory after 1923 cannot of course be given to the Commission alone, any more than it alone could be found guilty of all the errors committed prior to 1923. Certainly the improved situation was in many ways merely a reflection of the amelioration in relations between France and Germany which was in evidence about the middle of the decade, the spirit of which was best expressed in the conclusion of the Locarno Pact in October, 1925.

For the Saar, one of the most significant features of the Locarno treaties was that they were made dependent on the admission of Germany into the League of Nations. Accordingly on September 8, 1926, the League Assembly by unanimous vote admitted Germany into the League and accorded her a permanent seat on the Council. By virtue of this decision, the German Government became a member of the body which had the final authority over the government of the Saar.

Ironically, the prospect of Germany's membership in the League Council aroused a certain amount of apprehension among the leaders of the political parties

¹Procès-Verbal, January 9, 1926.

of the Saar who feared that their role as liaison between the population and the League Council would be further diminished. Therefore, the German Foreign Office, in order to retain the favour of the political leaders of the Saar and to ensure them that their role was to remain a significant one, summoned them to Berlin for a brief meeting with Stresemann, the Foreign Minister, in the spring of 1926.¹ Similarly, at the request of the political parties another meeting was held in Berlin prior to the League Council meeting in September, 1926.² These meetings were used by the party leaders of the Saar better to acquaint Stresemann with their demands which he in turn was to support at Geneva.

One of the clearest signs of the improvement in relations between France and Germany was the fact that shortly after the League Council meeting in September there seemed even to be a possibility that the Saar might return to Germany prior to 1935. Such a development appeared possible because in France, an attitude of indifference toward the Saar was developing. The hope

¹Internal Memorandum of Foreign Office to Stresemann, Feb. 26, 1926, N.A. T-120, serial K2110, frame K580189 and K580190-1. (II, Bes. Geb. Saar.)

²Letter of Stresemann to Schmelzer, August 5, 1926., Ibid., frames K580401-2.

that the Saarlanders might vote for union with France in 1935 seemed to have almost died out by the middle of the decade. By 1926, France's most ambitious hope was that the population might vote for a continuation of the League regime. However, even this idea did not have widespread support. By now the destroyed mines of the North of France had been restored to operation and therefore the retention of the Saar mines was no longer of vital importance to the French industrialists.¹ It was partly for these reasons that the idea of a return of the Saar to Germany prior to 1935 could be considered in France. The real reason, however, for which the French Government gave serious consideration to this idea was because at this time it badly needed the gold which it would obtain through the re-sale of the Saar mines to Germany.²

Rumours that France intended to make such a proposal to Germany had been current in the Saar from October, 1925. At that time the "Saarbrücker Zeitung" raised the question as to whether or not the Saar territory would subsequently become a part of occupied Germany -- a prospect which naturally had little appeal.³

¹See Wambaugh, op. cit., 104.

²See Bulletin of International News, Franco-German Relations Since Thoiry, IV, #17, February 18, 1928. Apparently party interest also increased the desire of Briand to conclude an agreement with Stresemann (see Toynbee, Arnold, Survey of International Affairs 1927, 111n.2. (Hereafter cited as Survey).

³Saar. Zeit., October 16, 1925.

An early return of the Saar to Germany was an integral part of the policy of Gustav Stresemann, who as early as 1919 had expressed a desire to bring about the return of all of the lost territories to Germany.¹ Accordingly the possibility of a solution of the Saar problem before 1935, was subjected to an investigation in the German Foreign Office prior to the League Council meeting in September, 1926.² Certain difficulties were anticipated by the Foreign Office. A particular point was made of the fact that Germany did not want to dispense with the plebiscite since it was her trump card, it being expected that the plebiscite would reveal the purely German character of the Saar inhabitants and show that Clemenceau's hundred and fifty thousand Saar Frenchmen did not exist. Furthermore, the Saar question could not be considered apart from the question of the occupation of the Rhineland since it would be wholly unsuitable for the Saar to become a part of occupied territory. Nor would it be feasible for the Saar to be an unoccupied island in the middle of occupied territory. Therefore, the Saar

¹Bretton, H.L., Stresemann and the Revision of Versailles, 111.

²Memorandum for the League Council meeting, dated September 25, 1926. (These memoranda were normally filed after the Council meeting). NA, T-120, Serial K2110, frames K580442-85 (II, Bes. Geb., Saar.)

problem could be considered only in connection with the question of the occupied territory. Furthermore the Germans anticipated a barrier on the French side to a solution of the problem. Of the questions involved, only one - the ownership of the coal mines of the Saar - could be settled without a revision of the Treaty of Versailles, but there appeared to be little chance that France would reverse her anti-revisionist policy. However, it was thought that this objection might be met by the argument that, in the case of the Saar, a territorial revision was not involved but only a question of shortening the period of temporary government by the Commission.

Early in September, 1926, the German Consul at Geneva reported to the Foreign Office that he had been approached by Briand who wished to discuss the Saar problem in its entirety. The consul replied that the question could be discussed only in connection with the whole occupation problem. The French Foreign Minister agreed to proceed along these lines.¹

Within a few weeks, a meeting took place between Briand and Stresemann in the village of Thoiry,

¹Telegram of Aschmann to Foreign Ministry, Sept. 2, 1926, NA, T-120, serial K2110, frames K580438-40 (II, Bes. Geb., Saar.).

France, near the Swiss border. At this time Briand told Stresemann that he had already discussed "a comprehensive solution of this kind" with the French Foreign Affairs Committee and had met with general agreement. With regard to the re-purchase of the Saar mines there was no problem since this was provided for in the Treaty. Stresemann proposed a purchase price of three hundred million gold marks. It was of course presumed that Germany would have to resort to American bankers in order to raise this sum.¹

The details of the conversations were never made public but on September 21, M. Briand in a press conference reported in a carefully worded communiqué on the attitude of the French Council of Ministers:

The Government...was unanimous as to the usefulness of pursuing them (the conversations)...²

This statement however was interpreted more as an attempt to conceal disunity than to reveal unity, for there appear from the beginning to have been numerous groups in France who held that in an exchange of concessions such as had been hinted at in the press, France would be the loser.³

¹Stresemann, Gustav, His Diaries, Letters and Papers, edited and trans. by Eric Sutton, III, 17-22. According to the notes of Hesnard who was present at Thoiry as an interpreter, the discussion between Briand and Stresemann was of a much more general nature than Stresemann's notes would indicate. See Suarez, George, Briand; sa Vie, VI, 214-19.

²Cited in The Times (London), September 22, 1926.

³See Le Matin, September 21, 1926 and Journal d'Alsace et de Lorraine, September 25, 1926.

On September 21, Stresemann, addressing the German colony at Geneva, pleaded for German support of his policy:

...we have to ask the one great question whether the occupation of German territory is compatible with the position created by our entry into the League of Nations. We have to ask the question whether it is still possible to maintain the occupation of territories like the Saar, which is German, and wants to return to Germany at the earliest possible moment. And if we are therefore called up to bear certain burdens of a financial nature, which we were well able to bear, we believe that if and when this question confronts us, the German people is united in the view that it is not material life that is decisive, but the political freedom of the nation.¹

Nevertheless the official report released a few days later after a meeting of the German Cabinet revealed a certain amount of reservation in the acceptance of Stresemann's policy:

...the Cabinet expressed agreement in principle with the effort to bring the questions outstanding between Germany and France to a satisfactory solution.²

Nevertheless, it was decided to create a committee, consisting of Stresemann himself, the Minister of Economics, and the Minister of Finance, the purpose of which was to analyse the various problems involved in

¹Stresemann, op. cit., 32-3.

²Quoted in Ibid., 28.

putting the Thoiry policy into operation.¹

At a meeting of the committee on November 1, 1926,² Stresemann informed it of a report from the German ambassador in Paris. It now being generally realized that Wall Street would be reluctant to support Berlin in its complicated financial arrangements with Paris, at least until France had completed her own debt arrangements with United States, Premier Poincaré and those ministers close to him were less interested in the proposals made at Thoiry. Nevertheless, Briand himself held fast to his faith in the policy discussed in September.

Certain practical difficulties in fact could not be ignored. The President of the Reichsbank reported that he considered that it would be possible to raise the three hundred million Reichmarks necessary to re-purchase the Saar mines. However he warned that it would be difficult to raise the sum within Germany. In addition, by this time, the opposition in France to the premature return of the Saar to Germany had begun to make a strong impression of French opinion. Numerous articles in the French press presented strong arguments against the Thoiry policy.

¹Ibid., 28.

²Thoiry Committee, November 1, 1926, NA, T-120, serial K2110, frames K580527-64 (II, Bes. Geb., Saar.)

Particularly emphatic were the articles which appeared in the "Journal de l'Est" from the pen of Robert Herly,¹ who advanced the economic advantages for France of retention of the Saar.²

Consequently, when Stresemann met with the French ambassador in Berlin, he was informed that the Thoiry proposals could not be worked out by a bilateral agreement between France and Germany, but called for an agreement of the powers signatory to the Versailles Treaty. It was felt that public opinion in France was not yet prepared to accept a solution based exclusively on a financial contribution by Germany. Nevertheless, M. Briand wished to pursue the proposals further.³

Even Stresemann now began to prepare German opinion for the failure of the Thoiry conversations. On November 23, speaking in the Reichstag he pointed out that:

No one could or can expect that an adjustment of points of view in which so many difficult factors are involved, could be achieved between to-day and to-morrow.⁴

¹See above, 45.

²Journal de l'Est, October 14 and 16, 1926.

³Stresemann, op. cit., 52.

⁴Ibid., 67-8.

A week later, M. Briand reminded the French Chamber of Deputies that the Thoiry conversation had been only one conversation among many others and that the French:

...are not in the Rhineland for the purpose of bullying Germany. We occupy it as a pledge devoted to a certain object. If both parties agree the stipulations of a treaty can be humanized an occupation can be lightened.¹

Thus the Thoiry proposals were given an unofficial burial. The failure of the conversations to bear fruit was, on the face of it, owing to practical difficulties that hindered the execution of the proposals. Another factor in their demise, however, was the rapid improvement in the health of the French franc, the value of which doubled in the nine months ending in April 1927. Moreover, political considerations hindered the withdrawal of the occupation forces from the Rhineland which had been made a prerequisite to a solution of the Saar problem. Yet despite the fact that the negotiations ended in failure, the spirit of co-operation in which they were conducted gave concrete evidence of a marked improvement in relations between France and Germany which could not help but augur well for the fate of the inhabitants of the Saar.

¹Quoted in The Times (London), December 1, 1926.

Perhaps one of the clearest signs of the improved spirit which prevailed in Saar questions was the replacement in March 1926 of Rault by Stephens as President of the Governing Commission.¹ In fact this single event more clearly than any other heralded the end of the French regime in the Saar, for with this development the Commission embarked on a period when it was headed by neutrals. The change was closely related to the solution of the most enduring problem in the territory--the presence of French troops.² The significance of these events however is so great that they must be treated separately and at greater length.

¹See below, 299.

²See below, 214 f.

CHAPTER IV

THE COMMISSION AND THE GERMAN PROPAGANDISTS

In support of their national interests in the Saar the means employed by the Germans and those employed by the French were quite distinct. The main concern of the Germans was that the Saar return to Germany after the plebiscite. Their chief weapons, therefore, were an appeal to the nationality of the Saarlanders and the use of propaganda against both the Commission and the French. On the other hand, the main concern of the French, as they tended to become less concerned about annexing the territory in 1935, was to gain whatever economic advantage they might from their ties with the territory. In fact, the strength of France lay in these very economic ties and in her ability to negotiate with the Commission in a manner very different from that of one state vis-a-vis another state. Although the means employed by the two peoples were different the attitude of each toward the Commission provided a barrier to efficient administration even during the "years of peace".

German propaganda in the Saar was conducted through the press and the political parties which were both subsidized by Berlin.¹ Normally, the political

¹See Lambert, Margaret, The Saar, 258.

parties aired their views in the Advisory Council and by means of petitions to the League. In addition to this activity in the territory, the German Government itself engaged in frequent correspondence with the League on the situation in the Saar. On the whole, these channels were all employed for one purpose only - to express discontent with the Commission and opposition to the French.

Perhaps the most extreme propaganda outlet was the Saar-Freund, a bi-weekly magazine published in Berlin, the organ of the Bund der Saarvereine. The Bund, founded in 1920, was affiliated with the Deutscher Schutzbund which was active in all the plebiscite areas. It was the function of the organization to maintain local chapters throughout Germany and keep in very close contact with the German authorities in Berlin. Thus, it became the centre for criticism of the Governing Commission.¹

In the territory itself, it was particularly the Saar newspapers which were successful in keeping anti-French issues in the forefront. For example, one of the most frequent allegations of the press was that the Saar was treated as a colony. This charge was most frequently made in connection with the presence of French troops in the territory who were regarded not merely as a symbol of French influence but as a means of subjection.

¹Wambaugh, op. cit., 79.

The attitude of the press was a cause of particular complaint by the Commission during the first years of the League regime. In its report to the League in October, 1921, the Commission complained of a "violent campaign carried on by means of the press and public meetings". The most violent attacks were directed against the Governing Commission "the intentions of which are all systematically distorted".¹ Nevertheless, at this time the Commission adopted no special measures to deal with the press campaign. However, a decree to be invoked in case of violent attacks by the press was promulgated in March, 1923, at the time of the miners' strike.² This decree became the subject of great controversy both within and without the territory and was subsequently withdrawn and replaced by a decree issued on June 18, 1923.³ This second, more liberal decree, was the object of little protest in the Saar until its application in 1925 at the time of Rhineland centenary.

At this time a petition was forwarded by the Union of the Saar Press to the League.⁴ It was claimed

¹LNOJ, January, 1922, 43-4.

²See above, 88f.

³LNOJ, December, 1923, 1553. For text see LNDoc. C413 M. 183. 1923. I.

⁴LN DOC. C412. M. 418. 1925. I.

that the terms of the decree were sufficiently vague that by invoking it, the Commission was able to suppress all criticism even of an objective nature:

Quite recently the Governing Commission has made such use of its decree that the principle of the freedom of the press has been rendered illusory in practice.

The basic complaint of the Press Union was that sanctions were imposed not by judicial, but by administrative procedure. This practice was regarded as being particularly odious since in the Saar there was no parliamentary control to counter-balance any extreme measures adopted by the Commission. The Union therefore urged that the decree be abrogated and the regular courts employed in cases where the Commission felt bound to take action.

In its reply to these charges the Commission pointed out that, although the order of suspension was, under the terms of the decree, issued by the member in charge of the Interior (President Rault), actually all measures of this kind were submitted to the whole Commission and approved by it. The order of suspension could also be appealed against to the High Administrative Court of the territory. The Commission did not feel it could resort to judicial procedure only:

Judicial proceedings involve long delay and make it impossible to cut short campaigns of incitement which it is sometimes necessary to terminate at once.¹

It would appear that the Commission did in fact apply the decree in a fairly liberal spirit and did not often suspend publication of newspapers in the territory. On the whole the Saar newspapers operated with little serious interference from the Commission and between 1923 and 1933 in only a few cases were newspapers suspended.² In fact, the content of the newspapers themselves, which were so often critical of the Commission, provides ample proof of the freedom of the press under the League regime. Certainly this was the view expressed by Stephens when he wrote:

If the Governing Commission were not philosophic enough to stand daily criticism, all the newspapers would have been interdicted long ago.³

However, the press was only one of the main channels through which opposition to the Commission was expressed. In the Advisory Council the political parties of the region attempted to bring their viewpoint to the attention both of the inhabitants of the territory and the

¹LN DOC. C.412. M. 148. 1925. I.

²See Baldauf, Heinrich, Fünfzehn Jahre publistischer Kampf um die Saar, 112-113.

³Stephens, Diary, III, February 21, 1924.

world at large. It is interesting to notice the effect of international administration on the character of the political parties. The programmes of most of the parties were limited by the peculiar political situation of the Saar in which the parties found they had little function other than that of criticizing the Commission. Left without chance of proposing legislation, the parties fell back on a policy of formulating an almost purely negative platform on the basis of which it was difficult to distinguish policies on which one party differed from another. Theoretically, the Saar parties advocated the same programmes as their mother parties in the Reich with which they maintained ties despite the fact that they were under a separate administration.¹ In practice they tended to devote almost all their attention to criticism of the Commission and thus their broader programmes remained unpublicized. Only the parties on the left maintained a fairly distinct line. For example, the Social Democratic Party pleaded for measures of social justice, e.g., the more just distribution of taxes and protection for the working population against "exploitation by French and German capital". However, French capital seemed to be the greater evil:

¹See Schmidt, R.H., Saarpolitik 1945-1957, I, 107-8.

Class war, which the capitalist regime has everywhere made an historical and moral necessity, must be waged with a renewed vigour in a country in which capitalist exploitation joins hands with a policy of violence maintained with the support of foreign capitalism.¹

However, it was the Communist party, the one party not subsidized by Berlin, which most frequently stood outside the closed group which the other parties formed during the period of international administration. In fact, the Communist party not infrequently dissociated itself from the petitions which were forwarded to the League by the other parties which acted jointly on such matters.

When in January, 1924 elections were held for the Advisory Council, which were to determine the membership of that body for the next three years² the campaign was the occasion of criticism on the part of the political parties of the limited role in the government of the Saar which had been accorded by the Commission to the Advisory Council. It was inevitable that the parties should constantly press for an increase in their legislative authority. Indeed it was because they lacked authority

¹LNOJ, September, 1922, 1048.

²The term of office of the Council was to end on December 31, 1926. However, the term was extended by the Commission until Mar. 31, 1928 (LNOJ, May 1928, 761).

that the parties tended to become irresponsible in their criticism of the administration. For this particular problem, however, there really was no solution since it was clearly not possible to make the Commission responsible both to the League Council and to the elected representatives of the population. It has been suggested that it might have been better if there had been no Advisory Council at all.¹ However, it is difficult to imagine that the Saarlanders and the political parties would have been more satisfied with a return to the system they experienced prior to 1922 before the Advisory Council had been established.

The main issue which was raised in the election of 1924 was a decree adopted by the Governing Commission on November 7, 1923.² By a decision taken at this time, the Commission modified the procedure followed in 1922 for elections to the Advisory Council. The new procedure, which was an alteration of the electoral by-laws of 1922, while it retained proportional representation, provided for "free lists" of candidates instead of "panel lists". This new more democratic system, by which the voter would be free to strike out the name of one candidate and substitute the name of another, was already in force for the

¹See Florinsky, M.T., The Saar Struggle, 33.

²Procès-Verbal, November 7, 1923.

election of municipal and district councils.¹

The leaders of the political parties naturally objected to this alteration in procedure which tended to weaken their control of the membership of the Council. The four main parties once again united in their opposition to the Commission and issued an appeal to the population. The Centre Party, the Social Democrats, the Liberal People's Party, and the German Democrats maintained that under this new electoral system a small group of electors would elect the Council. In their opinion, the Commission was using this device to remove some of the best qualified and most energetic candidates from the Council. Furthermore, although the decree had been adopted on November 7, 1923, it had not been submitted to the Advisory Council nor been made public until December 22, 1923. This delay clearly revealed the intention of the Commission to present the League Council with a fait accompli, since the last meeting of the Council prior to the election had been completed by that time. Finally the parties renewed their protest against the impotence of the Advisory Council² which was brought about by the fact that

¹LNOJ, March, 1924, 443-4.

²See above, 63 f.

only persons born in the Saar were eligible for office, and that the Council did not name its own president, did not possess the right of petition, and its members lacked parliamentary immunity. A further demand was that the delegates of the Advisory Council be received formally by the League Council in Geneva.¹

The press interpreted the electoral decree in the same way. Both the Saarbrücker Zeitung (Pan-German) and the Landeszeitung (Centre) regarded the new provision for election procedure as an attempt to curtail the growing influence of the Advisory Council at Geneva which had resulted not only in the withdrawal of the infamous decree of March 7, 1923 but in the enquiry of July 6, 1923.²

Stephens, on the other hand, was convinced that no extension of the authority of the Advisory Council was possible:

The German political parties...are continually urging that free legislative powers be conferred upon them... It is obvious that no such thing is possible under the Treaty. If this were to happen the Saar would immediately become the political cockpit of Europe...a battleground would be created on which would rage a continuous conflict...³

¹Saar. Landeszeit., January 4, 1924.

²Saar. Zeit. and Saar. Landeszeit., January 5, 1924.

³Stephens, Diary, II, December 23, 1923.

Nor did Stephens think the Commissioner from the Saar should be popularly elected:

The Saar member of the Governing Commission, if elected by the people, would have 700,000 people behind him, and the other members would have 700,000 people against them. Government under these conditions would be impossible.¹

Prior to the elections in January, 1924, a short-lived autonomist party, the Saar Union, appeared on the scene. Its manifesto appeared in the Neuer Saar-Kurier, a newspaper which was financed by French interests. In this declaration, the other parties were accused of being supported by Berlin and being defenders of the Prussian system.²

Also shortly before the election a German nationalist party, the Saar German Popular Union, was formed by a union of the Liberal and Progressive Parties.³ Its stated purpose was to ensure that in the plebiscite of 1935 the Saar returned to Germany; consequently its chief enemy was the Saar Union.⁴

The results of the election held on January 27, revealed that autonomy had little appeal for the

¹Ibid., III, March 6, 1924.

²Neuer Saar-Kurier, January 22, 1924 (Hereafter cited as Saar-Kurier).

³Saar. Zeit. January 6, 1924.

⁴Ibid., January 20, 1924.

Saarlanders. The Saar Union failed to gain one seat in the Advisory Council. The results were as follows:

Centre Party	14 seats
Social Democrats	6
Communists	5
Saar German Popular Union	4
Proprietors' Association	<u>1</u>
	<u>30</u> ¹

After the election, the leaders of the political parties criticized the new electoral procedure because of the delay caused in obtaining official results:

The electoral law...is...so complicated and ponderous that three weeks elapsed before it was possible to establish the results of the election -- a surprising interval when the exceedingly small extent of the Saar territory is taken into consideration.²

The declarations made by the party leaders at the opening of the new session of the Advisory Council on March 5, 1924, followed the line of criticism on which the parties were united before the election. Again the point was made that the delegates of the Advisory Council should be received officially by the League Council.³

¹LNOJ, August, 1924, 1050.

²The Times (London) February 23, 1924, Letter to the Editor from Jordans, Val Schafer, and Schmelzer.

³Saar. Zeit., March 6, 1924, see above, 143

Actually, it had been the practice of the political parties since 1921 to send their leading members to lobby at Geneva. In fact the political parties claimed a good deal of credit for precipitating the enquiry into the administration of the Saar in 1923. The next session of the Council to be held at Geneva was to be no exception. The delegation journeyed to Geneva to attain three main purposes--to ensure that the Commissioner from the Saar be named on the advice of the Advisory Council and that the elected representatives of the population be heard by the Council, and finally, to inform the Council of the consequences of the depreciation of the franc.¹

A frequent member of the Saar delegation and a leader in the formation of anti-French sentiment in the Saar was Hermann Röchling, a Saarlander whose earlier career had undoubtedly tended to embitter him toward the French.² His book "Wir halten die Saar" which appeared in 1934 is ample proof of the negative attitude he had toward both the French and the Commission. Stephens, whose relations with Röchling were quite good seems to have evaluated Röchling's opinions and the German propaganda fairly accurately:

¹Saar. Zeit., March 8, 1924.

²See above, 114n

...one must take the propaganda in favour of Germany issuing from this source, not forgetful of the motive power behind it all.

It is not the intention of Germany to let success attend the efforts of any government in the Saar Territory that will make the people of the Saar happy and content without the Fatherland. Therefore, it matters not how well off in reality the people of the Saar may be...

Four times a year all the old griefs and shortcomings of the Governing Commission are brought out of the cupboard, burnished up, extended, enlarged and represented by the radical German press as part of the fuel directed to keep the German fire alight for the Vaterland. All good German papers must indulge in this (sic) against the French, whether justified or not, in order to keep their standing with the Reich.

The time chosen for washing of this dirty linen is before each quarterly meeting of the League of Nations. The Governing Commission is each time brought to book as the instrument that is constantly trying to break the German spirit.¹

Thus, despite the fact that after 1923, French influence was undoubtedly less preponderant than before, nevertheless it was still a persistent source of complaint on the part of the Saarlanders largely because of the activity of the propagandists. At the beginning of 1925, a typical petition² was forwarded to the League by the political parties in which the complaint was made that

¹Stephens, Diary, II, December 12, 1923. January 9, 1924, December 8, 1924.

²L.N.C. 50 M. 27. 1925. I.

French influence had been introduced in such a way that impartiality and neutrality on the part of the government could no longer be said to exist. It was again emphasized that the French President had authority over the most significant departments of the administration. Furthermore, the most important positions in the government were filled by French officials. In addition a charge was made of the existence of a secret service system which operated under the Central Police Department and which interfered with the "most intimate private affairs of Germans known to have German sympathies, and against whose honour there is not the slightest suspicion".

Shortly after, a separate petition¹ was forwarded by the Social Democratic party to the League. The basic cause of the inequities in the Saar territory was held to be the pro-French attitude of the President of the Commission and the dominant influence which he exercised over the rest of the Commission. Another complaint was lodged against the francophil policies of Lambert. The following year, prior to the appointment of the Commissioners by the Council another similar but more emphatic petition

¹Mémoire concernant la nomination des membres et du président de la Commission de Gouvernement du Territoire de la Sarre.

was presented by the socialist party.¹

An example of the success of the anti-French propaganda in the Saar, much of which was inspired from Berlin, was the manner in which the school issue was kept before the Saarlanders throughout the period of the League regime. Admittedly there was a certain pressure from some sources in favour of enrollment at the French schools. However, in view of the small number of students in attendance at the French schools at any time, it is difficult to accept the exaggerated arguments presented by the Germans in this regard.

So successful was the propaganda that in the eyes of the Saarlanders the maintenance of French schools in the territory came to be regarded as one of the most insidious forms of French influence. The issue itself changed little over the years. As already mentioned, from 1920 children of German nationality had been permitted to attend the schools operated by the French State, and the Commission had taken measures to improve the teaching of French as an optional subject in the public schools of the territory.² The charges already noted, that the French Mines used various forms of bribery to attract students

¹Mémoire concernant l'administration du Territoire de la Sarre.

²See above, 85 f.

to the schools, were repeated in a letter sent to the London Times by leaders of the political parties in 1924.¹ The political leaders charged that miners had been discharged for refusal to send their children to French schools.

It was particularly the Saar press which kept the issue alive. Stephens took note of an example of the bias of the press in its reporting of an address made by de Moltke to the School Commission. According to the Saarbrücker Landeszeitung, de Moltke expressed the view that the Saar territory was an area in which French and German culture had equal rights, consequently the Saar ought to be internationalised and bilingual.² In fact, what de Moltke had said was that efforts should be made to prevent the two cultures from remaining altogether hostile. It was in this spirit that parents had requested that their children be given the advantage of learning French. His most provocative remark was an attempt to assure his audience that the introduction of French into the primary schools would do no harm to the mother tongue of the Saarlanders which was German.³

¹The Times (London), February 23, 1924, see above, 86-7.

²Saar. Landeszeit., March 27, 1924.

³Stephens, Diary, III, March 31, 1924.

In the campaign against the French schools, an appeal was made in particular to the religious affiliation of the Saarlanders, the majority of whom were Roman Catholic. In articles in the press, Catholics were reminded of the anti-clerical sentiments in France which were spreading in the Saar through French schools.¹ Interestingly enough Monsignor Testa, papal delegate in the Saar who had inspected the French schools, found these arguments groundless and regarded them in fact as pure political propaganda.²

Nor did the Protestants escape the campaign. For example, a highly emotional appeal was directed to Protestants in the territory by one of the Church societies. The Union of Protestant Women's Friendly Societies of the Saar protested "...before the whole world...against the propaganda conducted in the Saar on behalf of the French schools..." Consequently wives and mothers were urged not to allow their children to attend any school other than a German one which alone gave "...that instruction and education which the German Protestant

¹See Saar. Landeszeit, April 20, 1924.

²Stephens, Diary, IV, June 4, 1924.

conscience can accept."¹

On the other hand the Communist Party protested in equally strong terms against the policies pursued by the Department of Public Instruction, in that it maintained confessional schools at all.²

The German Government itself frequently made education a subject of correspondence with Geneva. A protest was made by the German Government in a letter of August 8, 1924, to the League. The argument was repeated that French schools were to have been established only for the children of French employees of the mines. It was pointed out that, although according to the Treaty instruction was to be given in the French schools in French only, instruction was being given in German in these schools to German children. The entrusting of education to the French State was tantamount to entrusting France with a part of the administration of the country. Again it was argued that various enticements were used to make the French schools attractive to German students. The basic charge, however, was that the schools were employed for political propaganda. The German books used in these schools not only revealed a political bias but even

¹LN. C. 474. M. 177. 1924. I.

²Declaration of Communist Party in Advisory Council, June 18, 1924 quoted in Stephens, Diary, V, July 1, 1924.

contained grammatical mistakes.¹

The Commission's reply was contained in a lengthy letter of September 1, 1924. It was the opinion of the Commission that the Treaty in providing for the establishment by the French state of schools "...for its employees and their children..." referred to employees of any nationality. Furthermore, by the terms of the Treaty the French State was not obliged but had the right to provide instruction in its schools in the French language. Finally it was maintained that these rights could in no way be considered as equivalent to entrusting France with a part of the administration of the territory. The Commission had as yet received no complaints of acts of coercion to encourage attendance at the French schools.

Parts of this letter, however, did not have the unanimous approval of the Commission. For this reason along with it, was forwarded to Geneva a separate statement by Herr Kossmann. While the Saar member reserved judgment on the opinions which had been presented to the Council by the German Government as well as those submitted by the Governing Commission, he proposed that the question be submitted to impartial jurists belonging

¹LNOJ, November, 1924, 1693-5.

to neutral states. Kossman pointed out that in his opinion the question of French schools in the territory was causing more unrest than any other issue. The question had never ceased to trouble the inhabitants of the Saar. It was his opinion that their anxiety was caused by fear that their right of self-determination might be in some way prejudiced.¹

Meanwhile, the German Government was already forwarding to Geneva the opinions of two legal experts, Josef Partsch of Berlin University and Edwin Borchard of Yale University. It was the opinion of these two lawyers that under the Treaty the French State was not authorised to establish schools for the children of the miners and workmen who were of German nationality nor schools in which German was the language of instruction.

Two further letters of the German Government followed on the heels of the presentation of these opinions. The legal arguments were repeated and particular emphasis laid on the fact that nothing must be done to weight the balance more heavily in favour of France than had already been done in the Treaty. The manifestations of the political parties, clergy, teachers, and the press were clear signs that the attitude of the

¹Ibid., November, 1924, 1696-1703.

Governing Commission towards the French schools was having a provocative effect on the population. In addition, a number of cases were cited in which the Mines Administration or its officials had applied pressure to induce German children to attend the French schools.

Prior to discussion of the question by the League Council in December, 1924, at the request of the French member of the Council, a legal opinion was submitted by Edward Innes, a British lawyer. Predictably, the opinion forwarded by the French Government ran exactly counter to the opinion reached by the experts consulted by the German Government. More significant were the results of an examination to which the question had been submitted in Sweden. It was the opinion of the Swedish jurist that while the extension of the use of the schools to all employees gave a wide interpretation to the terms of the Treaty, it was scarcely possible that it was within the terms of the Treaty that German parents not employed in the mines send their children to the French schools.¹

Despite the examinations to which the question had been put, the League Council considered the issue to be of no great significance. In fact, Austen Chamberlain remarked that he considered that the question had assumed

¹Ibid., February 1925, 250-74.

a greater importance in the eyes of the public than was justified "...by its intrinsic value..." Consequently, the Council agreed with the proposal of the rapporteur that the settlement of the question be left to the "wisdom of the Governing Commission".¹

Stephens, who was not directly involved in the school issue, was inclined to reserve judgment on the arguments of the Germans:

In spite of...neutral and authoritative expression of opinion, there is a constant and unmerciful campaign of criticism against the schools, the Department of Education, the higher officials who run it and the Minister, whoever he happens to be.

Most of the criticism of the schools by the Germans is based on fear. This fear is that the German children will become frenchified. This does not seem to be borne out by facts.²

Aside from the legal arguments, clearly the basic issue was the fear of the Germans that the French State was using its schools for propaganda. Whether or not this charge was valid is difficult to determine. For the Governing Commission the simplest solution would have been merely to withdraw from all German children the privilege of attending the French schools. Apparently even Rault was willing to take a step in this direction.

¹Ibid., 145-6.

²Stephens, Diary, V, July 31, 1924.

While the President was in Rome for the Council meeting in December he proposed to Briand and Chamberlain that, in order to appease Saar sentiment, the Governing Commission cancel the privilege granted to children other than those of mines' personnel of attending the French schools.¹

Subsequently, the question was discussed at a Commission meeting on February 4, 1925. It was decided that although no ordonnance would be withdrawn, in future children of parents who were not employees of the mines would be permitted to attend the French schools only in very exceptional cases. Children already in attendance at the schools were, however, to be allowed to continue.² In consequence of this decision a notice was issued by the Commission in which it was stated that "every employee or salaried official belonging to the State Mines is free according to established law to send his children either to the State school or to the Mines schools, and that he must not thereby be put at any disadvantage by anyone whatever".³

Judicious though this decision may have been it by no means eliminated the controversy surrounding

¹Ibid., VIII, December 17, 1924.

²Procès-Verbal, February 4, 1925.

³LNOJ, March, 1925, 315.

education in the territory. In fact, one of the worst examples of German nationalism in the territory was the attitude of contempt in which teachers of French in the German public schools were held. In consequence of this situation, in March, 1925, the Department of Education issued a circular letter to all schools defending the teaching of optional French courses and the dignity of teachers of this subject.¹ Nevertheless, the press continued to "accuse" the Commission of favouring the teaching of French in the public schools.²

Nor did the charge that pressure was employed to increase enrollment at the French schools abate. In 1930, as a result of complaints made by the Centre Party on the one hand and the Mines Administration on the other, the Commission undertook an enquiry into the use of propaganda for or against the French schools. In reporting on the results of the enquiry, the Commission commented with some significance on the fact that there was some difficulty in obtaining witnesses who were willing to give evidence. In the opinion of the Commission, this may have been "...due to fear of the consequences". As a result of the enquiry, the Commission found that there was no evidence that the Mines Administration itself exercised pressure to induce

¹Ibid., May, 1925, 767.

²See Saar. Zeit., September 22, 1925.

miners to send their children to the Mines school. On the other hand, it was thought possible that some pressure may have been exerted by certain subordinate officials or Mines schoolmasters. The conclusion of the Commission was:

The survey we have made proves that propaganda for or against the Mines school is being carried on. The Governing Commission has neither the right, nor the power to forbid propaganda by either party, provided no unlawful means are used. But it asks all persons concerned to refrain from any acts or words which might appear to involve compulsion, and to avoid even the appearance of such compulsion.

Anyone who attempts to influence them (parents) by direct or indirect threat or moral compulsion is acting contrary to the rights of individual liberty. The Governing Commission will not fail to intervene wherever this liberty is endangered by measures of violence.¹

In fact, the extent of French pressure in favour of French schools has as yet not been exactly determined. It was conceivably in the interests of the French State, as one of the parties interested in the plebiscite of 1935 to utilize the schools it established for propaganda purposes. Undoubtedly, the Saarlanders were justified in suspecting the French of secondary motives in this regard. However, in fact, whatever amount of pressure may have been exerted, it was of little effect. The number of children attending the French schools was never high. In 1924, a peak year for the French schools, 125,000 pupils were in attendance at the State schools and only 5,300 at

¹LNOJ, June, 1931, 994-7.

the mines schools.¹ Thus, though the German case was not wholly devoid of justice, nevertheless the frequency of complaints made by the press, the political parties, and Berlin serves more to illustrate the incessant campaign which was conducted against the Governing Commission and the French than to prove that a genuine grievance existed. In contrast to the force of this propaganda, the French influence over the population appears to have been minimal indeed. In this regard Sarah Wambaugh concluded:

No matter how much propaganda may actually have been carried on in the French schools, the fact remained that the German teachers had had an infinitely greater opportunity to affect the minds of the children and of their parents, for they had in their hands the education of the great mass of the Saar children.²

Similar charges of pressure were levelled at the Mines Administration in connection with its treatment of its German employees. Any workers who might in any way express sympathy with the French or with the cause of separatism were accused of having sold out to the French in return for promotion by the Mines Administration. It was particularly with these arguments that membership in the Saar Union³ was made ignominious. Thus, in a petition

¹Ibid., November, 1924, 1701.

²Wambaugh, op. cit., 120.

³See above, 144.

to the League in August, 1924, the political parties complained that the miner was absolutely at the mercy of the French official and that he might for political or other reasons be arbitrarily dismissed at a moment's notice.

However true these accusations may have been they were nevertheless of minor significance. As we shall see shortly, the Saar propagandists came much closer to the truth when, in a series of petitions to the League they complained of the overwhelming economic influence which France exercised over the territory.

CHAPTER V

THE COMMISSION AND THE FRENCH STATE

By the mid-twenties, the French nation as a whole had become less interested in annexing the Saar. About this time the main concern of the French in the territory was to gain whatever advantage they might from their economic ties with the territory. It was therefore significant that the main strength of France in the Saar lay in these very ties and in her ability to negotiate with the Commission in a manner very different from that of one state vis-a-vis another state. Nevertheless, the Commission, at a very real disadvantage in its efforts to negotiate with the French State, had considerable success in defending the economic and financial interests of the Saarlanders.

Negotiations over economic problems with France were complicated by the fact that since Stephens was in charge of the Finance Department and President Rault of Commerce, economic matters often fell into the demesne of both the Canadian and the French member of the Commission. This situation proved particularly awkward for Stephens who was generally less inclined than Rault to submit to the view of the French Government when it conflicted with the interests of the Saarlanders. In fact, in most

cases Stephens met considerable opposition from Rault in his efforts to protect the inhabitants. In view of this situation, Stephens' persistence is all the more noteworthy.

In one instance, however, it was President Rault who directly confronted the French Government. One of the most frequent complaints of the Saar industrialists against France was that the price of Saar coal was unnecessarily high and compared unfavourably with that of the Ruhr to which it was inferior in quality.¹ However, since the price of Saar coal had been higher than that of Ruhr coal even when the mines were under German control,² a certain amount of caution must be employed in the consideration of this charge. On the other hand, it must be admitted that under the administration of the French State Mines the Saar metallurgist undoubtedly suffered from certain features of the sales policy of the French State Mines. It was the policy of the Mines to increase the rates for deliveries of coal close to the mines, i.e., in the territory, and reduce them for deliveries to areas at a greater distance from the mines.³ This policy which

¹The Draining of the Resources of the Saar Territory by France.

²Brooks, A.H. and Croix, M.F., The Iron and Associated Industries of Lorraine, the Sarre District, Luxemburg and Belgium, U.S. Geological Survey, Bulletin 703, 1920, 27.

³Statistics on the price of Saar coal and Ruhr coal were regularly carried in Glückauf. A statement of the method of application of the list prices was normally carried with these figures.

was directed at widening the market for Saar coal was undoubtedly to the disadvantage of the Saar metallurgists.

In the last analysis the justice of the charge that the price of Saar coal was excessively high can only be determined in the light of the profits obtained by the French State from the mines. However, since the French themselves published varying conclusions as to the percentage of profit they obtained on their capital investment¹ this aspect of the problem requires a much more thorough analysis than is possible here. The problem is considered here not for the purpose of determining the justice of the charge made by the Saar industrialists, but in order to call attention to the constant effort made by the Commission to persuade the Mines Administration to modify its prices in favour of the Saarlanders.

Interestingly enough, in this particular case, the role of Stephens was a secondary one, not because he did not concern himself with the problem but because President Rault took it upon himself to lead the opposition to France in this regard.

¹According to figures published by the French Government in March, 1923, on a total share capital of 300,000,000 marks, the Saar mines had to that time yielded a net profit of 8.28 percent as a yearly average. (See The Iron and Coal Trades Review, Vol. 111, Oct. 9, 1925, p.560). According to Miss Wambaugh, the French later claimed that during the years 1920-26, their best years, they received barely 1.25 percent profit from the mines. (Wambaugh, 112). As a result of independent calculations by French and German experts it was concluded that over the whole period 1920-1935, the mines yielded not more than 3 percent profit (See Survey, 1934, 581). For the profits in francs see Appendix A.

As early as 1920, the Commission reported to the League on the serious consequences for the territory of the high price of coal. Because the Saar industrialists were forced to pay more for Saar coal than their rivals in Germany did for Ruhr coal it was difficult for them to maintain their former outlets in the German market.¹ In consequence of this situation, the Commission began what were to become almost never-ending negotiations with the French State Mines for a reduction in the price of coal. Moreover, the Commission achieved some early successes in this regard.²

Shortly after Stephens' arrival in the territory he began to consider the possibility of a further reduction in the price of coal. Being an optimist, the Canadian hoped that a lowering of the price of coal might lead other industries to follow suite and thus bring about a general decrease in the cost of living. Unfortunately at this time, the Mines Administration not only did not have in mind a reduction in the price of coal but actually was proposing to increase the price.³

¹LNOJ, November-December, 1920, 74-5.

²Ibid., January, 1922, 41.

³Stephens, Diary, I, November 6, 1923.

At a meeting of the Commission on March 31, 1924,¹ the President reported the receipt of a letter from the Saarbrücken Chamber of Commerce protesting against the proposed increase in the price of coal. Rault had immediately taken up the question with M. Arthur Fontaine, President of the Council of Administration of the Mines. The most the Mines could do was to reduce by about fifty percent the increase which it intended to make in the price of coal. It was maintained that the increase was necessary because of recent increases in wages of the miners.²

President Rault, however, continued his efforts. On May 22, 1924, Rault reported to the Commission on another meeting he had had in Paris with Fontaine. The Mines Administration maintained that a price reduction could not be considered without a corresponding reduction in wages. For his part, Rault insisted that the economic situation in the territory made a reduction mandatory and he proposed a reduction of four francs per ton but no definite decision was taken by the Mines Administration.

In order to back up Rault's position, the Commission unanimously agreed to send a telegram to the

¹Procès-Verbal, March 31, 1924.

²LNOJ, August 1924, 1049.

French Government:

Elle (la Commission) constate que d'après les chiffres fournis par les groupements industriels et commerciaux du Territoire de la Sarre, la cause principale de cette crise doit être cherchée dans les tarifs actuels des Mines Domaniales, applicables à la Sarre, dont les prix ne permettraient pas à l'industrie sarroise, d'exporter ses produits, parce qu'ils ne tiennent pas compte de la situation géographique du Territoire.

La Commission a approuvé, à l'unanimité, les démarches à Paris, par son Président, auprès du Ministère des Affaires Etrangères et du Ministère des Travaux Publics.¹

After this barrage of requests, the Mines Administration was finally persuaded to make the reduction requested on the price of coal consumed in the territory. The reduction of four francs per ton took effect on June 1, 1924.²

However, the economic situation in the Saar was still not healthy enough to satisfy the Commission even though it was much better than the situation in Germany. In September, 1924, there was a threat that the Röchling Iron Works might be forced to close because of the high price of coal.³ Because of the gravity of the situation, members of the Commission, in Geneva for the League Council

¹Procès-Verbal, May 22, 1924.

²LNOJ, September, 1924, 1187.

³Saar. Zeit. and Landeszeit, August 31, 1924.

meeting, conferred with members of the Saar delegation,¹ including Röchling. A demand was made by the Saarlanders for a twenty percent reduction in the price of coal. Rault replied that the Mines Administration had only a week before refused a further decrease. Nevertheless, he agreed to pursue the issue; meanwhile Stephens was to return to Saarbrücken to negotiate with Mines officials.²

In Saarbrücken, Stephens was approached by a delegation of workers who declared that they would not submit to a reduction in the price of coal if this entailed a reduction in wages.³ Later in conference with M. Defline of the Mines Administration, Stephens was told that the Administration could not reduce the price of coal, and furthermore would not respond to what it regarded

¹See above, 146.

²Saar. Zeit., Landeszeit, Volksstimme, September 6, 1924.

³Stephens, Diary, VI, September 8, 1924.

as a propaganda tactic from Röchling.¹ Consequently, on September 15, 1924, the Röchling works did close down and, over 6,000 men lost employment.²

Because of the gravity of the situation, once again, President Rault entered into negotiations with the Mines Administration. To start with, he arranged that M. Fontaine receive representatives of labour. He himself

¹Ibid., September 10, 1924.

The possibility that Röchling was attempting to discredit the Commission had already occurred to Stephens himself. (Stephens, Diary, VI, September 9, 1924). This thought, of course, was not surprising in view of the earlier political activities of Röchling.

Moreover, the issue was not merely a protest by Röchling against the price of coal but also involved the granting of the eight-hour day. According to Stephens' account, it was the opinion of Kossmann that Röchling in his struggle for the ten-hour day had the support of German industrialists who were fighting the same battle. (Stephens, Diary, VI, September 22, 1924). This opinion was shared by the socialist paper, the Volksstimme, which flatly stated that Röchling had closed his doors to his workers because they had refused to accept the ten-hour day and a reduction of twenty-five percent in wages. The paper denied that the Mines Administration had accorded Röchling unfair treatment as he charged it had. (Volksstimme, October 11, 1924).

²LNOJ, December, 1924, 1782.

presented another letter pleading that the price of coal be reduced, and arranged that Röchling, acting on behalf of the iron industrialists, confer with Fontaine.¹ Finally, the directors of the mines agreed to a reduction of three and a half francs on the price of coal per ton, and the Röchling Works re-opened in November, 1924.²

Although President Rault could thus claim some measure of success for his efforts, his achievement proved to be short lived and the price of Saar coal rose again in the first quarter of 1925. By contrast, during the same period, the price of Ruhr coal showed significant reductions.³ By virtue of this fact, it was still difficult for the Saar metallurgist to compete in the German market which was still the main outlet for his iron and steel products.

The never-ending battle between the Commission and the French Government over the price of coal was the one issue where President Rault clearly fought for the interests of the Saarlanders as against the interests of France. Stephens did not take the lead in this battle,

¹Stephens, Diary, VII, October 24, 1924.

²LNOJ, March 1925, 307.

³Gluckauf, LXI, 1925, 170 and 353.

because it had already been taken by Rault. Unhappily, however, no further reduction was obtained while Rault remained in office.

However, by 1927, the Commission had once again grown anxious over the economic situation in the territory. Because of the high price of coal, Saar industrialists were encountering great difficulties in their attempts to sell Saar products for export. Saar factories found it impossible to meet the competition of other countries in foreign markets. It was the conclusion of the Governing Commission that the basic reason for the situation was the rise of the French franc.

Negotiations with the Mines Administration resulted in an agreement to reduce the price of coal approximately four francs per ton from February 1, 1927. The reduction was to be made without a corresponding reduction in wages. The Mines Administration contended that a further reduction in the price was not possible without a reduction in the miners' wages but it refused to take the lead in cutting wages. Later, however, after other employers cut wages, the Mines followed suite and, by virtue of this economy, were able further to reduce the price of coal from March 1, 1927. The total reduction

amounted to nearly thirteen percent.¹ Thus Stephens too had contributed to the control of the price of coal in the interests of the Saar economy. Nevertheless, the marketing disadvantage from which the Saar metallurgists suffered could never be eliminated by the Commission.²

There was, however, little that the Commission could do to remedy the situation since its authority did not include the right to control the price of coal which had been accorded to France by the Treaty. Hence the Commission found itself engaged in an unequal struggle with the French state in which its victories appear remarkable indeed.

Another problem which concerned Stephens from the outset was the attempt made by the French to reduce the tax on coal that was levied by the Commission. A reduction in the tax would of course necessitate an increase in other taxes. Stephens, in his attempt to keep the tax on coal at a level favourable to the Saarlanders, involved himself in a two-fold battle. First of all, his fellow-Commissioners were not disposed to

¹LNOJ, June, 1927, 680.

²For coal prices between 1927-1935 see Saarwirtschaftsstatistik, IX, 1934, p.28.

accept his viewpoint. Secondly the French State naturally attempted to keep the tax as low as possible.

One of the main problems in this connection was that there was considerable difficulty in interpreting the Treaty on this point. Under the Treaty, the Governing Commission was to fix levies on the mines and their accessories and subsidiaries "with due regard to the ratio of the value of the mines to the total taxable wealth of the Basin."¹ It could hardly have been expected that agreement on these values would be easily attained.

During the first months of the existence of the Commission its revenue was based on taxes already sanctioned under German law. One of the chief sources at this time was a twenty percent coal tax, which was soon reduced to ten percent. The Commission explained that it seemed difficult to maintain this tax at the level fixed by German law, since the Governing Commission would thus have been knowingly running counter to the terms of the Treaty.²

On July 31, 1920, the German law of April 1917, by which the coal tax was levied, ceased to be valid. By

¹Par. 13 of Annex to Arts. 45-50.

²LNOJ, June 1920, 197-8.

the terms of the Treaty, in order to levy the tax beyond this date, the Commission had to issue a special decree and to consult the elected representatives of the population.¹ When consulted, the District Assemblies and the Municipal Council of Saarbrücken pronounced unanimously in favour of the continuation of the coal tax and a return to the original tax of twenty percent. Consequently, the Commission decided to raise the rate to twenty percent from October 1, 1920. Nevertheless, the Commission pointed out that the levy of twenty percent had been created in Germany during the war and was of an exceptional nature and could not be maintained when the world coal-market returned to normal conditions.²

In its next report to the League the Commission hinted that another alteration was in sight. It pointed out that if the tax were maintained at its present rate (twenty percent) it would be likely to prevent the sale of Saar coal and therefore cause unemployment in the local mines and industries. Furthermore, the French Government

¹Par. 26 of Annex to Arts. 45-50 provided that no new tax except customs duties could be imposed prior to consultation of the elected representatives of the inhabitants.

²LNOJ, November-December 1920, 73-4. According to Professor Russell, the policy of the French Government at this time was to raise the price of cheap reparations coals which it was receiving. This aim could be more easily accomplished by paying the twenty percent tax on the Saar coal. (The International Government of the Saar, 164n).

had already officially protested against the tax.¹

Subsequently, from April 1, 1921, the tax was again reduced from twenty percent to ten percent.² Later the tax was further reduced to seven and a half percent and again to five percent (February 1, 1923). At this time it was announced that a commission of financial experts had been set up to enquire into the application of the terms of the Treaty in this regard.³

The last reduction was bitterly opposed by the finance Commissioner, R.D. Waugh, who later pointed out, at the time of the League enquiry in July, 1923, what he considered to be Rault's high-handed tactics in forcing the reduction on the Commission.⁴ This was one occasion when even the francophile, Dr. Hector, had opposed the policy of Rault. However, the French view had prevailed since Lambert and Moltke-Huitfeldt had supported Rault.⁵

¹LNOJ, March-April, 1921, 203.

²Ibid., August, 1921, 628.

³Ibid., July, 1923, 752.

⁴Ibid., August, 1923, 924.

⁵Procès-Verbal, January 16, 1923.

The fixing of the coal tax was one of the issues over which Stephens fought hardest to attain justice for the Saar inhabitants. When he became finance minister indirect taxes were the largest source of revenue in the territory.¹ The tax on coal, in turn, was by far the most significant indirect tax.² Shortly after the arrival of Stephens in the territory, Rault hinted to him that the tax might be further reduced. Stephens felt that particularly before customs were established as a source of revenue the territory badly needed this tax.³

Less than a month after Stephens' arrival, he was visited by M. Defline, Director General of the French State Mines. Just as Rault, Defline hoped that the tax might soon be reduced to three percent. Stephens, however, firmly stated his opposition to such a move.⁴

Actually, the basic problem with regard to the coal tax was that of establishing the wealth of the mines.

¹The budget of the territory was regularly carried in LNOJ. For 1923-4, see LNOJ, December 1923, 1565-9.

²According to Stephens' calculations in the financial year 1922-23, the contribution of the Mines accounted for 39.63 percent of the revenue of the territory. (Stephens, Diary, V, July 31, 1924).

³Stephens, Diary, I, November 5, 1923.

⁴Ibid., November 9, 1923.

According to the Treaty,¹ this was the duty of the Reparation Commission, but since the task had not been accomplished by 1923, the duty fell to the commission of experts mentioned above.²

In January, 1924, as member in charge of finances, Stephens prepared a thirty-eight page report on the coal tax. He compared the tax levied in the Saar with that in France, Czechoslovakia, and Poland. On the basis of his figures it would appear that the tax in the other countries was higher than that in the Saar. In his opinion, an interpretation of par. 13, which was to regulate the coal tax, should be arrived at in direct negotiations with the Administration of the Coal Mines. If agreement could not be reached, then the question should be referred to an arbitration commission.³ This

¹Par. 5 of Annex to Arts. 45-50. In 1922, the Reparation Commission provisionally credited the German account with 400,000,000 gold marks for the mines and debited France with 300,000,000 gold marks. (Reparation Commission, Statement of Germany's Obligations, Dec. 31, 1922, p. 7 and 10.)

²See above, 175.

³Report of January 15, 1924. Contained in Stephens papers. See also Diary, III, February 8, 1924.

view is an interesting one, for Stephens does not seem to have considered that since the Governing Commission possessed the right to interpret the terms of the Treaty with regard to the Saar, such procedure presumably was unnecessary. Stephens, however, being an eminently impartial person may have preferred a system which would be fair both to France and to the Saar.

The report, although presented to the Commission at its meeting of February 15, 1924, was not discussed at that time. On the other hand, the President reported on the findings of the commission which was attempting to interpret par. 13. The commission had, in fact, after almost a year, arrived at no one solution, but had submitted three solutions to the Governing Commission, all of which would have involved a reduction of the tax.¹

A few days later, in a letter to the President, Stephens attempted to persuade Rault that it was not to the advantage of France to bargain for a reduction of the coal tax when an increase in other taxes in the Saar was anticipated.² Subsequently, an alternative to the three solutions submitted by the Commission of experts was presented by Stephens to his colleagues. At the meeting

¹Procès-Verbal, February 15, 1924.

²Letter of February 19, 1924 Stephens to Rault.
Recorded in Stephens, Diary, III, February 19, 1924.

at which his proposal was presented it became clear that the issue was between Rault and Stephens. No other Commissioner chose to speak.¹

At the meeting of March 1, 1924, the President pronounced in favour of submitting to Paris one of the three solutions proposed by the commission of experts -- one which would reduce the coal tax below four percent. At this time Stephens' was the only dissenting voice. In accordance with his request, his report elaborating an alternative solution was also to be forwarded to the French Government.²

Subsequently, Rault and Stephens conferred in Paris with members of the Finance Department of the French Government over the coal tax. Once again, the Canadian opposed any reduction in the tax:

I am convinced that such action at this moment, on the part of the Government of the Saar, would have for effect the creation of such an intense emotion among the people of the Saar and be on the face of it such a manifest injustice, that you would arouse a propaganda against the government of the Saar, against the French Government and nation as a consequence of which France herself might gain a few million francs by the reduction of the tax, but would lose a vaster amount in money and perhaps the friendship and confidence of those whose respect and confidence she is most anxious to preserve.³

¹Procès-Verbal, February 27, 1924.

²Ibid., March 1, 1924.

³Stephens, Diary, March 15, 1924.

By now, Stephens, despite his failure to gain support in the Commission meetings, had won a limited amount of sympathy from President Rault. A new argument had been used to attain this end. The Canadian pointed out the illogicality between the argument being presented at this time to the League Council that the Saar budget would not permit increases in local gendarmerie and the proposed reduction of the coal tax.¹ It may have been this argument which had some weight in Paris as well. In any case, the French officials finally agreed that the tax should remain at its present level for another year. However, after a year the tax was to be reduced and be calculated in accordance with the lines of the plan submitted by the Commission, a one-year suspension of the plan being permitted until April 1, 1925.²

¹Ibid.; see below, 218.

²Procès-Verbal, March 24, 1924, and March 28, 1924. See also LNOJ, August 1924, 1051-3. The tax was worked out on the basis of an evaluation of the worth of the mines at 346 million gold marks. The value of the capital possessed by individuals within the territory was estimated at 1,017 million gold marks. The ratio of the value of the mines to the total wealth of the territory was thus 1:6.76. An additional 2,400,000 gold marks was to be contributed to the communes.

The agreement by no means satisfied the Saar political leaders who maintained that for purposes of the calculation the value of the mines had been put at the lowest possible estimate, while the value of other taxable wealth was fixed at the highest practicable figure. (See The Draining of the Resources of the Saar Territory by France.)

Nevertheless, Stephens did not abandon the idea that a higher tax on coal which in his opinion would be fairer to the Saarlanders might be levied. Early in 1926, he began to work on a draft of notice to be served on the French Government for a revision of the coal agreement to be effective from April 1, 1927.¹ His note was read at the Commission meeting of February 20, 1926, but discussion was postponed to a later meeting. At this time, Stephens with the support only of Kossmann could not win over any of the other Commissioners to his side. However, a year later, when Stephens was President, with the unanimous approval of the Commission, notice was served on the French Government that the Commission wished to enter into negotiations to revise the agreement prior to April 1, 1928.² In fact, it was M. Morize, the French member who was in charge of finances, who presented the report to the Commission urging a revision of the coal tax. Negotiations between the Commission and the Mines Administration began in January, 1928. As a result of these negotiations, the contribution of the Mines to the communal budgets was increased but that to the budget of

¹Procès-Verbal, February 20, 1926. See also Stephens, Diary, XIII, February 20, 1926. According to Stephens, the President became livid with rage on hearing the report. This reaction was interpreted by Stephens as proof that the existing agreement was favourable to the French and that therefore they did not want the matter reviewed.

²Letter of March 29, 1927 Stephens to Briand. Contained in Stephens' Papers. See also LNOJ, June, 1927, 683.

the territory remained the same.¹

The negotiations into which the Commission entered over the years in an attempt to increase the tax on coal reveal all too clearly the impotence of the Commission in its dealings with the French Government. More specifically they make clear the weakness of an individual Commissioner, in this case Stephens, in any attempt to deal with the French State. Clearly the ability of a Commissioner to act on behalf of the Saarlanders was severely limited by the strength of France. Thus despite the fact that the Treaty had accorded the Commission the right to levy a tax on coal the French State was in a position to influence significantly the application of the Treaty in this respect.

A more striking illustration of the peculiar position in which the Saar territory had been placed by the Treaty was provided at the time of the Franco-German trade negotiations which began in Paris on October 1, 1924.² These negotiations were of concern to the Saar particularly because of the closing of its frontiers to

¹LNOJ, May, 1928, 760-1.

²The Times (London), October 1, 1924.

German imports on January 10, 1925. Therefore, in September 1924, the Chamber of Commerce of Saarbrücken forwarded a letter¹ to the Commission outlining what it thought should be the purpose of a treaty to regulate economic relations between the Saar and Germany from January 10, 1925. It was argued that, owing to the close economic connections between the Saar and Germany, the separation of the Saar from Germany, as anticipated in the Treaty, would lead to the breakdown of the economic life of the Saar. From time immemorial the population of the Saar had been led by tradition, taste, and culture to use almost exclusively German products. The technical basis and the machinery installations of the local industry were entirely German. The application of German techniques obliged industry to continue to buy German machines and spare parts. Undoubtedly, the Chamber concluded, the ideal situation for the Saar would be the maintenance of the status quo, i.e., the maintenance of virtually free trade between the Saar and Germany until January 10, 1935.

The position of the Commission with regard to the Franco-German negotiations in Paris is particularly

¹Letter of September, 1924, Chamber of Commerce to Governing Commission. Recorded in Stephens, Diary, VI, October 6, 1924.

interesting for it clearly reveals the weakness of the Commission which resulted from the fact that the Saar lacked the status of a state.

In discussing the letter at a meeting, on October 3, 1924, the President pointed out that it was according to the terms of the Treaty that the Saar was to be subjected to the French customs regime. The Commission could not propose a revision of the Treaty. He pointed out that the Commission had not been invited to participate in the negotiations in Paris for since the territory was not a state, it could not be a party to a Franco-German commercial treaty. Presently, the Commission could do no more than await developments; later it might be required by the negotiators to provide some information on Saar commercial problems.

At this time, Stephens strongly urged that the President seize every opportunity to advance the position of the Saar in order to facilitate importation from Germany after January 10, 1925.¹ It was his opinion that the Commission should not have passively accepted what was undoubtedly a legally correct position, but equally one

¹Procès-Verbal, October 3, 1924.

unfavourable to the interests of the Saar. He felt that, owing to the importance for the Saar of the talks, the Commission should have suggested to the League Council that the Saar would welcome an invitation from Germany and France to be present at the negotiations even if only as an official observer.¹

However, the President held firmly to the view that the Commission could not participate in the Franco-German negotiations. He pointed out that the German Government in particular was reluctant to recognize the autonomy of the Saar and had consistently opposed its adherence to international conventions.² The President had, however, in informal discussions with the French officials, pleaded that the Saar should be accorded any special privileges which might be granted to Alsace-Lorraine.³

¹Stephens, Diary, VII, Nov. 8, 1924.

²The German Government, arguing that the Saar territory was not a state, protested against the entry of the Saar into the Universal Postal Union and the International Telegraphic Union. A particular protest was lodged against the admission of the territory to the Berne Railway Convention (LNOJ, Dec. 1921, 1075-8).

³Procès-Verbal, Dec. 2, 1924. By the terms of Treaty (Art. 68) natural and manufactured products from Alsace-Lorraine were imported free of customs duty into Germany for five years. France was, of course, anxious that the arrangement continue beyond that time. On the privileges accorded by Germany to Alsace-Lorraine after that time see Survey, 1925, II, 201.

About this time, a petition was forwarded to the League by an economic union¹ in the territory. The Council's attention was drawn to the serious economic situation in the Saar, which was threatened with having its principal zones of outlet and supply cut off. The petitioners urged that the League facilitate communications between the expert advisors of the union and the negotiators in Paris so that a decision regarding commercial policy which was favourable to the Saar could be reached.²

Nevertheless, at the time that the Saar was incorporated into the French customs regime on January 10, 1925,³ no commercial agreement had been reached between Germany and France. It was only after this date that, in answer to the pleas of local business, President Rault finally arranged that representatives of Saar industry and labour, along with himself, Kossmann, and Stephens, be received in Paris by the Minister of Commerce, M. Raynaldy.⁴ The delegation pointed out the reasons which

¹Union for the Protection of the Economic Interests of the Saar Territory.

²LN Doc. C. 799. M. 268. 1924. I.

³See LNOJ, May, 1925, 762.

⁴Ibid., May, 1925, 763; see also Stephens, Diary, IX, Jan. 15, 1925.

made certain German imports essential to the territory, and the German market essential to the Saar economy. Raynaldy assured the representatives of the Saar that the French Government would do all that it could to protect the interests of Saar industry.¹

Meanwhile the political parties of the territory forwarded a petition to the League² complaining of the inert attitude adopted by President Rault on this question. Again the case was put that the only satisfactory solution would be free trade between the Saar and Germany. The petitioners concluded that the inertia of the Commission was to be explained only by the nationality of the President and by his control over the other Commissioners.

The truth was that inert as the President was before January, he now began to intervene in Paris on behalf of the Saarlanders. Thus, although Rault was not as active in this regard as the Saarlanders might have liked, nevertheless he did initiate some action for which he was given no credit. At the meeting of the Commission on March 2, 1925, he informed the Commission of his intention to forward to the French Government the latest memoir of the Chamber of Commerce on the economic

¹Saar. Zeit, Landeszeit, Volksstimme, Jan. 16, 1925.

²The Untenable Character of the Customs Regime in the Saar Territory.

situation in the Saar. He also announced that he was to go to Paris as an official observer of the Franco-German commercial negotiations.¹ After his return from Paris, Rault advised Stephens that he had arranged for a Saar delegation to leave for Paris on March 10. M. Kossmann and M. Morize were to accompany the representatives of Saar industry and labour.²

When Kossmann returned, he informed Stephens of the proceedings in Paris. A promise had been obtained from the French that any special treatment granted Alsace-Lorraine would be accorded to the Saar. However, when the Saar delegation requested that the Governing Commission be heard the request was turned down. On the other hand, when asked to submit its case, the delegation itself declared that it was not ready to do so. The French had agreed to come to Saarbrücken to hear the recommendations of Saar industry.³

Before the end of March, French officials conferred in Saarbrücken with representatives of Saar

¹Procès-Verbal, March 2, 1925.

²LNOJ, May, 1925, 763; see also Stephens, Diary, X, March 9, 1925.

³LNOJ, May, 1925, 763; see also Stephens, Diary, X, March 13, 1925. Kossmann confided to Stephens that in his opinion the Saar delegation did not want to present their views without first consulting the German negotiators.

industrial interests as well as of labour and received suggestions for the improvement of customs policy.¹ Subsequently, when the Franco-German negotiations appeared to be near completion, the Commission was informed by the French and German authorities that preferential customs treatment was to be accorded the Saar with regard both to importation and exportation from Germany. Subsequently, Saar officials conferred with the two delegations in Paris in order that the adherence of the Governing Commission to certain of the dispositions of the convention be attained.²

This initial agreement with regard to the Saar was signed by both the French and German authorities on July 11, 1925,³ and later ratified by the two parliaments but because of technical difficulties its terms were never made operative. Later, however, by the terms of an agreement very similar in content, which came into force on August 21, 1926,⁴ the pottery, glass, tobacco, and chemical industries were able to export their products

¹Le Temps (Paris), March 27, 1925.

²Procès-Verbal, June 17, 1925.

³The Times (London), July 13, 1925. See also LNOJ, Dec. 1925, 1731.

⁴League of Nations Treaty Series, LXXIII, 1928, 105-31.

duty-free to Germany. Similarly, Germany was allowed to export into the Saar duty-free or at the minimum tariff contingents of products which the population found difficult to obtain within the customs territory -- particularly pharmaceutical specialities. This agreement was supplemented by a second which came into force December 1, 1926.¹ The second convention gave the Saar finishing industry facilities for export duty-free to Germany and permitted the duty-free import of various products and machinery to the Saar. The Saar was thus incorporated not only in the French customs regime, but was still partially in a customs union with Germany as well. That the Saar benefitted from this unique situation there can be no doubt, for she had access to both the French and German markets.

Even in Paris, however, these agreements were not regarded as being over-generous on the part of France. According to "Le Temps," the main reason France was anxious to conclude a commercial agreement with Germany with regard to the Saar was its desire to eliminate the

¹LN Treaty Series, LXII, 1927, 155-217. A later agreement of February 23, 1928 further enlarged the number of products admitted into Germany duty free and made the importation of certain goods from Germany to the Saar subject to a very low tariff. (LN Treaty Series LXXIX, 1928, 247-404).

anomalous situation which had been created by the fact that a moratorium had been granted by Germany since January 10, 1925 to Saar industrials for the payment of customs duties.¹

The desire of Germany to retain the favour of the Saarlanders is the obvious explanation for her generosity toward the territory. Moreover it was to the advantage of France that Saar industry retain its German market. Therefore, in this case, it is virtually impossible to evaluate the contribution of the Commission in attaining the concessions made to the territory. Yet it must at least be admitted that it played a significant role as a liaison between the Saarlanders and the Franco-German negotiators.

Just as the currency change in 1923 had been one of the most contentious issues for the Commission, so too, while Stephens was finance Commissioner the currency of the territory once again became a major issue. It was not surprising that the political parties continued to make the introduction of the franc as sole currency the object of much criticism. For example, at the beginning of 1924 a petition was forwarded to the League on the deleterious

¹Le Temps (Paris), November 9, 1926.

effects on the Saar of the depreciation of the franc. It was pointed out that the franc had been introduced despite the vigorous opposition of the Advisory Council. The Governing Commission had made the franc the sole currency by citing the stability of the franc. The stability of the franc, however, had proved to be illusory, and the consequences of the depreciation of the franc were continual wage disputes. The situation was particularly difficult for the Saar territory which had to import almost all its food-stuffs. Finally, the political leaders asserted that they regarded the German mark as the sole legal currency of the Saar, "this contention being based on the provisions of the Treaty of Versailles."¹

In a letter of June 7, 1924,² to the Secretary General, the Commission attempted a reply to these accusations. It was not denied that the franc had depreciated during the first quarter of the year. However, the Commission considered that it was not admissable to draw a parallel between the position of the French franc at the beginning of March 1, 1924, and that of the mark on June 1, 1923, when the currency alteration had been made. On June 1, 1923, the mark had fallen below 100,000th of

¹LN Doc. C. 126. M. 36. 1924. I. Memorandum relating to the effect of the depreciation of the franc on the economic life of the Saar territory.

²LN Doc. C. 282. M. 89. 1924. I.

its value whereas even at the lowest rates recorded in March, 1924, the French franc still retained more than one-fifth of its value. President Rault concluded:

...the fact remains that unemployment is now inconsiderable in the Saar Territory and that the credit crisis, troublesome though it may be, is much less serious than in Germany.

Stephens himself felt that the introduction of French money into the Saar had saved the territory from economic disaster and had put into the hands of the people a currency the purchasing value of which, when translated into German marks, was considerably enhanced. On the other hand, he recognized that the Treaty, in permitting the introduction of French money into the Saar, had created another powerful French interest in the territory, which the Germans naturally resented.¹

The influence of France was clearly illustrated when in 1925 the French Government informed the Commission that it intended to create a special monetary value for the Saar.² Problems of internal finance had led to this arbitrary decision by the French. In the face of the depreciation of the franc, the Government of France

¹Stephens, Diary, V, July 31, 1924.

²Letter of Dec. 30, 1924, Herriot to Rault. Quoted in Stephens, Diary, IX, Jan. 29, 1925 (This date was incorrectly entered in the diary as Feb. 29, 1925).

was reluctant to ask for new legislation increasing its statutory limit of issue by the Bank of France. Such legislation could be avoided if the francs in circulation in the Saar were replaced by money tokens of the Mines Administration and the francs from the Saar brought into circulation in France.¹

Stephens, the Finance Commissioner, was strongly opposed to any such step by the French government which he felt would have vast political consequences:

The moral effect of the German people being forced to use Mine tokens in the place of real money, will have a serious reaction against the Governing Commission. It will be interpreted as absolute French domination. The whole of Germany will be aroused against France.... There will be the devil to pay and through this press campaign the credit of the Saar may be seriously affected.

There should have been consultation and conference between the French Government and us before such a measure was imposed on the Saar people.²

In fact, the Canadian Commissioner considered the matter the most serious one that had come up before the Commission since he had been in the Saar.³ In the Commission meeting, the President adopted the attitude

¹The Times (London), January 19, 1925.

²Stephens, Diary, IX, January 3, 1925.

³Ibid., January 7, 1925.

that there was little the Commission could do to prevent the execution of this decision by the French Government, the legality of which he considered beyond doubt.

Stephens, on the other hand, declared that he felt a gross injustice had been perpetrated against both the President of the Commission and the Commission as a whole. He wished to reflect on the question and, as member in charge of finance, present a report to the Commission. He hoped that both the President and himself would have the opportunity of discussing the matter in Paris.

Predictably, Lambert supported the President. He maintained that in effect nothing would be changed in the monetary system of the territory. The French franc was still to be the currency of the Saar. The tokens of the Mines would be backed by the Bank of France. It was the opinion of Herr Kossmann that the population would now certainly demand the restoration of the mark. He himself deplored the measure and hoped that it would still be possible to have it revoked.¹

Two days later, President Rault informed the Commission that the Bank of France would delay the execution of the decision as long as possible. Furthermore the President hoped that he and the minister in

¹Procès-Verbal, January 7, 1925.

charge of Finance would be able to pursue the question further in Paris.¹

On January 10, Stephens clarified his views in a letter to the President² in which he asserted that he regarded the decision of the French Government as an unwarranted affront to the whole population of the Saar territory:

That an action legally taken by the Governing Commission in June 1923³ affecting the whole financial and industrial life of the Saar, can be suddenly modified by the necessities of a foreign government, over the heads of the Saar Governing Commission is to me inconceivable.

My personal opinion is, that special money tokens issued by the French State Mines, notwithstanding their convertability into bank notes of the Bank of France under limited circumstances, as proposed, can only be considered a secondary emergency currency. This opinion is based upon the fact that the proposed currency to be substituted for the French franc notes has no circulating value in France itself, outside certain specified districts.

I submit...that the only authority in the Saar Territory that has the right to change in form or otherwise the currency of the country is the Governing Commission of the Saar, not the French Government in Paris.

I submit that, if through untoward circumstances a change in the form of currency now in circulation in the Territory is absolutely unavoidable then negotiations should take place

¹Ibid., January 9, 1925.

²Letter of January 10, 1925. Stephens to Rault. Recorded in Stephens, Diary, IX, Jan. 29, 1925.

³Stephens is referring to the adoption of the French franc as sole currency of the Saar.

between the French Government and the Commission of the Government of the Saar.

As an alternative solution, he proposed that a new currency be issued in the name of the Governing Commission, and that the French State Mines become available as security for the issue of this special currency for the Saar. Such procedure, he maintained, would allow the withdrawal of the French bank notes from the Saar in an honourable way, and leave unimpaired the prestige and authority of the Governing Commission.

On January 15, Stephens arrived in Paris to join Rault who was already in conference with French financial experts.¹ The following day he and Rault met with Etienne Clemental, the Minister of Finance, and M. Fornier, a financial expert of the French Government. Stephens' request that the status quo be respected was flatly rejected. However, it was agreed that Stephens should prepare a written questionnaire to be submitted to which the French would reply, also in writing. The Canadian Commissioner left Paris the following day with the feeling that his mission had failed.²

¹Stephens, Diary IX, Jan. 15, 1925.

²Ibid., Jan. 16, 1925 and Jan. 17, 1925.

Before returning to Saarbrücken he discussed the issue with Lord Robert Cecil in Geneva. Apparently, Cecil, who sided with Stephens, felt the crux of the problem was the dubious legality of the decision by the French Government. Consequently, he advised Stephens to get expert opinions on both the financial and the legal aspects of the issue. Later Erik Colban, the member of the League Secretariat in charge of Administrative Commissions section, whose initial impression was that the decision was illegal, assured Stephens that he would have the question examined and forward the results to him.¹

Subsequently, in a letter dated January 22, Dr. van Hamel, Head of the Legal Department of the League of Nations, informed Stephens that in his opinion the proposed alteration by the French Government was legal.²

Nevertheless, Stephens, in a letter of February 4 to the President of the Commission,³ which was intended to be his written observations for the French Government on the proposed change, again requested that the status quo not be altered. If, however, some alteration was imperative

¹Ibid., Jan. 19, 1925.

²Letter of Jan. 22, 1925, van Hamel to Stephens, Recorded in Stephens Diary, IX, Jan. 29, 1925.

³Letter of Feb. 4, 1925. Stephens to Rault. Recorded in Stephens, Diary, IX, January 29, 1925.

he urged the use of some other method to introduce a less "obnoxious" form of money. He submitted that the psychological effects of the proposed change would be disastrous. Undoubtedly the Mines Certificates would be regarded by the Saarlanders as an expedient to help out France at the expense of the Saar. Once again, he attempted to draw up arguments which would indicate that the decision was illegal.

Not only Stephens but the Saarlanders themselves were not going to accept passively the currency change. On January 22, a meeting was held of representatives of Saar economic circles, including workers. A week later, at a plenary session of the Chamber of Commerce of Saarbrücken the currency question was discussed. Subsequently, the Chamber of Commerce submitted its observations to the Commission.¹ The Chamber saw in the plan of the French Government an enormous danger for the economic life of the Saar. The scheme was seen as a short-term device, the ultimate consequences of which would be serious discredit for the franc. The Saar territory could not exist without a currency that was officially recognized by other countries.

¹Letter of Jan. 31, 1925. Chamber of Commerce to Governing Commission. Recorded in Stephens, Diary, IX, February 2, 1925.

Soon the political parties entered the arena; the Centre, majority party in the Advisory Council, urged the Commission to reintroduce the mark as currency in the Saar.¹ Shortly afterwards, a petition² was submitted by the political parties of the territory to the League in which objections were raised to the proposal. It was maintained that the new currency would not be stable and therefore not be viable. The Council of the League was therefore urged to use its influence with the Commission that the German mark might be reintroduced in the Saar.

Stephens' own strong views were untempered in a letter to J.H. Magowan³, British consul at Mainz:

I do not think...that this is fair play to the Saar...if the powers inherited by the Governing Commission of the Saar under the Treaty are powerless in the face of a foreign decision affecting the whole life of the Territory, there is evidently something radically wrong in the whole position, and this is not only going to affect our position here as a government,...but is going to be a nasty jar for the League of Nations, because there is no doubt in my mind that a very intense political campaign will be started in the Saar against this, and should the League of Nations play no greater role in this question than that of a passive onlooker, the world will probably make up its mind with reference to the League of Nations and this question, which I can hardly imagine will add to the prestige of the League.

¹Saar. Zeit., Feb. 6, 1925.

²Le Danger Monétaire en Sarre.

³Letter of Feb. 16, 1925. Stephens to Magowan.
Recorded in Stephens, Diary, X, Feb. 16, 1925.

When President Rault again spoke in Paris with French officials, including the Premier and the Governor of the Bank of France, he was told that the decision of the French Government was unavoidable, since, if this course were not taken, the Governor of the Bank of France, and several directors as well, would resign. It was pointed out that the new money was not to be introduced in the Saar until after April 1.¹

Suddenly, however, the decision was reversed. The sequence of events in Paris itself throws a considerable amount of light on the cause of the reversal. In fact, the Saar benefitted from a crisis in the French Cabinet at the height of which the Finance Minister resigned.

On April 2, M. Clemental, the Minister of Finance in the French Government, announced in the Senate that the proposal to withdraw the franc from the Saar had been dropped. The opposition of business and labour circles in the territory was given as the reason for the reversal of the decision taken earlier by the French Cabinet. Instead the notes in circulation in France would be

¹Stephens, Diary, X, February 19, 1925.

increased by a limited amount. As a direct result of this statement, which had been made without the approval of the Cabinet, M. Clemental resigned his position as Minister of Finance.¹ The proposal to introduce special money tokens in the Saar was not subsequently taken up by the French Government. Because of the circumstances in which the proposal was dropped, it appears likely that the franc remained in circulation in the Saar, not so much because of the opposition in the territory to its removal but because of the inability of the French Government to fix on any one solution to its own financial difficulties.

Nevertheless, the personal contribution of Stephens in bringing about this reversal did not pass without notice in the Saar, for shortly after the announcement in Paris, Hermann Röchling wrote the Canadian Commissioner congratulating him on the successful outcome of his efforts on behalf of the Saarlanders.²

In looking back on the problems of economy and finance described above, one is most impressed by the weakness of the Commission as a whole and even more so of an individual Commissioner in a confrontation with the

¹The New York Times, April 3, 1925.

²Letter of Röchling to Stephens of April 8, 1925, Recorded in Stephens, Diary, XI, April 16, 1925.

French State. Thus even at the time when French influence had presumably been reduced to a minimum it was, nevertheless, a constant factor in the economic life of the Saar. In the light of this situation, the amount of success the Commission experienced in defending the economic interests of the Saarlanders was noteworthy indeed. Moreover, a considerable amount of credit for this success must be given to Stephens himself who refused to yield when his fellow Commissioners gave him little support.

CHAPTER VI

THE COMMISSION AND THE LEAGUE COUNCIL

During the period 1923-1927, the League Council continued the policy which it had begun earlier of not interfering with the operation of the Commission except where intervention appeared absolutely essential.¹

During this period there were only three issues over which the Council chose to give the Commission direction in the course it should follow. Of these three, one concerned labour and one customs and the third involved the troop problem. The last being by far the most important question treated by the Council during this period, the two less significant problems can be examined first and without great detail.

The first incident in which the Council intervened in the territory was actually a remnant of the inquiry of July, 1923. As part of the exceptional measures which had been taken by the Commission in order to deal with the Miners' strike in 1923 a decree prohibiting picketing had been issued by the Commission.²

¹On the Commission and the League prior to 1923 see Russell, International Government, 198f.

²See above, 90.

Unlike the provisional decree of March 7, 1923, the picketing decree had not been withdrawn by the Commission prior to the Council enquiry of July, 1923. The Council had, however, left it to the discretion of the Commission "to decide upon the moment when it is advisable to return to the normal course of law."¹

Shortly after Stephens took over the Finance Department, he was informed by M. Fontaine, who was both director general of the French State Mines and President of the International Labour Organisation of a petition from Saar workers demanding legislation to permit peaceful picketing.²

Since the Commission appeared to be taking no action to withdraw the decree, Lord Robert Cecil raised the issue at the League Council meeting of December 15, 1923. At this time he requested information from Rault as to why the decree had not been withdrawn. Rault replied that it was impossible to say when the decree would be withdrawn. He had informally consulted the three other members of the Governing Commission who had

¹LNOJ, August, 1923, 930-1.

²Stephens, Diary, I, October 25, 1923.

voted for the decree and they were unanimous in considering that it would be inadvisable to withdraw the decree at this time. He had not consulted the Canadian member who had not been a member of the Commission when the decree had been issued.

The Swedish delegate, M. Branting, pointed out that the continued refusal of the Advisory Council to discuss the decree was a clear indication of a divergence of opinion between the Saar population and the Governing Commission. It would be well to remove this divergence. Furthermore, he regretted that the Canadian member had not been consulted. He hoped that it would be possible for the Governing Commission to reconsider the question. However, M. Hanotaux (France) pointed out that "the moment was not opportune".¹

There was little logic behind Rault's reluctance to bring up the question with Stephens, who, although he may not have been qualified to express an opinion as to the necessity for the promulgation of the decree in May, 1923, was certainly entitled to an opinion as to whether or not the decree should be abolished.

Despite his negative attitude at Geneva, Rault

¹LNOJ, February, 1924, 352-3.

proceeded almost immediately to the preparation of a new picketing ordinance, to be modelled along the lines of British legislation. On July 15, 1924, the decree of 1923 was withdrawn. The new decree permitted, but regulated, picketing.¹ Thus the disapproval at Geneva of the Commission's policy produced prompt results in this case.

In the second case where the Council intervened between the Commission and the Saarlanders the justice of the complaint made by the inhabitants was more difficult to determine. Their grievance arose as a result of the interpretation given by the Commission to the clauses of the Treaty regulating the flow of goods from Germany into the Saar prior to the incorporation of the territory into the French customs regime.

According to the terms of the Treaty, products originating in and passing from the basin into Germany were to be free of import duties for five years from the date of coming into force of the Treaty. During the same period, articles imported from Germany into the territory for local consumption were also to be free of import duties.² Early in 1924, the German Government, on behalf of commercial circles in the Saar, protested to the

¹Ibid., December, 1924, 1783.

²Par. 31 of Annex to Arts. 45-50.

Commission against procedure which was hampering the export of German goods to the Saar. The German authorities requested that the Commission attempt at least to simplify the procedure and thus accelerate the delivery of goods.¹

In a letter to the German Minister of Foreign Affairs,² President Rault explained that certain new regulations had been introduced because during the last months of 1923 and the beginning of 1924, a large number of newly established firms had applied to import German goods duty-free into the territory. Importers had for some time been required to verify by a certificate of destination that the goods were for use only in the Saar. It was the opinion of the Commission that certificates were being applied for in respect of quantities for which firms had no sale and "which it was clearly their intention to put into store." Consequently, the Imports Control Department had decided to postpone granting applications from firms established in the territory after June 1, 1923. Meanwhile it hoped to ascertain, by comparison with the applications from the older firms, the

¹LNOJ, July, 1924, 1022.

²Ibid., 1023.

extent to which the applications of the new establishments corresponded to their genuine requirements. It was in consequence of this procedure that delays had occurred.

Not long after, the German Government, in another letter to the Commission¹ noted that further complaints from commercial circles had been received. Apparently firms complained that the quantities fixed would be exhausted long before January. The Germans charged that:

...the Governing Commission's measures are incompatible with the provisions of the Treaty of Versailles; they are indeed, tantamount to the withdrawal of the right of free importation of German products into the Saar...even when there is conclusive proof that such products are intended for consumption in the Saar.

Subsequently, in a letter of May 29,² the German Government informed the Council of the situation and of the exchange of letters. The Council was urged to use whatever means were at its disposal to prevail upon the Commission to alleviate the situation.

About the same time another protest was made, this time by the Chamber of Commerce of Saarbrücken,

¹Ibid., 1023-5.

²Ibid., 1022.

against the restrictions which in effect limited importation from Germany prior to January 10, 1925. It was pointed out that these restrictions were not in conformity with the terms of the Treaty. In particular, it was emphasized that the importation of machines had come almost to a standstill.¹

In a letter to the Secretary General of the League² President Rault pointed out that during the first few years the Commission had not experienced any difficulty in enforcing the terms of the Treaty in regard to imports from Germany. However, in March 1923, it was deemed necessary, because of certain difficulties, to require a certificate of destination of importers of German goods introduced into the territory free of duty. This certificate was to contain a sworn statement that goods imported duty-free would either be consumed in the Saar or re-exported to Germany. Later, owing to the great increase in applications for certificates of destination, the Commission determined to check the certificates themselves. According to Rault, a large number of new firms had been established which were merely agencies of German

¹Letter of May 28, 1924. Chamber of Commerce to Governing Commission. Recorded in Stephens, Diary, IV, June 4, 1924.

²LNOJ, July 1924, 1025-8.

firms and which "were endeavouring to build up stocks of German goods imported free of duty." Various trading organisations had requested the Governing Commission to protect them against the influx of duty-free German goods into the Saar. To illustrate his point Rault noted that the import applications, which during 1923 had numbered about 500 per day, rose to 1500 during December 1923. Serious congestion on the railways had been an inevitable consequence. With regard to the import of machinery, the imports during the first three months of 1924 were on such a scale that, in the opinion of Saar officials, the territory was being stocked with machinery and spare parts sufficient for at least ten years. In the opinion of the Commission the object of the manufacturers was to import this machinery before January 10, 1925 in order to escape payment of the customs duties. It was considered that these quantities could not be regarded as necessary for local consumption within the meaning of the Treaty. Consequently, the Commission fixed a limit on the amount of machinery to be imported duty-free into the territory, at a level not to exceed the average for the years 1920-1922, plus fifty percent.

Clearly, the Commission's argument centered around its interpretation of the phrase 'local

consumption', which it regarded as referring solely to the local consumption of the Saar during the five-year transition period prior to January 10, 1925. It is not surprising that this interpretation of the meaning of the Treaty was challenged by the Germans.

The point was raised at a League Council meeting for the first time on June 17, 1924. The rapporteur, after informing the Council that it was the desire of the British to place certain observations on the subject before the Council, proposed that discussion on the question be postponed to the next session of the Council.¹

Before that time another complaint was lodged, this time by the political parties in a petition to the League of August 9, 1924,² against the Commission's interpretation of the Treaty on the point. The parties maintained that the Saar population depended in its domestic and industrial life upon the free access of German goods. By placing difficulties in the way of the import of German goods, the Governing Commission had failed in its duty to advance the welfare of the Saar population.

¹LNOJ, July 1924, 932.

²The Draining of the Resources of the Saar Territory by France.

When the question was raised at the Council meeting on September 19, 1924, the British delegate, Lord Parmoor, informed the Council that in the opinion of British legal experts "rationing was not a principle which could be applied under the terms of the Treaty." However, he expressed the view that the application of quantity regulations in such a liberal way that no difficulty might arise "might be one way of meeting the question."¹

Obviously, the British delegate did not want to make a real issue of a question which involved the interpretation of the Treaty. Had the British Government pursued the question further it would undoubtedly have placed itself in a difficult position since the authors of the Treaty had granted the Commission the right to interpret the terms of the Treaty in so far as they concerned the Saar.

Nevertheless, the Commission yielded to the pressure exerted by the British Government at Geneva and in a communication of September 1, 1924, agreed that the regulations concerning the quantities of goods be applied "in an extremely liberal spirit."² Once again the Council had succeeded with considerable ease in bringing about a

¹LNOJ, Oct. 1924, 1312-3.

²LNOJ, December, 1924, 1787.

modification of the policy of the Commission. It is of course not without significance that in the first two instances of Council intervention the interests of France were not seriously affected. However, in the third instance, in which French interests were vitally concerned, no such simple solution was to be reached.

Just as in the period before, the most serious problem to be dealt with during the years 1923 to 1927 was that of the presence of French troops in the territory. The anxiety caused by this issue within the Saar itself, not to mention in Berlin, was reflected in the concern of the League Council. This was, in fact, the one issue on which the Council, largely because of the concern of the British, had already taken some initiative in urging the Commission to reach a solution and where it continued to do so until the problem was resolved. The Council had assured itself of constant supervision over developments when, in 1923, it proposed that the Commission submit its programme for the increase of the local gendarmerie before adopting its budget for the year.¹

Yet it was the opinion of Magowan, the British consul at Mainz, that by 1924, the matter had almost

¹LNOJ, April, 1923, 364.

ceased to be regarded by the inhabitants of the territory as an interference with their liberties. As far as he knew, the presence of the troops was not particularly noticeable or objectionable. They were certainly less onerous than the occupation forces of the Rhine if only because the burden of their maintenance did not fall on the Saarlanders. Hence Magowan had concluded:

The outcry against the presence of French troops has been organised first and foremost because it is an excellent stick, seeing that the treaty terms are what they are, with which to beat the French dog. But apart from that consideration, it is widely felt that the French mean to keep troops in the Saar for an ultimately political aim, and that this is unjustifiable in theory and may prove to be unjust in practice.¹

Kossmann at one time confided to Stephens that in fact the rule of the Prussian State Mines aided as they were by the German troops had been much more severe than was the regime under the French garrison.² On the other hand, it must be admitted that there were incidents when the French troops aroused hostile feelings on the part of the Saarlanders. Stephens recorded several incidents when the behaviour of the French troops was at least "incorrect".³

¹Br. Doc. c/2691/1616/18, p.2 (Stephens Papers).

²Stephens, Diary, IV, April 15, 1924.

³Ibid., XIII, February 21, 1926.

At the time of the League enquiry in 1923, President Rault clarified the relationship between the troops and the French Government. In answer to a question from Lord Cecil, Rault explained that the French troops were paid for by the French Government. Although they were not part of the army of the Rhine, they were directly under the orders of the French Minister of War and were in the same position as garrison troops quartered in towns of France. They were completely independent of the Governing Commission. However, during a disturbance or a strike they were at the disposal of the Chairman of the Governing Commission. At the time of the enquiry there were in the territory about 2,200 troops, 1,800 of whom were available for duty.

At the same time, President Rault told the Council the basic problem was that it was necessary to have about 4,000 gendarmes in the territory in order adequately to replace the French troops. In normal conditions 2,000 to 2,500, 500 of whom should be mounted, was the lowest possible number. However, he pointed out that it was very difficult to recruit more than 200 per year.¹

In February 1924, President Rault, in his capacity as head of the Department of the Interior, laid

¹LNOJ, August, 1923, 915-7.

before the Governing Commission a report on the development of the gendarmerie. At this time the strength of the gendarmerie was 355 men. He proposed that for the financial years 1924, 1925, and 1926, contingents of 500 men be engaged, to bring the strength to more than 1,800 by 1927. On this occasion, however, Stephens, the finance minister, was unable to support Rault's proposals.¹ The additional expenditure would make it difficult to balance the 1924 budget. He pointed out that the customs revenue was as yet small and that therefore it might be advisable to restrict the development for the following year to 200 instead of 500 men. Here was one case where Stephens thought pre-eminently as a finance minister:

I am of the opinion that the development of the local gendarmerie, whose utility I do not, of course under-estimate, must be governed by the financial situation of the territory.

The report subsequently submitted to the Council therefore was based on the proposal to increase the gendarmerie by 200 men in the year 1924-1925.² At the Council meeting on March 11, 1924, however, Lord Parmoor questioned this decision when he stated that all the political parties in the Advisory Council had stated their

¹Procès-Verbal, February 13, 1924.

²LNOJ, April, 1924, 583-5.

willingness to bear the burden of the extra taxation necessary for the immediate increase of 500 gendarmes. Furthermore, the parties maintained that a total force of 1,000 gendarmes would be ample and this total could be reached by the end of 1924-1925. As representative of the British Government, he wanted to press for as rapid an increase of the gendarmerie as possible.

In his reply, President Rault maintained that it was absolutely impossible to ensure the security of the French State mines and the great industries with 1,000 gendarmes. The French State mines possessed sixty installations which were scattered over an extensive area. The possibility of strikes must be taken into account. In order to ensure public security in the territory, it was indispensable to have a gendarmerie of some 3,000 men.

Stephens pointed out to the Council the financial considerations which had led him to reject the proposal to increase the gendarmerie by 500 during the next fiscal year. The receipts for the eleven months during the year 1923-1924 fell short of expenditures by forty-four million francs. The Saar was presently passing through an economic crisis. In addition, the depreciation of the franc had caused a situation of great

financial complexity. If the financial situation in the Saar improved during the next twelve months, he would be the first to propose an increase in the gendarmerie and a decrease in the military of the Saar.

For his part, Branting commented that it was difficult for the Council to form an opinion as to the number of gendarmerie required and as to how the financial difficulties bearing on its increase might be met. It seemed to him that this question, among others which the Council was considering, showed that it was more and more necessary that the elected representatives of the population of the Saar should be able in some way or other to make their views known at Geneva. Otherwise it would be impossible for the Council to form any very clear idea of the various problems submitted to it concerning the administration of the Saar. Nevertheless, he was glad to hear that M. Rault now estimated that 3,000 gendarmes instead of 4,000 were sufficient to maintain order in the territory.¹

The basic issue was smoothly avoided by M. Hanotaux, the French delegate, who emphasized that the phrase "troops of occupation" must be abandoned. In the

¹In July, 1923, Rault had estimated that 4,000 gendarmes were necessary. See above, 216.

Saar territory there were only garrison troops. A garrison was necessary to provide against serious events, such as the outbreak of strikes. The forces of order in the Saar should not be decreased in any extreme manner. Care must be taken not to provoke by an excessive decrease in the forces, events which might have the most deplorable consequences.¹

Criticism of proceedings at the Council meeting soon came forth from a variety of sources. The Saarbrücker Zeitung had little sympathy for the financial problem. The Commission should have no difficulty in finding the necessary credits if it borrowed on some of the sources of the territory, principally the French State mines. Furthermore, the paper argued, 1,000 men were ample for the security of the territory.²

In Britain, the London Times found fault with Lord Parmoor "who opened the discussion on the right line, (but) promptly gave way". The British delegate was criticized particularly for not having supported Branting in his proposal that the Saar delegation be heard. In the opinion of the Times, Lord Parmoor was no match for "experienced wire-pullers like M. Hanotaux".³

¹LNOJ, April, 1924, 505-8.

²Saar. Zeit., March 26, 1924.

³The Times (London), March 17, 1924.

As would be expected, the German Foreign Office was also considerably disturbed by these developments at Geneva. The anxiety of Berlin was natural because of its fear of the presence of French troops in the territory at the time of the plebiscite. In 1924, because of the extremely slow rate of growth of the gendarmerie, it appeared that such a prospect might well be possible. For this reason, the Germans were anxious to have a date fixed for the evacuation of the French troops.¹

That the British were sympathetic to the German view, was reported to Berlin by the German ambassador in London after an interview with Lord Parmoor. The British delegate was convinced that there was no real danger that the plebiscite would take place while French troops were still present. His impression was that, owing to her failure to arouse sympathy for the cause of separatism in the Rhineland, France was more anxious to win the sympathy of the German people and especially, now, since it seemed evident that the plebiscite would be in favour of a return of the Saar to Germany.²

¹Letter. Foreign Office, Berlin to Embassy in London, March 28, 1924. N.A. T-120, serial K 2110 frames K 579169-72 (II, Bes. Geb., Saar. Pol. Ang.).

²Letter of Sthamer, London to Foreign Office, Berlin, April 14, 1924. Ibid., frames K 579221-2.

About the same time another German was received in London, when Hermann Röchling conversed with Prime Minister Ramsay MacDonald, Sir Eyre Crowe of the Foreign Office, and Robert Donald, the most severe British critic of the Saar administration. At this time Röchling assured the British that the Saarlanders were ready to bear the burden of additional taxes in order that the gendarmerie be adequately increased.¹

Perhaps this external pressure led Stephens to re-examine his position on the financial prospects of the territory for the next year. On April 4, he wrote the President saying that he now considered it possible "from a financial point of view to increase this year's recruiting of 200 gendarmes to 400".² Stephens' revised view of the financial situation was based on the retention of the five percent tax on coal for the next year,³ plus an increase in railway charges at this time. Subsequently, the Commission unanimously agreed to the increase proposed by Stephens. By virtue of this increase the gendarmerie would consist of 755 men at the end of the financial year

¹Internal Memorandum signed by Schubert, April 4, 1924. Ibid., frames K 579230-9.

²Letter of Stephens to Rault, April 4, 1924, recorded in Diary, IV, April 15, 1924.

³See above, 180.

1924-1925.¹

Nevertheless, the German Government found that, unlike Lord Parmoor, it could not be particularly optimistic about the withdrawal of French troops in the near future. In a letter to the League of May 30, 1924,² the German Government pointed out that it was entirely incompatible with the independence of the Saar administration that the expenses of so important a branch of the Administration as that responsible for the maintenance of public order should be borne by a foreign country. If the future rate of progress was to be gauged by the experience of the past four years, the gendarmerie would be far below the requisite strength in the year 1935. Even on the most favourable assumption, many years would elapse before its organisation would be completed. Therefore the League was requested to appoint a fixed date, in the near future, by which the Governing Commission would have to have completed the organisation of the local gendarmerie and by which the French troops would have to have been withdrawn.

At the Council meeting of June 11 the letter was swept under the rug when the rapporteur proposed that

¹Procès-Verbal, April 15, 1924. See also LNOJ, June, 1924, 889.

²LNOJ, August, 1924, 1058-9.

consideration be postponed to the next session at which time the observations of the Governing Commission would be available. The reluctance of the Council to apply pressure to the Commission was again apparent at this meeting. Far from wishing further to coerce the Commission at this time, M. Salandra proposed that the Council ask the Secretary General to inform the Commission of the satisfaction with which it learned of the decision to expand the local gendarmerie by 400 men. Lord Parmoor thought that the step taken by the Governing Commission was a very happy one and that the Council should congratulate itself that the Commission had deferred to the wish which it had expressed in this matter.¹

Subsequently, the question was discussed at a meeting of the Commission on July 15, 1924. The divergence in views of the Commissioners became clear at this meeting. For his part, Herr Kossmann expressed the view that it would be possible for the troops to fulfill their function if they were installed outside the territory as close to the frontier as possible, for example, at Forbach or Sarreguemines. He felt that in normal circumstances 1,000 gendarmes would be sufficient. Both Stephens and Lambert expressed agreement with this number.

¹Ibid., July, 1924, 900-1.

The President, who consistently defended the interests of the French on this issue, pointed out that it was necessary to distinguish between the cases where the local gendarmerie was perfectly sufficient and those where it would not be adequate to maintain order. For example, in the case of a Franco-German conflict, it would be impossible to assure the security of the railways with only the local gendarmerie.

For his part, Stephens was still troubled by the financial aspect of the problem. On the other hand the view of M. Espinosa de los Monteros was made definite when he said that the presence of the French troops was incompatible with the terms of the Treaty of Versailles. He felt that the League Council should study the question and advise the Commission. It appeared that it was necessary to maintain some troops but the agreement of the Council to this solution must be obtained.¹

Subsequently, a letter was forwarded to the League by President Rault on behalf of the Commission. No mention was made of the view that under normal conditions 1,000 gendarmes would be sufficient. The minimum number of gendarmes was again put at 3,000. The difficulties

¹Procès-Verbal, July 15, 1924.

involved in recruiting 3,000 suitable candidates were emphasized. It would be impossible to recruit more than 500 gendarmes per annum.¹

By this time, within the territory there was a good deal of discontent with the attitude of the Commission. In a petition of August 6, 1924,² to the League the political parties of the territory, employing their usual logic, contended that the Commission was desirous of having foreign troops at hand, under all circumstances, so that measures of force might be carried through. All other arguments, such as the large number of gendarmes necessary, the difficulties of enlistment, and the high cost of maintenance, were merely pretexts. Clearly, a government which has to rely on foreign bayonets proved that it had failed to win the confidence and cooperation of the people.

Shortly after, Stephens' views on the question were demanded in a confidential letter from two members of the Advisory Council, Röchling and Levacher.³ Stephens

¹LNOJ, August, 1924, 1059-60.

²The French Military Forces in the Saar Territory.

³Letter from Röchling and Levacher to Stephens, Aug. 11, 1924. Recorded in Diary, VI, Aug. 21, 1924.

replied that he was of the opinion that 1,000 gendarmes would be sufficient to keep order under normal circumstances. However, he considered:

That the Treaty having put upon the Governing Commission the responsibility of protecting all interests and maintaining order under all circumstances, this can only mean what it means in all normal countries, that there shall be at the disposal of the government some force strong enough to protect the lives and property of all under all circumstances and at all times.¹

For Stephens there simply was no easy solution for this problem. For the good of the Commission he felt that it would be better if the troops were evacuated. However, there were good reasons why they had been and still were necessary. To start with, he felt that, had the Commission not had some military authority at its disposal in 1920, it would have been unable to establish itself as the government of the Saar. Furthermore, in 1924, he was of the opinion that, not only for the security of the mines but also for the preservation of the present system of government, a local gendarmerie would be inadequate in time of trouble.² At this time he saw the replacement of the French troops with a neutral force as

¹Letter from Stephens to Röchling and Levacher, Aug. 21, 1924. Recorded in Diary, VI, Aug. 2, 1924.

²Stephens, Diary, IV, April 28; May 3, 1924.

the only workable solution.¹ Later, however, he began to consider favourably the proposal already made by his predecessor, R.D. Waugh, that the French troops be withdrawn to Lorraine, where they would be available in case of serious trouble.²

The prospects for the coming financial year were considered at a meeting of the Commission on February 4, 1925. Stephens seized the opportunity to remind his colleagues that the Commission had estimated that the local gendarmerie should number at least 3,000 men.³ In his opinion, the finances of the territory could not bear the burden of this expense. Rault, on the other hand, considered that an additional 500 recruits was absolutely necessary even for normal times. To provide a solution for exceptional circumstances he felt that the Commission should enter into negotiations with the League Council.

Herr Kossmann reiterated his view that 1,000 gendarmes was the maximum necessary for normal needs. From the financial point of view an addition over the next year of 250 instead of 500 to the existing force of

¹Ibid., V, July 31, 1924.

²Ibid., VII, Nov. 24, 1924.

³See above, §.18.

755 would be more favourable to the population. Even now the gendarmes had not enough duties to occupy their time fully. Both Lambert and Stephens supported this proposal, Stephens largely for budgetary reasons.

Consequently, it was decided that the gendarmerie would be increased by 250 over the next fiscal year, 1925-1926.¹

However, before the Council considered the report of this decision, on February 19, the German Government forwarded another letter to the League² on the question of the presence of French troops in the Saar:

The German Government can not acquiesce in the postponement year after year of such an important question.... The text of the Treaty is quite clear. 'Only' a local gendarmerie for the maintenance of order may be established. This provision does not permit the presence of French troops for several years for the purpose of maintaining order. Moreover, as the German Government has constantly had to point out, the presence of French troops is not in any way compatible with the character of the Saar Territory as a plebiscite territory, since France is interested in the result of the plebiscite.

At the Council meeting of March 13, 1925, the British delegate, Sir Austen Chamberlain, stated that the British Government attached great importance to increasing

¹Procès-Verbal, February 4, 1925.

²LNOJ, April, 1925, 562.

the local gendarmerie to such a strength as would permit the withdrawal of the French troops as soon as possible. In addition he hinted at a possible solution. He hoped that the Commission would consider whether, when the gendarmerie numbered 1,000, it might not be possible and wise to remove the rest of the French troops from the territory, while maintaining them sufficiently near the frontier to make them available if necessary.

In his reply, Rault gave no hint of the disagreement among the Commissioners as to the number of gendarmes necessary in the territory. He referred only to the report of the previous year in which the minimum number had been set by the Commission at 3,000.¹ Speaking personally, he had no doubt that 1,000 gendarmes would be insufficient to ensure public order were the French troops to be withdrawn and were a general strike or some grave incident to occur.²

The following day the Council adopted a resolution requesting that the Commission submit a report on the manner in which it would be possible, in the absence of troops, to carry out the terms of the Treaty which laid down that it would be the duty of the Governing

¹See above, 218.

²LNOJ, April, 1925, 464-8.

Commission to provide in all cases for the protection of persons and property in the Saar Basin. In preparing its report, the Governing Commission was to take into account the possibility of obtaining the assistance of troops stationed outside the territory.¹

About this time the point of emphasis in the French argument of the necessity of troops in the Saar began to change. Up to this time the argument had been based on the necessity of protecting property in the territory and particularly the French State Mines. Hints of a new emphasis had already been dropped in Geneva.

After the Council meeting the German consul in Geneva reported to Berlin on a conversation he had had with Erik Colban.² According to this report, the basic reason for the maintenance of French troops in the Saar was to insure the freedom of transport of troops from France to the occupied territory of Germany.³ Although

¹Ibid., April, 1925, 484.

²See above, 198.

³Telegram of Aschmann, Geneva, to Foreign Office, Berlin, March 19, 1925, N.A. T-120, serial K 2110, frames K 579970-2.

the question of the freedom of transport had not yet been raised publicly, this appears to have been the real issue and had been recognized as such for some time by Stephens.¹ Not long after, this reason for the maintenance of French troops began to be expressed publicly in the French press.²

Among the Commissioners themselves there was still great controversy as to the number of gendarmes necessary in the territory. On January 21, 1926 , President Rault presented a draft of the report intended for the League Council on the maintenance of order in the territory, in which he noted that by March 31, 1926, the effectives of the local gendarmerie would number 1,005. He proposed that for the next fiscal year (1926-1927) 250 additional gendarmes be recruited. Once again Kossmann expressed his opposition to any expansion of the gendarmerie beyond 1,000 men. This number was sufficient provided that, in case of need, troops stationed near the territory

¹Stephens, Diary, III, March 9, 1924.

²See Journal d'Alsace et de Lorraine, September 6, 1925. However, in the opinion of at least one member of the German Foreign Office, Herr Voigt, the real issue was always the demand of the French State Mines for protection. [Report from Voigt, Saarbrücken, to Foreign Office, Berlin, May 22, 1926, N.A. T.120, serial K.2210, frames K 580325-30 (II, Bes. Geb. Saar. Pol. Ang.) .]

could be called on. At this time, Stephens, Lambert, and Vezensky expressed agreement with the Saar Commissioner that under normal circumstances 1,000 gendarmes were ample.¹

The new French argument now began to be taken up by President Rault. At a meeting of the Commission on January 28, 1926 at which he presented an addition to the report discussed the week before, the necessity of keeping the railways free at all times as well as protecting the mines was emphasized. Stephens, however, was careful to point out that France had no unique needs in this regard. France and Britain had a special interest in the safeguarding of rail traffic crossing the Saar, for they both had troops in occupied Germany. Therefore he was glad that the President was going to call the attention of the League Council to this problem.²

In the report subsequently submitted to the League there was at last agreement on the number of gendarmes necessary under normal circumstances, the figure being set at 1,000. However, it was pointed out that a local gendarmerie of 1,000, which was close to the maximum financially possible, could not provide adequate

¹Procès-Verbal Jan. 21, 1926.

²Ibid., January 28, 1926.

protection except under normal circumstances. Therefore, the Commission was convinced that to fulfill the terms of the Treaty, it must have recourse to troops stationed outside the Territory.¹

Since the Council itself had already suggested this possibility, there was never any real doubt that general agreement would be reached on the right of the Commission to call in troops from outside the territory. However there was little chance that such a solution would give complete satisfaction to the French.

By this time, however, as the French began to emphasize the freedom of transport the question of the development of the local gendarmerie was ceasing to be the real issue. By the same token, the matter was becoming less the concern of the Commission itself and more a problem for the powers at Geneva.

Consequently, in order to clarify the situation, there was an exchange of views between the respective Foreign Offices in France and Britain. In a confidential note communicated by the French ambassador on January 25, 1926,² the French pointed out that the maintenance of

¹LN Doc. C. 40. M. 20. 1926. I.

²Br. Doc. C. 2691/1616/18. Annex B.

order was a prime concern of the Allies, particularly because of the importance of the Saar railways as a means of communication with the Rhine occupation forces. The French Government would not be able to remit to the local gendarmes the task of securing the rail transport. The Commission would have to have the right to call on troops stationed near the frontier. In addition, a new proposal was made by the French. It would be necessary to maintain, in the territory, after the withdrawal of the troops from the territory, a railway commission and a Franco-British military contingent which would guarantee the security of the ways of communication.

In a second note¹ prepared by French military authorities it was explained that the railway commission would be interallied and composed of representatives of the allied armies and technical experts. It also was specified that the allied military contingent would not be at the disposition of the Governing Commission but of the Armies of the Rhine.

Subsequently, the Foreign Office in Britain began a serious study of the problem. It was the opinion

¹Ibid. Annex C.

of Sir C. Hurst, legal advisor of the Foreign Office, that the Commission was entitled to call in foreign troops from outside in any time of disturbance. The installation by the Governing Commission of an officer for the purpose of making sure that feasible railway arrangements existed or could be made to bring in troops in an emergency would be consistent with the Treaty. However, the presence of a Franco-British military detachment, the formation of which had been urged in the French note, which was to be at the disposal of and under the orders of the occupying forces in the Rhineland, appeared to him to be clearly inconsistent with the Treaty.¹

It was the opinion of Sir Austen Chamberlain, the Foreign Secretary, that the presence of a military detachment in the Saar Basin after the withdrawal of the troops was unnecessary. The War Office in London agreed with this view, unless it were to be found in the future that the local police forces were unable to guarantee inviolability of allied goods in transit through the territory. On the other hand, it was considered that the presence of a small allied railway sub-commission working under the Inter-Allied Railway Commission, if not

¹Ibid., Annex D.

essential, was at least desirable. As the legality of this suggestion was doubtful, it was proposed that the railway commission could work under the Saar Governing Commission in liaison with the Inter-Allied Rhineland Railway Commission. When the new line of communication had been thoroughly established and working smoothly, it might be possible to replace the sub-commission by a single officer attached to the Saar Commission.¹

On March 1, 1926, in an interview with M. de Fleuriau, the French Ambassador, Chamberlain informed the French that the British Government entirely concurred in the view that the Saar Governing Commission should be empowered to call in French troops stationed near the frontier in case of emergency. However, in the opinion of the British, it would be inconsistent with the Treaty that a military detachment should be quartered in the Saar to serve the purely external interests of the armies of occupation in the Rhineland. The alternate solution proposed by the British at this time closely resembled that made by the War Office.²

The third party which still had to be considered was the Foreign Office in Berlin, which was by no means

¹Ibid., Annex E.

²Ibid., Annex F.

inactive at this time. Also about this time, Berlin prepared a confidential memorandum for the next League Council meeting to take place in March. While repeating the arguments already formulated in earlier letters to the League, the Foreign Office considered the proposal that the French troops be stationed outside the territory but near the frontier. This proposal it found not much more favourable than the present situation. Such a suggestion was incompatible with the terms of the Treaty for by its terms protection was to be accorded only by a local gendarmerie.¹

However, at the Council meeting no discussion on the troop question was held. The Council, without discussion, adopted the resolution proposed by the rapporteur that the Commission be invited to submit proposals for consideration at the next Council session on the measures required for ensuring freedom of transport and transit over the railways of the territory. Again a hint of a possible solution was given to the Commission. The Commission was to consider particularly a railway commission to be at the disposal of the Governing Commission and possessing the necessary powers to ensure

¹Memorandum for the League Council meeting dated March 25, 1926. N.A. T-120, serial K 2110, frames K 580227-84. (II Bes. Geb. Saar. Pol. Ang.).

freedom of transit.¹ Nevertheless it was obvious that the French and the British had failed to reach a final agreement on this issue and hence discussion in the Council was postponed.

On the other hand, another decision taken by the Council at this time proved to be of major significance for the solution of the troop problem. It was at this meeting that Rault's resignation was presented and Stephens' appointment made to replace him as Chairman of the Commission.² There can be little doubt that the appointment of a British Chairman at this time hastened the solution of the troop problem.

Because of the urgency of finding a solution to the problem the British now entered into correspondence with Stephens. Indeed this event in itself is significant for this was the only issue on which there was an exchange of correspondence between the Government and Stephens as the British member of the Commission. The British emphasized that only when the withdrawal of the French troops was complete could the situation be regarded as being in accord with the Treaty. Stephens was informed

¹LNOJ, April, 1926, 528.

²Ibid., 531.

of the exchange of views between the French and the British. In a letter signed by Miles Lampson, a Counsellor of the Foreign Office, Stephens was told:

Our firm view...is that the presence of a military detachment is open to the same legal and political objections as that of the present troops.... We are therefore absolutely opposed to this part of the French suggestion and trust that nothing will be said in your proposals to the Council which will in any way support or endorse it. That is a most important point, and I would beg that, if it becomes necessary, you will definitely dissociate yourself from any majority report of the Governing Commission in favour of it.

We don't really like the idea of the railway commission, but are ready to agree to it as a face-saving device for the other side: but its numbers must be really limited...¹

The action of the British in this instance must be considered somewhat irregular. Stephens was in no sense to be considered a representative of Britain, nor a defender of the British position but only as an appointee of the League Council and, therefore, responsible to it alone. Nevertheless his attitude toward the troop question which up to this time had been vacillating appears to have been influenced considerably by this communication and henceforth the line he adopted closely reflected that of the British Government.

¹Br. Doc. C. 5196/514/18. Letter of Lampson to Stephens, May 11, 1926.

When the troop question was raised at a meeting of the Commission on May 6, 1926, it was decided that the Commission could not decide on the terms of a report to be presented to Geneva before receiving a technical report from the Department of Public Works.¹ In a report which was presented to the Commission on May 18, Lambert, as minister of Public Works, concluded that to protect the essential railway routes, it was necessary that the railway commission have at its disposal an effective of 3,000 men in the territory. Even the French member, M. Morize, thought that the number might be reduced somewhat and suggested that two battalions might be sufficient. For his part, Vezensky, the Czech member, while considering that, under the Treaty, the Commission could allow troops in the territory, felt that he was not competent to say if 3,000 men were necessary. He could only say the troops should be reduced to the minimum necessary. Herr Kossmann considered that the proposal of Lambert was not in keeping with the instructions that the League had given to the Commission which specified that the French troops should be withdrawn. The railway commission should not have a military character, but consist only of technical

¹Procès-Verbal, May 6, 1926.

experts who could analyze the military problems concerning the freedom of transit. Any additional auxiliary technical forces which were to be placed at the disposition of the Commission should be recruited, as far as possible, in the territory itself. Stephens expressed the British view that the establishment of a military contingent, which would not be at the disposal of the Commission was incompatible with the terms of the Treaty.¹

Since no agreement had been reached at the meeting of the 18th the question was again raised the following day. On the whole, the lines taken the previous day remained unchanged. Morize pointed out that if Stephens admitted the necessity of a military railway commission, he also admitted the legality of the presence of troops at the disposition of the railway commission. Stephens, however, held fast to the position he had taken the previous day, pointing out that he was presenting the British view. Lambert retorted that a solution could not be found if certain members of the Commission found themselves tied by instructions from their governments. Stephens replied that he had not received "instructions" from the British Government but that he was bound to

¹Ibid., May 18, 1926.

convey the point of view of his government in so far as he knew it. He was bound by the point of view of the British military authorities as M. Morize was by the French.

Obviously, no compromise was possible at this time between the views of Stephens and Kossmann on the one hand, and those of Morize, Lambert, and Vezensky on the other. Therefore a vote was taken on three principles. Everyone except Kossmann agreed that a railway commission should be placed in the Saar at the disposition of the Governing Commission. Kossmann expressed his objection to the military character of the commission. Secondly, by a vote of four to one it was agreed that the powers to be given to the railway commission should include control of the troops detailed in exceptional circumstances to assist in protecting traffic on the railway system. Thirdly, despite the opposition of Kossmann and Stephens it was agreed that it was indispensable to have in the Saar two battalions to protect the railway routes. Consequently, it was decided to send a report to Geneva, containing both the majority and minority view.

Stephens and Kossmann each presented a separate report. Stephens proposed the establishment of a railway commission attached to the Governing Commission and co-operating with the Inter-Allied Railway Commission in the

the occupied territory and the recognition of the right of the Governing Commission to call in troops from outside the territory. On the other hand, Kossmann proposed the establishment of a technical commission which would be responsible only to the Governing Commission. At this time he made no mention of the right of the Governing Commission to call in troops.¹

At the League Council meeting in June, 1926, discussion of the Commission report was again postponed. Obviously, there was still no possibility of agreement among the Council powers. Hence the rapporteur proposed that, owing to the large number of technical details in the Commission's report, examination of the question be postponed until the next session.² Ironically enough, delay was bound to operate against the interests of the French, for by September and the next Council meeting Germany would be a member of the Council.

During the month of August after a joint examination of the problem, French and British legal experts (Fromageot and Hurst) agreed to the general lines of a solution. It was agreed that there was nothing in

¹Ibid., May 19, 1926. For report see LNOJ, April, 1927, 593-9.

²LNOJ, July, 1926, 879.

the Treaty to hinder the Commission from allowing the free passage of occupation forces of the Rhine. Further, the Commission being responsible for the security of this transit, had a right and duty to be executed by appropriate means. The best means was to have at its disposal a railway commission acting under its authority and having at its disposal military police. The railway commission would be in constant contact with the Inter-allied High Commission of the Rhine Occupied Territory.¹ By the terms of this agreement, which was not formally accepted by the French and British Governments at this time, Hurst conceded that the railway commission have a military force at its disposal. For his part, Fromageot agreed that the military force be under the railway commission and not attached to the armies of the Rhine.

Meanwhile in Berlin, preparations were being made for the presentation of the German point of view at Geneva. To the Foreign Office it seemed that the troop question was beginning to develop in a way with which Germany could not agree. The presence of troops could in no way be tolerated under the terms of the Treaty.

¹The terms of the agreement of August 13, 1926 were conveyed to Stephens in a letter from Austen Chamberlain of February 18, 1927. (Stephens' Papers).

Stephens' proposal as outlined in the report to the League in June was regarded as a possible solution except for the provision that the railway commission have the right to call on troops from outside the territory. Kossmann's solution therefore was the most desirable with the clarification that the territory was not to be used for the passage of troops.¹

Under these circumstances, it would not have been difficult to predict that agreement would not be reached in September at the League Council meeting. It must have been no surprise to Stephens when, without discussion, the Council adjourned consideration of the troop question to its next session in December 1926.

Despite that fact that there had been no official communication between the French and British Governments to indicate that the Hurst-Fromageot scheme had been accepted, the plan seems to have been referred to the Germans. In November, the Foreign Office in Berlin advised its ambassador in Paris to inform the French Government that a solution along the lines of the scheme

¹Memorandum for the League Council meeting dated September 25, 1926. N.A. T-120, serial K 2110, frames K 580442-85 (II. Bes. Geb., Saar.).

of the legal experts was unacceptable.¹

Hence, in Geneva at the end of the year there was still no solution in sight. On December 10, an unofficial meeting took place with Chamberlain, Briand, and Stresemann in attendance. As might have been expected no agreement was reached.² Once more the Council postponed discussion of the issue. At the meeting on December 11, 1926, the Council requested that the Governing Commission re-examine the question and attempt to submit proposals on the basis of which a final decision could be taken.³

Agreement was to be reached no more easily in Saarbrücken than at Geneva. In an attempt to reach a compromise prior to discussion of the question at a Commission meeting, Stephens engaged in a correspondence with Morize.⁴ However their efforts were fruitless, Stephens being at this time still opposed to the

¹Telegram of Schubert to Embassy, Paris, November 20, 1926, N.A. T-120, serial 3058, frames D 608514-5. (Büro des Reichsministers, Saar.).

²Telegram of Stresemann, Geneva to Foreign Office, Dec. 10, 1926, Ibid., frames D 608517-9.

³LNOJ, February, 1927, 163.

⁴Letter of Stephens to Morize, January 13, 1927 and of Morize to Stephens of January 22, 1927. (Stephens' Papers).

attachment of any military strength to the railway commission. Later, however, three separate drafts were worked out -- one each by Stephens, Morize, and Lambert.¹ Stephens' plan was along the lines of the Hurst-Fromageot scheme. Thus, for the first time, Stephens admitted the possibility of military police present in the territory to assist the railway commission in the execution of its duties. This was a compromise which Stephens made only very reluctantly, but in the spirit of true compromise. Under the direction of the railway commission would be a military force of 500 men. At the disposal of the Governing Commission would be two battalions of troops, stationed outside the territory. By means of this plan he and Morize drew closer together. In Morize's scheme, the railway commission was to have at its disposal not less than 1,000 men in the territory and 2,000 stationed outside the territory. Lambert's draft did not differ essentially from this scheme. Consequently, a compromise between these views was now possible and the Commission forwarded to Geneva on February 18 a single report which had been agreed to by all the Commissioners except Kossmann. In the report it was proposed that a 'Saar

¹Drafts of February 11, February 15, February 17, 1927. (Stephens' Papers).

Railways Defence Force' which could be international, stationed in the Saar, and consist of 800 men be at the disposal of the railway commission. When the Governing Commission deemed it necessary the railway commission would assume responsibility for the protection of means of communication.¹

Nevertheless, agreement among the Commissioners themselves and agreement between the French and the British were obviously not enough. Germany remained in dissent and was apparently determined to refuse to accept the presence of forces of any nature on Saar soil. The Germans appear to have been disconcerted by the compromise plan which Stephens had proposed. The Saar press too, did not welcome the idea of military police which it saw as being not essentially different from the French troops.²

¹LNOJ, April, 1927, 599-600. Shortly after, Stephens received a letter dated February 18, 1927 from Austen Chamberlain in which he was informed of the Hurst-Fromageot agreement. "...in case the text of the scheme has never reached you..." (Stephens' Papers). There is nothing among the papers to indicate that Stephens had been informed of the scheme prior to the receipt of this letter. In the letter Chamberlain clarified the outcome of the agreement. He himself had informed the French at the time the plan had been worked out that he was prepared to recommend the adoption of the scheme provided that the force of military police would not exceed 500. No reply had been received from the French until some months had passed. Now, however, the French agreed to the reduction of the military police to one battalion which they said would number at the most 400 men.

²Saar. Zeit, February 25, 1927.

On the other hand, in Paris the feeling was that there was no possibility of further concessions on the French side since the military had only very reluctantly agreed to the modifications already put forth in London.¹ The French therefore proposed to support the scheme adopted by the Governing Commission.²

When the Commission's report of February 18, 1927, was presented to the League Council on March 12, 1927, Stephens spoke in defence of the solution agreed on by the Commission. He appealed to the Council members to follow the example of the Commission in submerging their personal points of view in favour of conciliation and good will:

...we have had to adopt...a common plan in order to give the Council a chance of taking a decision which, in my opinion and in the opinion of the Governing Commission, will open the way to the treatment not only of future Saar problems but of the European problems which are holding up the progress of Europe. This obstacle out of the way, you will be free to deal with the greater and larger questions which are bound to occupy the attention of the Council.

Gustav Stresemann, who was in the chair, agreed with Stephens that it was essential that a solution be

¹Telegram of Rieth to Foreign Office, February 26, 1927. N.A. T-120, serial 3058, frames D 608558-61 (Büro des Reichsministers, Saar.).

²Telegram of Rieth to Foreign Office, March 1, 1927 N.A. T-120, serial 4517, frames E 132825-7 (Büro von Staatsekretär v. Schubert. Ang. des. Saar.).

found immediately. He first examined briefly the legal aspects of the problem which he felt indicated that:

(1) the use of the Saar Basin Territory for lines of communication for the Inter-Allied armies was illegal;
(2) the maintenance of a railway commission was illegal;
and, finally (3) the recourse to neighbouring garrisons in cases of emergency was illegal.

However, despite his reservations on legal aspects of the question, the German statesman expressed his willingness to search for a solution. He was prepared to accept the establishment of a special force of men, provided:

"(1) That a date be fixed on which troops can be withdrawn;

"(2) That the number of the special force of men should be kept within the reasonable limit of a few hundred men;

"(3) That its international character be assured and that it should in no way possess the character of an Inter-Allied institution;

"(4) That this force shall only be called into action in exceptional cases;

"(5) That it should not be of a military character."
Stresemann went on to propose that an organisation be

established under the auspices of the League of Nations and be clearly international in character.

However, when Briand spoke at the afternoon session he asserted France's acceptance of the proposals made by the Commission and already defended by Stephens. He considered 800 men to be a very small number to carry out the task allotted to them. As to the time-limit, he thought that when the arrangement proposed had been adopted, it would be possible to execute it within three months. The idea of an international force he dismissed as unworkable. He agreed that the Commission should be required to act only in exceptional circumstances.

Speaking for Britain, Austen Chamberlain also rejected the idea of an international force because of technical difficulties such as the question of financing the force. Despite the fact that he felt that something less than 800 men might be sufficient, he was willing to bow to the request of the Commission. He appealed to Stresemann to accept the agreement and end the controversy.

Stresemann, not yet ready to yield, instead inquired of Stephens if the minimum force might not be reduced below 800. In his reply, Stephens paid tribute to the orderliness of the Saar population and the exemplary character of the local gendarmerie. However, he

explained that the number 800 had been reached as a result of a compromise among the Commissioners. He did not doubt, however, that, if the Commission found that a smaller number would furnish the required security, it would reduce the number. In the meantime he felt the number must stand until the Government itself could deliberate on the matter.

Finally, in a moment of unquestionable courage, Stresemann yielded to the pleas of his fellow councillors.¹ According to Stephens, an exchange between Chamberlain and Stresemann prompted the concession:

In the last few minutes of the meeting, Sir Austen Chamberlain stood up, turned towards Stresemann with outstretched hands and said 'Stresemann, in the name of the peace of the world I ask you to accept this compromise settlement.' Stresemann, full of emotion -- he had been fighting all day for a more complete settlement -- stood up, faced Chamberlain with outstretched hands and said 'In the name of the peace of the world I accept.'²

However noble Stresemann's acceptance of the compromise may have been, it received a very cool reception

¹LNOJ, April, 1927, 403-17.

²Montreal Star, Jan. 9, 1935. Article by Stephens.

in the Saar.¹ The Volksstimme was not "fully satisfied" with the result which could be considered as only a step in the right direction. The paper, however, was careful not to accuse Stresemann, who was complimented on his conciliatory attitude, but found fault with the French who were still rigid in their attitude.² A certain amount of unrest was produced in the Foreign Office in Berlin by reports that there was a wide-spread feeling in the Saar of betrayal by the German delegate who had made such a great sacrifice of Saar interests.³ Consequently, the Foreign Office readily granted the request of the Saar political parties that their representatives be received in Berlin where the position of Stresemann could be clarified.⁴

Significantly enough, the conservative press in France was no more favourable to the compromise. L'Avenir,

¹Apparently Stresemann felt that concessions in the Saar were necessary in order that Germany could bargain for the evacuation of the Rhineland. See the New York Times, March 15, 1927.

²Volksstimme, March 14, 1927. See also Saar. Zeit. and Saar. Landeszeit., March 13, 1927.

³Internal Memorandum of Foreign Office, March 17, 1927. N.A. T-120, serial K 2110, frame K 580677. (II, Bes. Geb., Saar.).

⁴Memorandum of Stresemann to Braun, March 27, 1927, Ibid., frame K 580678.

in particular, regarded the compromise as a clear victory for the German side.¹

Very shortly after the Council meeting in Geneva, Stephens forwarded a letter to Chamberlain in an attempt to clarify certain points.² He called attention to the fact that the protective force was to be formed without inflicting any financial burden on the Saar. Because of this fact, he anticipated the danger of the force ultimately becoming exclusively French and part of the French garrison present in the Saar remaining as such. A similar case was made by the German ambassador in London who was instructed by Stresemann to emphasize to the British that the protective force must not consist only of French troops, but must be international.³ Somewhat later Stephens was informed that the British Government was prepared to provide a contingent of a strength not exceeding one company of infantry.⁴ Subsequently, on April 30, 1927, the French Government dissolved the

¹L'Avenir, March 13, 1927.

²Letter from Stephens to Chamberlain, March 17, 1927. (Stephens' Papers).

³Telegram of Stresemann to Embassy in London, April 14, 1927, N.A. T-120, serial 3058, frame D 608622. (Büro des Reichsministers).

⁴Br. Doc. C 3597/550/18. Letter from Sargent to Stephens, April 26, 1927. (Stephens' Papers).

garrison troops in the Saar. The anxiety that the force of military police be truly international in membership was somewhat relieved when it was announced that for the force of 800 effectives, the French would furnish 630 units, the British Government 100 units, and the Belgian Government 68 units. Thus was established in the Saar, at the disposal of the Governing Commission, a Railway Commission of which the effectives did not exceed 100, and a Railway Defence Force, the total being 800.¹

It was at this time, in the opinion of Helmut Hirsch, that the problem of the French troops was effectively resolved: "...in so far as military occupation was concerned the first day of real peace was March 12, 1927."² Others would of course argue that this statement could not be made until 1930, when the last of the military police finally left the territory.³

On the occasion of the retirement of the French garrison, Stephens paid tribute to it in a letter to Briand:

Je ne doute pas que les brillantes qualités montrées par les troupes de garnison soient, pour la plus grande partie, dues à l'action du Chef qui les commande et dont, depuis plus de trois ans et demi, j'ai pu apprécier l'autorité, la bienveillance et le tact.⁴

¹LNOJ, September, 1927, 1045.

²Hirsch, *The Saar Territory*, 116.

³See LNOJ, January, 1931, 9.

⁴Letter from Stephens to Briand, n.d. (Stephens' Papers).

The settlement of the troop problem was brought about in a manner which was unique in the history of the Commission because it was the sole issue with which the League Council seriously concerned itself. Had the members of the Council and in particular Britain not stirred the Commission into action it is very unlikely that the French troops would have been withdrawn. Furthermore, as long as Rault was Chairman of the Commission, it was virtually impossible to arrive at a compromise solution among the Commissioners themselves. Hence, considerable credit must be given to Stephens, as indeed it was by both Austen Chamberlain and Erik Colban, for the successful solution of this problem.

Furthermore, in the last analysis, it must be admitted that the solution of the troop question was brought about in a way which proved that the creation of the League had in fact had some influence in altering the old system of diplomacy. The scheme ultimately adopted was not arrived at solely behind closed doors in Paris and London but publicly at Geneva. Private meetings among Briand, Chamberlain, and Stresemann had failed to produce a compromise. It therefore can not be denied that in this particular instance the League served well the interests of international co-operation.

CHAPTER VII

ADMINISTRATIVE ACTIVITIES OF THE COMMISSION (Mainly 1923-27)

Even in the years following 1923, because of the consistency with which the German propagandists ignored the achievements of the Commission, little credit was given to the Commission for what was after all, its main task, that of administering the territory. Furthermore, the injustice committed against the Commission by the local press at the time has since been perpetuated by most of the authors who have written about the Saar. Therefore, in order to redress this wrong, attention should be given to the activities of the Commission and to its attempt to provide for the needs of the territory.

When the allotment of duties among the Commissioners was made in 1920,¹ the significant Departments, i.e., the Department of the Interior, Trade and Commerce, Labour, and Foreign Affairs, were reserved for the President. Of the portfolios which remained undoubtedly that of Finance, which was accorded to R. D. Waugh and later to the care of G.W. Stephens, was the most important. In fact, as already noted, many basic problems fell into

¹See above, 50.

the domain of both the President and the Finance Commissioner. Another key Department was of course Education, the charge of which was entrusted to the care of de Moltke-Huitfeldt along with the Department of Justice. Major Lambert, as Minister of Public Works was made responsible for the railway and the telephone and telegraph systems.¹ To the Saar member had been left the Departments of Social Insurance and Assistance, Public Health, and Agriculture. The record of all of these Departments was a credit to the Commission during the League regime.

¹A re-shuffle of the portfolios took place in 1926 when Stephens became President; see below, 308-9.

The Department of Commerce

Undoubtedly the greatest measure of the Commission's attention was given to problems of economy which were primarily the concern of the President as head of the Commerce Department. In fact, the quarterly report of the Commission to the League normally contained more material on economic problems than on any other single area. In this regard, one of the problems to which a variety of Departments gave attention from the outset was that of the increase in the cost of living in the territory. From its installation, the Commission was particularly concerned that food prices be kept from rising above a certain level.

Initially, the territory suffered from the unfavourable rate of exchange between the mark and the franc as a result of which goods bought in France reached extremely high figures when purchased in the Saar in marks. In particular persons living on fixed incomes suffered from this situation. Because he feared an alarming increase in food prices, Waugh, in his capacity as food controller, attempted to facilitate the purchase from France of food, the importation of which was essential to the territory, at as low a price as possible. Because of the seriousness of the situation, in 1921, the Commission, following Waugh's advice, decided to maintain, by means of subsidies, the price of bread at a low level

and to ration it to the inhabitants. However, as the value of the mark continued to decline further measures were necessary. Hence the exportation of most food-stuffs was prohibited. In addition, measures were adopted to insure that food-stuffs were reserved for local consumption and were not retailed to non-inhabitants who entered the territory to purchase food which was cheaper than that sold in Germany.¹

Later, after the franc became sole currency in the territory, in 1923, the Commission was careful to see that the reform was not exploited. Hence, a special committee was appointed to determine the lines upon which prices in francs should be substituted for prices in marks.²

Nevertheless, the cost of living continued to rise, although once again the situation compared very favourably with that in Germany and the Commission still found it necessary to exercise precautions to discourage German buyers from entering the territory to purchase food. However the situation called for more positive measures as well. Hence, in co-operation with the Mines

¹INDJ., April-May, 1920, 102; November-December, 1920, 75; October, 1921, 848; January, 1922, 41.

²Ibid., December, 1923, 1552.

Administration, the Commission made staple commodities at low rates available to workers' co-operatives. Furthermore, the Department of Commerce endeavoured to induce the principal organisations of commerce and industry in the territory to take action with a view to bringing about a fall in prices.¹ However, little success was attained through these entreaties. Still later, the Department sought to induce co-operative associations of consumers to take joint action by making wholesale purchases. Greater success was achieved somewhat later, when the value of the franc began to rise and appreciable reductions in food prices were made, partly at the request of the Commission.²

Another problem which was the concern primarily of the Department of Commerce was the shortage of credit which was one of the most serious problems from which the territory suffered in the mid-twenties. This shortage was greatly aggravated both by the miners' strike in 1923 and the conversion to the franc in the same year. With the conversion to the franc many institutions found themselves short of francs. Hence advances were made to a number of municipalities, religious communities, and

¹On negotiation with the French State Mines over the price of coal, see above, 163f.

²LNOJ, March 1924, 442-3; Sept. 1924, 1192; March, 1926, 387; March, 1927, 296.

professional associations in order that they might cover their financial obligations. At the same time the Commission supported the establishment of a Central Land Credit Bank. Artisans, traders, and farmers who required working capital in francs, but who had no security for loans could apply to this bank. During the following year, the Bank made available 18,000,000 francs, most of the loans being made for building purposes and at as low a rate of interest as possible.

The shortage of credit was one of the problems to which Stephens, as finance minister, gave his personal attention. Shortly after his arrival in the territory he began to urge the President, as the Minister of Commerce, to do whatever was in his power to increase the credit facilities which were available through the Bank of France. Stephens was moved to take action largely because of a number of complaints from Saar industrialists and tradesmen who maintained that it was impossible for them to procure credit or to discount bills in France except at usurious rates.¹ Subsequently, largely as a result of negotiations conducted by President Rault in Paris, the Bank of France agreed to discount Saar bills drawn on Saar

¹Stephens, Diary, II, January 31, 1924.

inhabitants at the bank's ordinary discount rates.¹ As a result of these measures, the shortage of credit was gradually reduced.

Also about the middle of the decade much of the effort of Stephens and Rault was devoted to easing the entry of the Saar into the French customs regime. Although according to the terms of the Treaty² the territory was to be included in the French customs regime, during a five-year transition period, products which originated in the territory were to pass into Germany free of duty and at the same time articles imported from Germany into the territory for local consumption were to enter duty-free. Also during these five years France reserved the right to limit the quantities, which might be sent into France, of all articles coming from the basin to the annual average of the quantities imported into Alsace-Lorraine and France in the years 1911 to 1913. Thus, in effect, the territory was not to be incorporated into the French customs regime until January 10, 1925.

In preparation for this event, one of the problems to which the Commission gave its attention was

¹Ibid., III, February 9, 1924; LNOJ, August, 1924, 1049.

²Par. 31 of Annex to Arts. 45-50; See above, 182 f.

that of the construction of customs stations. As early as 1922, Rault entered into negotiations with the French Government to settle the problem of financing the construction of these stations which involved an expense the territory was unable to bear. By an agreement ratified in 1923 it was specified that the expenses of equipping the stations would be borne jointly by France and by the Saar in the ratio of the customs duties levied by each of them.¹ In view of the small budget of the territory, it was further agreed that, initially, the French Government would provide an advance of eighty million francs. The budget of the territory would make any further advances which might be necessary in excess of this sum.²

Also in anticipation of the introduction of the French customs system, the Department of Commerce arranged for the translation into German of the French Customs Laws and Regulations. In addition it sought that the same Customs treatment as was accorded to French products on their importation into foreign countries be accorded to Saar products.³

¹Par. 31 provided that the receipts from the customs on goods intended for local consumption be included in the budget of the territory.

²LNOJ, December, 1923, 1556-7; LN Treaty Series, 1924, XXVII, 284-7.

³LNOJ, September, 1924, 1193.

Steps were taken to ensure that all goods consigned free of duty should cross the frontier before midnight, January 10. Furthermore, arrangements were made with the French Customs Administration that facilities should be given to enable any German goods imported into the territory before midnight on January 10 to secure exemption from duty, even if Customs formalities had not been completed by that time. At the same time, the Commerce Department arranged that, in spite of a French import prohibition, medical compounds of German origin might be imported into the territory.¹

Thus the efforts of the Commerce Department and of President Rault helped to prepare the way for the smooth entry of the Saar into the French customs regime. Nevertheless, these efforts passed without notice in the territory as did most of the achievements of the Department.

¹Ibid., September, 1924, 1193.

The Department of Labour

In an industrial area such as the Saar basin one of the most important tasks of the government was the assistance it offered in the settlement of labour-management disputes. In this regard, the Department of Labour could claim a considerable amount of success.¹ In one respect, however, Saar labour suffered from the situation created by the Treaty. Owing to the peculiar political status of the territory² the Commission was not able to establish regular relations between the territory and the International Labour Organisation. To remedy this situation, President Rault as head of the Department of Labour was anxious to establish a Chamber of Labour³ which was to include employers', workers', and Government representatives, and which, it was hoped, would improve relations between the territory and the I.L.O.. Prior to the creation of the Chamber, a draft decree regulating its organisation was submitted to the employers' and workers' associations of the territory. Interestingly enough, with the exception of the French State, all the employers'

¹See particularly LNOJ, January, 1923, 106.

²On the political status of the Saar see Allot, Alexandre, Le Bassin de la Sarre: Organisation politique et administrative. Finances - Douanes. See also above, 183f.

³Procès-Verbal, June 30, 1924.

organisations were opposed to the establishment of a Chamber of Labour. The Saarbrücken Chamber of Commerce in particular feared that the Labour Chamber might encroach on its ground. On the other hand, all the trade unions favoured the creation of the Chamber. Therefore the Labour Department proceeded in its intention to institute the Chamber which was to consist of eighteen employers and an equal number of workmen, the members being appointed by the associations concerned. The Governing Commission on the other hand was to be represented by members of the Departments concerned. The Chairmanship of the Committee of the Chamber was to alternate between an employer and a worker. It was planned that the Chamber function as an advisory assembly which would submit to the Governing Commission recommendations and opinions on questions concerning the protection of the common interests both of workmen and employers, particularly as regards the improvement of labour conditions. Moreover, all the decisions and draft conventions adopted by the International Labour Conference were to be communicated to the Chamber for its opinion as to the practicability of applying them to the territory. The Chamber was to have a library containing the publications of the I.L.O. which was to be at the disposal of the professional, workers', and

employers' organisations, of the territory.¹ Thus the establishment of the Chamber greatly improved the position of labour in the Saar by helping to remedy the situation created by the inability of the territory to become a member of I.L.O..

Nevertheless, the efforts of the Commission to mediate between labour and management were not always successful and invariably strikes of a minor nature broke out. In 1925, a serious situation presented itself with the threat of a strike over wages in the mines. President Rault attempted to ease negotiations between the miners and their employers. Conversations which were begun at Saarbrücken were continued at Paris between the miners and the French authorities. As a result of these negotiations, and the granting of an increase in wages, it seemed as if the strike would be averted. However, on July 8, 1925, the miners denounced their labour contract as from July 23. Subsequently, a strike was called for July 27. Again, Rault arranged for an interview between representatives of the miners and the French Minister of Public Works. As a result of these negotiations the strike was halted on August 2 and was the occasion of no serious incident, order

¹LNOJ, August, 1924, 1049; March, 1925, 308; December 1925, 1732.

being maintained throughout the strike only by the local gendarmerie.¹ The second miners' strike to occur in the territory since 1920 was thus in great contrast to the first which had been the occasion of extreme action on the part of the Commission in its attempt to maintain order at all costs.²

A gauge of the health of the economy of the territory during the period under consideration was the small number of unemployed registered each year. The peak of unemployment during the years 1923 to 1927 was reached in December, 1925, when 3.16 percent of the labour force was unemployed.³ On several occasions when, owing to certain conditions, there was a threat of an increase in unemployment, the Department of Labour took action immediately to avert such a development. Such was its policy in 1924 when one of the major ironworks closed down in protest over the price of coal.⁴ The work haltage deprived 5,000 inhabitants of employment. As a result of the efforts of a variety of Departments, employment was

¹Ibid., May, 1925, 763; December, 1925, 1729-30. See also Procès-Verbal, July 8, 1925; July 29, 1925.

²See above, 88 f.

³LNDT., March, 1926, 383.

⁴See above, 169.

found for several thousand in the Lorraine mines, in the State mines of the territory, and in industrial establishments in the Saar and nearby.¹

In addition, as a result of the closing down of the ironworks, there was considerable apprehension in the territory among trade unionists because of the attempt of the directors of the factory concerned to increase the hours of work beyond eight per day.² Consequently, the Department of Labour immediately drafted a decree to protect labour in this regard. By the terms of the decree normal working hours were fixed at eight hours per day or forty-eight hours per week.³

The attention given by the Commission to labour problems was of great significance since industrial workers made up the bulk of the population of the Saar. For this reason, the rarity of strikes in the region during the League regime was indeed a tribute to the Labour Department and to the Commission itself.

¹LNOJ, December 1924, 1782-3.

²See above, 169n.

³LNOJ, March, 1925, 307.

The Department of the Interior

One of the social problems in the territory which was the direct concern of the office of the President was the housing shortage. The inability of the existing dwellings to meet the needs of the population after the war was aggravated by the necessity of housing officers of the French troops stationed in the Saar. In an attempt to provide relief in this serious situation, an Intercommunal Association was created for the purpose of building houses at low cost. To make the venture possible, the Commission consented to furnish the greater part of the capital required.¹

A temporary expedient to relieve the crisis was employed when, in 1923, a number of barracks were placed at the disposal of the city of Saarbrücken for use as dwellings. Nevertheless, the housing shortage remained serious, a major cause of the lack of construction being the credit crisis from which the territory suffered in the middle of the decade. Consequently, in 1924, the Commission found it necessary to reduce the housing accommodation reserved for its officials by from fifty to thirty percent. In addition, it was decided to make available money from the Pension Fund for Officials for

¹Ibid., July-August, 1920, 282; March-April, 1921, 208; July-August, 1921, 632.

the construction of houses.¹ By these means the shortage was gradually alleviated, although admittedly it was never eliminated.

¹Ibid., Dec. 1923, 1560, Sept. 1924, 1189; June 1927, 689.

The Finance Department

Undoubtedly one of the major achievements of the Commission was the success with which the finances of the territory were managed by its finance commissioners. It was not without considerable difficulty that each year the Commissioner in charge of the Finance Department managed to balance the budget. The problems with which R.D. Waugh was confronted in 1920 were of no small order. Part of the problem arose from the fact that the territory was made up of German, Prussian, and Bavarian administrative areas. A further complication was the fact that figures for tax receipts for the years since the armistice were less than they should have been. This situation had been brought about at least in part by the fact that the Germans were negligent in collecting taxes at this time. Hence assessments were extremely difficult to make.¹

Very soon it became apparent that major fiscal reform would be necessary in order that public finances throughout the territory could be managed soundly.² However as this reform was closely connected with the

¹Ibid., November-December, 1920, 73.

²Ibid., March-April, 1921, 204.

currency problem a solution was of necessity delayed until the franc became the sole currency of the territory. Hence, when G.W. Stephens arrived in the territory in 1923, he found the Finance Department, of which he was to have charge, still in the process of working out measures of fiscal reform. This then, was the first problem to which he gave his attention.

The original draft of fiscal reforms were submitted both to the Technical Committee and the Advisory Council where a large number of amendments were proposed. Subsequently, the majority of these proposals were embodied in the final text, the basic purpose of which was to simplify the "...intricate mass of overlaying Imperial, Prussian and Bavarian laws..." By virtue of the reforms, communal finances were more closely regulated by the Commission, although a certain amount of autonomy in finances continued to rest with the communes.¹ The following year, in order further to assist the communes, some of which were in a difficult position financially because they carried debts from previous years, the Commission granted subsidies to certain communes. By virtue of the reforms and the subsidies, the communal finances were able to be administered on a normal and

¹Ibid., March, 1924, 446-8.

sound basis for the first time.¹

When the situation warranted it, the Department of Finance saw fit to alter particular taxes for the benefit of the inhabitants. Thus at the end of 1925, the tax on coal imported into the territory was removed as a measure to aid Saar metallurgists. Similarly, a few months later when prices were rising the Department took action to grant workers a measure of relief in income tax. At the same time, the limit of non-taxable capital and of non-taxable income was raised in the case of taxpayers over sixty years of age. Further adjustments of a similar nature were made the following year. Earlier, the Commission had taken measures to prevent double taxation. In an agreement with the German Government it was determined that German and Saar taxes would not be duplicated. Later a similar agreement with France prevented the duplication of French and Saar taxes. This agreement was of particular benefit to Saar workmen who sought employment in Lorraine and to firms which possessed establishment on both sides of the frontier.²

¹Ibid., September, 1925, 1208.

²Ibid., March, 1926, 384; May, 1926, 652; September, 1926, 1123; June, 1927; 683; October, 1921, 839; December, 1923, 1555-6.

The Department of Education

The Department of Education, which was originally under the control of de Moltke-Huitfeldt, subsequently passed into the hands of de los Monteros and later Vezensky. In the field of education, an area in which the attacks of the propagandists against the activities of the Commission were particularly strong, considerable progress was made to meet the needs of the territory. In fact in certain areas entirely new developments were made. In 1924, a School of Fine Arts and Applied Arts was opened at Saarbrücken["] which was particularly important in view of the large ceramic industry in the territory. About the same time, in an attempt to provide for the cultural needs of the inhabitants, a museum was created for the first time in the territory which had two sections, one devoted to Fine Arts and the other to Archeology. According to the Commission the museum was to facilitate the work of the Office of Curator of Historical Monuments which had been created in 1920 by the Commission. The creation of this Office in itself was of some significance in the territory for under the direction of the Curator numerous excavations were carried out in the territory, some of which unearthed relics of Roman and pre-Roman times.¹

¹LNOJ, September, 1924, 1192; December, 1926, 1608.

In its attempt to keep the schools in the territory up-to-date, one of the chief activities of the Department of Education involved attention to changes in curriculum which were being made in the German schools. Thus the Department could determine if these alterations could be introduced into the schools in the territory. For the same reason, teachers were sent to the Rhineland to study new methods of teaching being pursued there. Subsequently these teachers gave lectures in the territory at which the German innovations were discussed by the teaching staffs. Later on, reforms were made partly as a result of these observations. Because the Saar was an industrial area, the Department gave special attention to the development of vocational courses, particularly those of a commercial nature and those intended for artisans. Thus, apprentice schools which included 119 classes in 1920, comprised 365 in 1926. Commercial schools which in 1920 had 45 classes had 131 in 1925.¹

Efforts were made to provide facilities for the furtherance of the education of both teachers and students. Hence, grants were made available to students wishing to pursue their studies in Germany and abroad. In addition, because of the introduction of French as an

¹Ibid., September, 1926, 1127; September, 1927, 1051-2.

optional subject in the elementary schools, special training was provided for teachers of this subject. Accordingly, teachers took part in French courses offered at Lausanne and Geneva. In fact, the University of Lausanne, at the request of the Commission, arranged a course particularly for the teachers from the Saar who were to use the direct method of instruction of the French language.¹

In an area governed by the League it was appropriate that the students receive a grounding in the basic ideals of the League. Hence, the Department urged that some attempt be made particularly to acquaint the children of the territory with the aims and purposes of the League of Nations. It should be noted that no special measures were taken in this regard until 1926, when Germany was to enter the League. At this time, grants were offered to a number of teachers to permit them to take part in courses organized at Geneva under Professor Zimmern and under the patronage of the International Students' Association. Subsequently, the Commission decided to issue a pamphlet on the League for the use of teachers in the classroom. The pamphlet described briefly the work of the League and urged that students be

¹Ibid., March, 1926, 386-7.

exposed to some instruction about the League. However, since it was not the policy of the Commission to engage in propaganda in favour of the League, no binding order was given that instruction of this nature be provided.¹

The Department of Education more than any other Department was subjected to a violent propaganda campaign in the Saar as a result of which the developments which were brought about in the schools of the region were completely ignored. It must be admitted, however, that the advances made by this Department were considerable and can no longer be overlooked.

¹Ibid., March, 1927, 302-3; 305-6.

The Justice Department

The Commissioner responsible for the Department of Education was also responsible for the supervision of the Justice Department. Judicial functions, according to the terms of the Treaty, were left to the courts existing in the territory. However, a civil and criminal court of appeal was to be established by the Governing Commission to have jurisdiction in areas where the lower courts were not competent. Hence, one of the first acts of the Commission was to name Saarlouis as the seat of the Civil and Criminal Court of Appeal. Subsequently, Professor Nippold of Switzerland was appointed President of the Court and empowered to prepare its rules of procedure and jurisdiction. The Court, which entered on its duties on August 9, 1921, was neutral, the justices appointed to the Court being chosen from nationals of countries belonging to the League of Nations. The membership of the Court, which originally consisted of two inhabitants of the Saar, one Belgian, one Dutchman, one Czechoslovak, and one Luxemburger, was initially much resented by the Saarlanders. However, once in operation, the Court seems to have functioned well and was not a source of grievance among the inhabitants. The same could be said of the High

Administrative Court which was established at Saarlouis.¹

¹Ibid., April-May, 1920, 101; September, 1920, 371-2; March-April, 1921, 205; January, 1922, 48; March 1922, 222.

The Department of Public Works

The establishment of an autonomous region in the Saar basin involved the organization of a separate railway system for the territory as had been foreseen in the Treaty. Even before the entry of the Commission into power, Marshal Foch, President of the Inter-Allied Council of War at Versailles, ordered the establishment at Saarbrücken of a special railway board for the territory. However, the matter being by no means settled when the Commission assumed control of the administration, the question was referred to it and the problems assumed by the Commissioner for Public Works, Major Lambert. Subsequently, the Commission decided to establish a Board for the Saar Railways, independent of all authority outside the Saar. Shortly after, negotiations were conducted with the German authorities for the purpose of arriving at an equitable apportionment of rolling stock. Thus an autonomous railway system was established in the territory. Interestingly enough, not only the German technical experts but even the French were very pessimistic about the future of such a small railway system.¹ From a purely financial point of view, the predictions of the pessimists were

¹Ibid., April-May, 1920, 105-6; July-August, 1920, 282-3; October, 1921, 851-2.

warranted for the system operated at a loss. However in other respects, i.e., from the point of view of the service provided, the railways were operated successfully.

Passenger traffic alone increased by forty-eight percent between 1920 and 1925, and freight by fifty percent.¹

Furthermore, the deficit in the railways, which was an annual feature in the budget, was not alarming in view of the difficulty of operating such a small system. Moreover, there were other reasons for which the railways operated at a loss. One was the generous reduction in passenger rates which was accorded by the railways to workers who constituted the largest group in the territory. Furthermore, it was the policy of the Commission to reduce tariffs on the railways at times when the economy of the territory was in need of stimulation.²

Also under the supervision of the Department of Public Works was the postal, telegraph, and telephone service. Like the railways, these systems, although not financially successful at this time, nevertheless provided an important service, the use of which expanded greatly each year. Improvement of the means of communication also

¹General Report on Railways, January 1, 1926. Quoted in Stephens, Diary, Annex #141.

²LNOJ, September, 1924, 1191; September, 1927, 1050.

required considerable attention to road-building, particularly as many roads had been damaged in the course of the war.¹

The Department of Public Works was anxious to employ means of purification of Saar waterways. During the years 1925 to 1930, at the request of the Commission, the Staatliche Wasserbauamt at Saarbrücken carried out numerous investigations and analyses to ascertain the causes of pollution and the means of purifying the water of the Saar and its tributaries. Subsequently measures were taken to curb pollution.²

The efficiency of the Department of Public Works is of particular interest since this Department was headed by Major Lambert. For while Lambert was in many ways an unsuitable personality as an international administrator in that he was guilty of a pro-French bias, he was, nevertheless, possessed of considerable administrative skill and credit is due him in his capacity as Minister of Public Works.

¹Ibid., January, 1932, 204-9.

²Ibid., September, 1934, 1137-8.

The Department of Social Insurance and Social Welfare

The responsibilities of the Commission in overseeing the welfare of the Saarlanders brought it into the area of social insurance and assistance which was in the charge of the Commissioner from the Saar. According to the terms of the Treaty, the payment of the pensions of mines' employees was to be ensured by the payment by Germany to France of a sum representing the actuarial amounts to which the employees were entitled. In addition, no rights of inhabitants acquired or in process of acquisition at the date of coming into force of the Treaty in respect of any insurance system of Germany or in respect of any pension of any kind was to be affected by the provisions of the Treaty.¹

In order to fulfill the terms of the Treaty, soon after assuming power, the Commission decided to establish a Social Insurance Office and began negotiations with the German Government for the separation of the social insurance systems. Subsequently, as a result of these negotiations, in which both President Rault and Dr. Hector took part, arrangements were made for the institution of an autonomous system of social insurance

¹Pars. 4 and 24 of Annex to Arts. 45-50.

and a plan for settling the accounts agreed to.¹ By this agreement,² in the case of all pensions the Imperial subsidy was to be borne by the territory. This agreement, however, was not ratified until 1923 when it was slightly modified.³ A more extensive modification was made in an agreement of 1927 when the Commission bargained for better terms for the Saarlanders. By the terms of the new agreement,⁴ the Saar insurance institutes were to receive from the German institutes interest-free loans to enable them to extend social insurance benefits in the territory.⁵

As in the case of the Department of Education, the Social Insurance Department devoted much of its efforts to the investigation of new Reich laws and regulations to determine if they should be applied to the territory.⁶ Thus the extension of benefits in the Reich could be paralleled in the territory. Furthermore, when the cost of

¹LNOJ., March, 1921, 204; October, 1921, 839.

²LN Treaty Series, V, 1921, 190-216.

³LNOJ, September, 1923, 1555.

⁴LN Treaty Series, LXX, 1928, 121-53.

⁵LNOJ, March, 1928, 290.

⁶See particularly LNOJ, September, 1925, 1211; December, 1925, 1735; March, 1926, 388; December, 1926, 1606.

living began to rise, the state contribution to various forms of social insurance was increased.¹

In addition to guaranteeing the inhabitants full benefits of social insurance, it was the duty of the Saar member to see that social assistance was provided where it was necessary. It was determined at the outset that the poor of the territory would be supported out of the budget of the Saar. Among the needy, the war cripples of the territory were given particular attention. Thus, in 1921, the Commission itself assumed responsibility for assistance to disabled ex-soldiers, war widows, and orphans, to whom the German Government had ceased to issue pensions. At the time, however, the Commission reserved the right to demand from Germany repayment of the sums expended. Also in 1921, a central relief office and local relief offices for disabled ex-soldiers were established, which were to provide for the personal training of the men, to find employment for them and, to obtain such medical treatment as they might require.² Subsequently, an agreement was concluded with the German Government which provided that war cripples should receive the same pensions and grants as their counterparts in Germany and that the German

¹Ibid., May, 1925, 768; December, 1926, 1606.

²Ibid., March-April, 1921, 204; July-August, 1921, 632; October, 1921, 848.

Government would repay the Governing Commission three-fourths of the sums remitted. The Commission, on the other hand, assumed the cost of the administration and the payment of the remaining one-fourth.¹ The Commission also granted supplementary benefits in cases of extreme poverty to seriously disabled men and relatives of war victims. These benefits, paid as of September, 1923, were granted to those whose income fell below a certain level. Other benefits included clothing and linen and furniture. Moreover, children of disabled service men and war orphans were sent to holiday camps at the expense of the Commission. Furthermore, decrees were enacted extending the benefits of new legislation which had been passed in Germany to war victims in the territory.²

In addition to sums regularly allotted to women at childbirth, tuberculosis patients and convalescents, relief for persons suffering from financial need was provided by the Department of Public Relief. Coal, placed at the disposal of the Commission free of charge by the French State Mines, was distributed among the poor, the cost of transport being borne by the Commission and firewood from the state forests was sold at reduced rates

¹LN Treaty Series, XXVII, 1924, 273-81.

²LNOJ, December, 1923, 1563; September, 1924, 1194; March, 1925, 312; March, 1926, 388; May, 1926, 655.

to the needy.¹

Attached to the Department of Public Relief was a Central Welfare Office formed in 1921 to co-ordinate efforts to improve public health. Accordingly all public health organisations throughout the territory were placed under its direction. The aim of the office was to improve living conditions among the poorer classes, particularly in the matter of health and the education of the young.²

In order to provide additional facilities to ensure the health of the inhabitants a hospital at Homburg, formerly an asylum for the insane, was converted into a district hospital. The facilities of the hospital were to be devoted principally to the treatment of consumptives, cripples, and anaemic children. In 1924, provision was made for the expansion of the hospital. The extensions made at this time included the development of an institute of vocational training for Catholic wards and the creation of one for Protestant wards. At the same time a children's open-air colony was created, as well as an asylum for the infirm, a cripples' home, and an infants' home.³

In an effort to insure that certain health standards were maintained, in 1926, a Foodstuffs Control

¹Ibid., March, 1924, 450; May, 1925, 768.

²Ibid., January, 1922, 49-50.

³Ibid., July, 1923, 757; September, 1924, 1193-4.

Office was created by the Commission as an agency of the Public Health Department. Its duties included the inspection of meat, fats, and milk imported into the territory, and inspection of the markets, shops, and premises of the industries or trades engaged in the manufacture and sale of foodstuffs. For the protection of the inhabitants the prohibition of the sale of unpasteurized milk had already been decreed by the Commission in 1925.¹

Clearly the attention given by the Department of Social Welfare to the elements of the population who stood in need of assistance and by the Department of Public Health to the infirm of the territory was among the most commendable achievements of the Commission. In fact the policies of these Departments alone reveal a good measure of enlightenment on the part of the Commission.

¹Ibid., March, 1927, 303; May 1925, 767.

The Department of Agriculture

The Saar member was also responsible for the Department of Agriculture. Although agriculture was one of the least important industries of the Saar basin, nevertheless, efforts were made by the Department of Agriculture to stimulate the industry and to keep farmers abreast of new developments. To this end, the Department purchased cattle of superior quality from stock-breeders in Alsace-Lorraine. In addition, prizes for cattle-breeding and goat-breeding were furnished by the Commission for agricultural shows and lectures of interest to farmers were provided throughout the territory. Moreover, funds were made available for horticulture and arboriculture and a Horticultural Training College created.¹ Furthermore, at the time when the territory was suffering from a serious shortage of credit, special attention was given to the needs of farmers, particularly those whose working capital was inadequate owing to the change of currency.² Thus the Commission attempted to safeguard the interests of this group even though its members were small.

¹Ibid., December, 1923, 1564; August 1924, 1057; September, 1924, 1194; March, 1926, 389; March, 1924, 450; May, 1925, 769; September, 1926, 1128.

²Ibid., July, 1923, 749; March, 1924, 446; September, 1924, 1188; December, 1924, 1788.

There can be little doubt that each of the Departments under the control of the Commission functioned in an effective manner and displayed a considerable degree of efficiency. In fact, the competence of the Commission in providing for the administrative needs of the Saarlanders is beyond question. Although it is somewhat unjust to single out one department, nevertheless, of particular interest was the skill with which the finances of the territory were managed with the result that, in 1935, the Saar was returned to Germany with assets totalling 65,772,426 francs.¹ If governments can be judged on the basis of their administrative efficiency, the Saar Governing Commission can be ranked high.

¹Ibid., April, 1935, 519.

CHAPTER VIII

TWO PRESIDENTS

Clearly one of the most significant events in the history of the Saar Commission was the appointment of George W. Stephens as Chairman of the Commission in 1926. The significance of this event derived not so much from the fact that it heralded the end of the Rault era, but that it marked the beginning of a new regime in which the Commission was to be headed by Britishers. This development had a two-fold significance for the Saarlanders. For undoubtedly it was in their interest that the Commission be headed not only by a neutral¹ but by a neutral who possessed the support of an influential Power such as the British Government which could bring pressure to bear on France in Saar questions if necessary.

As early as 1924, the possibility of replacing President Rault by a neutral was discussed behind closed doors in the capitals of Europe. Apparently Lord Parmoor responded favourably to the argument that the period of French Presidency should not endure beyond 1925 at which time a neutral should assume the position for five years,

¹The term "neutral" is used here to refer to the national of any country other than France or Germany.

followed by a Saarlander for five more years.¹ A year later, before the League Council meeting in the spring of 1925, the German ambassador in London was urged by Berlin strongly to press the view both on the Government and on the press that the period of French Presidency should be terminated immediately.²

Also prior to the Council meeting, a proposal was submitted by the Swedish Government to the League Council that, in order to give a truly international character to the administration of the Saar a system of rotation for the appointment of the Chairman of the Governing Commission be established.³ When this question was put to the British Foreign Secretary in the House of Commons, Sir Austen Chamberlain replied that it would not be possible for the British representative at the next League Council meeting to endeavor to secure that the Presidency be transferred to another member.⁴ In fact, the British were already committed to go along with the French in retaining the Commission intact for at least a year. The Foreign

¹Internal Memorandum of Foreign Office signed by Bulow, March 3, 1924. NA, T-120, Serial K 2110, frames K 579120-2. (II, Bes. Geb. Saar).

²Telegram, Kopke to German Embassy, London, February 23, 1925. NA T-120, Serial 3058, frames D 608363-5 (Büro des Reichsministers).

³LNOJ, April 1925, 556-7.

⁴Br. H.C. Deb., 5S, Vol. 180, Col. 1117, February 18, 1925.

Secretary, had already reached an agreement with M. Herriot, in December of 1924 by which Rault was to remain as Chairman.¹ Criticism of this agreement was made in the British House of Commons by Sir John Simon who felt not only that the position of Chairman should rotate, but that it was unsuitable to have a French Chairman in a plebiscite area in which France was concerned.² However, because the British Government was already committed, at the Council meeting on March 13, 1925 all members of the Commission were re-appointed until April 1, 1926.³

In effect, however, the question of replacing Rault by a neutral had been merely postponed. Within less than six months the names of possible candidates were being mentioned throughout the world. By this time, President Rault had confided to Stephens that he would not remain beyond the next year and pointed out that he was opposed to two members of the Commission leaving at the same time. This remark was interpreted by Stephens as meaning that Rault favoured the Belgian member, Lambert, for the Presidency. The logic behind this thinking lay in the fact that Stephens did not think Lambert would

¹Telegram of Köpke to German Embassy, London, February 23, 1925. NA, T-120, Serial 3058, frames D 608363-5.

²HC Deb, Vol. 181, col. 746, March 5, 1925.

³LNOJ, April, 1925, 461-2.

remain on the Commission unless he were made Chairman.¹ Shortly afterwards, in conversation with Erik Colban, the member of the League Secretariat who was chiefly concerned with the Saar, Stephens warned that if France were short-sighted enough to present another Frenchman for President or another national with unmistakable French leanings, he would not be a candidate for re-appointment in 1926. In fact the Canadian felt deeply that he, as the senior member of the Commission should be in the front running.²

About the same time, it was rumoured in the Saarbrücker Zeitung that President Rault was advancing Vezensky's name as that of next Chairman of the Commission. It was considered in the Saar that the appointment of the Czech would be favourable to France and that therefore he would be a most unsuitable choice for the position.³ On the other hand, Stephens himself was convinced that his own nomination would receive no support from the French side:

I have opposed France on her coal tax settlement in the Saar. (I) opposed the Saar paying for the houses built for French customs agents; (I) opposed the introduction of Mine Money and the withdrawal of the French franc;... and last (ly) (I) have deemed it my duty to make contact with the German people. All these things are distasteful to the French.⁴

¹Stephens, Diary, XII, Sept. 1, 1925.

²Ibid., Sept. 20, 1925.

³Saar. Zeit., Sept. 11, 1925.

⁴Stephens, Diary, XIII, November 24, 1925.

In Berlin the feeling was that although Stephens was a choice favourable to German interests, on the other hand he was basically a weak personality and was lacking sufficient experience as an administrator to be able to free himself of the influence of the French officials in the service of the Commission. From the German point of view the most favourable candidate appeared to be the Swede, Ekstrand,¹ who it was hoped would replace Lambert on the Commission and take up the Presidency.²

Nevertheless, by the end of January, 1926, it was being rumoured in the press that the next President would be British and presumably be Stephens. According to these reports, Austen Chamberlain, in meeting with Briand in Paris, had refused to accept the nominee of the French, i.e., Vezensky.³

Stephens own conclusions as to the situation seem to have been very realistic:

My guess is that both (the English and French) have tried to get some outstanding neutral diplomat to accept the presidency. They have failed, because no big man will forsake his present position to take the Saar presidency at (a) salary of one hundred pounds per month.

France has pushed the candidature of Lambert... as far as she could -- France knows that Lambert's sympathies are French at heart.

¹ Presumably Eric Ekstrand, Swedish consul at Constantinople.

² Aufzeichnung für London, Nov. 28, 1925, NA, T-120, serial L 1562, frames L 473320-1 (II, B.G., Saar. Regierungskommission).

³ Saar. Zeit, January 30 and February 1, 1926.

In face of English opposition, France has accepted me as a compromise candidate, and turned her efforts toward securing the consent of Lambert, to remain notwithstanding on the commission; France knowing that this will give her on all essential questions a majority (Lambert, Morize, Vezensky).

To sooth Lambert's rumpled pride at the loss of this honor, no doubt France has had to make important concessions to Lambert, which will bind him all the more intimately to French interests.¹

The prospect of Stephens' Presidency met with considerable favour in the Saar where he had attained a good measure of popularity.² Already, however, other problems were being considered in the local press. It was generally assumed that Rault would be replaced as French member by the Secretary-General of the Commission, M. Morize, who was considered to be qualified for the post, among other reasons, because he spoke German. This appointment would leave the post of Secretary-General open and the hope was expressed by the Saarbrücker Zeitung that it might be filled by a Saarlander.³

Finally on March 18, 1926, the speculation came to an end when at the League Council meeting George Stephens was named Chairman of the Commission for the following year and M. Morize was appointed French member

¹Stephens, Diary, XIII, Feb. 3, and Feb. 8, 1926.

²Saar. Zeit and Saar. Landeszeit, Feb. 24, 1926.

³Saar. Zeit., Feb. 25, 1926.

of the Commission.¹ Thus it was that for the first time a neutral, and in this case a Canadian, became President of the Governing Commission. The office made vacant by the resignation of President Rault was to be assumed by Stephens on April 1, 1926.

Thus the French regime finally came to an end. A true evaluation of the role of the French member who dominated the Commission for the first years of its existence has yet to be made. Generally speaking, Rault has been found guilty of using his position for the benefit of France, rather than of the Saar population. Certainly he was isolated from the population and undoubtedly part of the problem was rooted in the fact that he knew no German, but perhaps there was a more basic lack of communication:

Es war mehr als ein Lapsus, dass der Regierungschef seinen saarländischen Kollegen, ehe dieser zurücktrat, in amtlichen Dokumenten 'de Boch' nannte und von dem 'Arrondissement von Saarbrücken' und der 'Unterpräfektur in Homburg' sprach, als besäße die Saar diese französischen Einrichtungen.²

However much President Rault was given credit as an efficient and tireless worker, he was generally thought to be single-minded in his desire to serve French interests.

¹LNOJ, April, 1926, 531.

²Hirsch, Helmut Die Saar von Genf, 19.

In the words of Professor Russell he:

...was a single-minded French nationalist, who was charged with having openly pronounced in favour of annexation of the Saar at the time of the Peace Conference. As chairman of the Commission, he was to prove inflexible and unimaginative.¹

Undoubtedly Rault's background of forty years as a French civil servant was not a particularly suitable one for his position. That he was a good administrator could not be questioned, but his training did not produce that flexibility of personality which is essential to the international administrator. Nevertheless, Stephens very early formed a generally favourable impression of the French President whom he found:

...marvellously informed upon all matters of administration and government...thoroughly upright...courageous and clear in his arguments...perfectly loyal to his colleagues...very vain and authoritative...(possessing) no sense of humour, yet enjoy(ing) a joke when he unravels it...extremely combative...very resourceful...very fair...willing to consider both sides before coming to a decision...his great fault is his love of hearing himself speak and I never have met such a man in conference with whom it is necessary to use so much tact in order not to spoil one's chance to propose with any success any proposition.²

Stephens gave some thought to the source of the earlier difficulty in the relations between Rault and Waugh.

¹Russell, Frank, The Saar: Battleground and Pawn, 32.

²Stephens, Diary, II, December 19, 1923.

His conclusions, which were largely based on hints dropped by persons presumably in a position to know,¹ were that the two possessed many of the same personality traits. Undoubtedly the language barrier between the two multiplied the problem, producing even greater lack of understanding.

Stephens' diary is rich with illustrations of the type of President Rault was, some favourable, others less so. On at least one occasion, when the League Council was meeting in Paris, Rault had the Saar delegation watched and their phone calls audited.² On the other side of the ledger was the fact that, in 1924, Rault rejected the offer of the League Council to increase the salaries of the Commissioners by fifty percent and would agree to an increase of only twenty-five percent.³

Rault seems to have failed completely to make any contact with the local population. Again the language barrier was part of the problem. When the President addressed groups of the population he spoke in French and the speech was repeated in German by an interpreter.

¹e.g. Jos. Avenal, Deputy Secretary-General of the League of Nations.

²Stephens, Diary, II, December 19, 1923. Apparently the sole fruit of these activities was the information that the head of the delegation had telephoned German officials in Berlin asking for money for the return trip to Saarbrücken.

³Ibid., IV, April 9, 1924.

Stephens found his speeches "broad-minded and much to the point" but generally lacking a touch of humour or humanity.¹

After Stephens himself had resigned as Chairman of the Commission he paid tribute to the former President in a letter:

Un jour j'espère que l'histoire vous
rendra l'hommage dû à un grand Français.²

Stephens as President had the initial advantage among the Saarlanders of being a native of a country which was neutral on Saar questions. In many ways moreover, Stephens was a more suitable personality than Rault as an international administrator. To start with, he spoke both French and German in addition to English. As a Canadian and a successor to R.D. Waugh, who had been regarded as a champion of the rights of the Saarlanders, Stephens met with favourable reception immediately upon his arrival in the territory. The Saarbrücker Zeitung considered:

The fact that a compatriot of Mr. Waugh, who by his attitudes obtained the absolute confidence of the Saar population, has been chosen must be considered as an act of kindness on the part of the League of Nations towards the Saar people. The population appreciates this fact and welcomes Mr. Stephens.³

¹Ibid., VII, October 22, 1924.

²Letter, Stephens to Rault, March 18, 1927 (Stephens papers).

³Saar. Zeit., October 30, 1923 (translated in Stephens papers).

Stephens, however, did not merely borrow on the reputation Waugh had established. He had set out early to attempt to increase understanding between himself as a Commissioner and the population. His speeches were in complete contrast with those of Rault, not only because they were delivered in the language of his audience but also because they reflected his humour and humanitarianism. Various means were employed by Stephens to facilitate contact. A favourable impression was created soon after his arrival by his Christmas greeting to each Landrat and Burgermeister in December, 1923,¹ as was his dining with the Landräte in January, 1924.² He soon developed a reputation for enjoying a glass of wine in the company of the Saarlanders. In return for these simple gestures, which were unique on the part of a Commissioner, Stephens had little difficulty in winning the confidence of the inhabitants.

That Stephens had a clear concept of his role as an international administrator was revealed in his initial speech to the Governing Commission after his arrival in the Saar in 1923:

¹Stephens, Diary, II, December 22, 1923.

²Ibid., January 19, 1924.

In accepting these responsibilities I recognise...that...I have become one of the trustees into whose hands has been given, by the Council of the League of Nations, the charge of government within the Saar Territory, under the Treaty of Versailles.

I take my duty to be, therefore, a frank and loyal cooperation with my colleagues in the interpretation of the Treaty terms as they may be applied to the two chief objects of government laid down by the Treaty, namely, the well-being of the inhabitants of the Saar Territory and the protection of the great coal interests belonging to the French Nation.

I believe these duties should be carried out in the spirit of the Council of the League of Nations who appointed all of us, and to whom we are all responsible.

I believe further, that we owe to France a loyal service so that, by a fair interpretation of the French Treaty terms, she may receive her just compensation for her own coal mines devastated during the war.

I believe we owe to Germany a just interpretation of the obligations to which she has consented under the Treaty and a fair application of them.

I believe we owe to the Saar people a square deal, compatible with the terms of the charter under which the government of the Saar has been placed in our hands.

It is in this spirit, Mr. President, that I ask you to accept my collaboration and I trust, within the measure of my ability, I may be able to render, with you, a worthy service to the cause of just and fair government in the Territory over which we have the honor to preside.¹

¹Ibid., I, October 31, 1923.

As early as 1925, the Canadian was approached by Röchling and Schmelzer, two of the most influential members of the Advisory Council, the object being to discuss the future of the Presidency. They felt that the Saarlanders could no longer tolerate a President who did not speak German and furthermore that the whole atmosphere of Saar problems would change if there was the possibility of contact and discussion. Therefore they were anxious to learn if Stephens was interested in the Presidency. The Canadian, however, did not want the backing of the political parties because he did not want to be bound by the relationship with the parties which might result.¹

In fact when the time came to give serious consideration to his future as President, Stephens anticipated difficulties of a slightly different nature. He was well aware of the fact that many problems had been eliminated for Rault because he enjoyed the continued support of the French Government and was surrounded with officials of his own nationality and always had a majority on the Commission. Stephens, on the other hand, would have none of these advantages and felt that failing the support of the British Government he would be completely isolated.²

¹Ibid., IX, January 24, 1925.

²Ibid., XIII, March 4, 1926.

In fact, the first problem that faced Stephens as the newly-appointed President was exactly of this nature. The appointment of M. Morize as Commissioner from France left the position of Secretary General open. Stephens was anxious that the new Secretary General be English-speaking and had advanced this view in Geneva with Erik Colban who apparently was in accord.¹ However, when Stephens brought up the matter with an official of the French Foreign Office in Paris he met with the view that France could not accept the loss of both the Presidency and General Secretaryship at one time.²

According to Stephens' account he met with little support among the other Commissioners in his attempt to wrest the office from the hands of the French. Morize, Lambert, and Vezensky declared that the Secretary General served the whole Commission and not merely the President. Therefore all three favoured the promotion of the assistant Secretary General, a Frenchman, M. Pierrotet. Herr Kossmann, on the other hand, maintained that a Saarlander should be appointed.³ However, the majority opinion prevailed and the French candidate was appointed to the

¹Ibid., March 18, 1926.

²Ibid., March 22, 1926.

³Ibid., March 26, 1926.

post.¹ Apparently Stephens had not been far wrong in visualizing himself as "odd man out" on the Commission. The appointment of Pierrotet, which was seen as a sign of Stephens' weakness before the French, was the cause of some criticism of the new administration in both the local and the German press.² Criticism was also levelled at the juggling of Departments that took place at the time of Stephens' entry into power. Stephens took over the Departments of Foreign Affairs and Interior which had previously been under the care of Rault. To the responsibility of Herr Kossmann were entrusted the Departments of Forests and Social Insurance. M. Morize, the French member, was charged with the supervision of the Departments of Finance, Economic Affairs, and Mines Control.³ Since it had long been a complaint in the Saar that Kossmann had not been accorded responsibility over some of the more significant Departments such as Finance, Foreign Affairs, or the Interior, the transfer of the key Department of Finance to the French Commissioner was bound to be a source of grievance. France, on the other hand, having lost control of the Presidency, had been

¹Ibid., March 27, 1926.

²Saar. Zeit., April 3, 1926; Frankfurter Zeit. and Germania, April 8, 1926. See also petition of the Social Democratic Party, La majorité française de la Commission de Gouvernement du Bassin de la Sarre et le préjudice qu'elle cause à la Sarre.

³LNOJ, September, 1926, 1120-1.

determined to gain control of the Department of Finance.

Despite such difficulties, however, Stephens proved to be a popular President, just as he had been a popular Commissioner. Unfortunately he was not to remain long in this position. Early in January of 1927, Stephens informed Erik Colban of the League Secretariat that he would likely not be eligible for renomination for the next year.¹ It was personal reasons which forced this decision on the President. Subsequently an official resignation was submitted to Eric Drummond, Secretary General of the League, by which Stephens gave notice that he intended to lay down his duties on March 31, 1927.² There was some speculation in the press as to the possibility of political reasons for Stephens' decision to resign. The Berliner Tageblatt concluded that the President's resignation was in the nature of a protest -- a sign that he could not perform his functions freely, i.e., that he was not free from French interference.³ There is, however, among his papers nothing to support this contention and his resignation seems to have been necessitated by ill health.⁴

¹Letter of Stephens to Colban, January 10, 1927 (Stephens Papers).

²Letter of Stephens to Drummond, Feb. 15, 1927 (Stephens Papers).

³Berliner Tageblatt, Feb. 23, 1927. See also Saar Zeit., June 4, 1927.

⁴See letter of Stephens to Berlin Consul at Mainz, Feb. 21, 1927 (Stephens Papers).

The rumour of Stephens' resignation was the cause of some concern in Berlin and provoked instructions from the Foreign Office to the ambassador in London that the British Government be urged to support another Britisher as successor to the Canadian.¹ In the opinion of the Saarbrücker Zeitung, however, the best solution would be that Stephens remain at his post.² The news of his impending departure occasioned a number of tributes to him, not the least of which was paid by an arch-critic of the Saar administration, Robert Donald:

Major Stephens is a Canadian business man with a perfect knowledge of both French and German, who has served on the Commission for over three years, and has proved a capable and impartial President for the last twelve months.³

The Saarbrücker Landeszeitung dared to express the hope that Herr Kossmann might be appointed President.⁴ The feeling in Berlin was, however, that the time had not yet come for a German President. Such a concession by France, it was construed, would force Germany to yield in the Council on every other issue concerning the Saar.

¹Telegram of Schubert to German Embassy, London, Feb. 19, 1927 NA, T-120, serial L 1562, frames L 473437-9 (Saar. Regierungskommission).

²Saar. Zeit., February 26, 1927.

³The Times (London), March 3, 1927. Letter to Editor from Robert Donald.

⁴Saar. Landeszeit., February 20, 1927.

Apparently this was the view of Kossmann as well.¹

In any case there seems to have been considerable difficulty in selecting a suitable candidate. At the Council meeting on March 12, it was announced that Stephens had agreed to continue at his post pending the appointment of a successor but in any case not after the next Council meeting in June. The other Commissioners were re-appointed for the coming year.²

Apparently the Canadian Government had been unable to suggest a suitable candidate. The German Foreign Office appears at this time to have favoured the appointment of an Englishman to the Presidency or the re-appointment of Stephens if that was possible.³ Meanwhile members of the British Foreign Office discussed with the French the possibility of naming Sir Ernest Wilton to the post.⁴ Within a month Wilton, a former Consul-General and Minister Plenipotentiary, was appointed Chairman of

¹Memorandum for League Council meeting, dated Mar. 7, 1927 NA, T-120, serial 4517, frames E 132839-65 (Büro von Staatssekretär).

²LNOJ, April, 1927, 419.

³Letter of Stresemann to German Embassy, London, May 7, 1927. NA, T-120, serial L 1562, frames L 473563-4 (Saar. Regierungskommission).

⁴Telegram of Sthamer to Foreign Office, May 10, 1927. Ibid., frames L 473566-7.

the Governing Commission.¹

Before Stephens parted from the territory tributes were paid to him by a number of local organisations as well as private citizens. Among the more significant were letters from Kossmann, and from Vogeler of the Advisory Council, and from Stresemann himself.² Most colourful, however, was the action of a number of local shops which displayed a model similar to the grey derby which was Stephens' trademark with the sign under it "The Crown of the Saar Territory."³

Stephens had found particular favour with Hermann Röchling, a man by no means easy to please:

Der Tausch mit Herrn Stephens...war uns willkommen. Stephens hatte Sinn für Humor und war ein liebenswürdiger Mensch. Er verschmähte es nicht, sich unter das Volk zu mischen, und auch mal seinen Schoppen in irgendeiner Kneipe mit den Bürgern zu trinken. Sogar auf dem Karnevals- Presseball erschien er mit dem für ihn charakteristischen grauen Halbzyylinder, der bei einer solchen Gelegenheit 'die Krone des Saargebietes' getauft worden war. Natürlich machte Stephens nun nicht deutsche Politik, aber jedermann hielt es ihm zugute, wenn er irgend etwas tun musste, was uns nicht ganz verständlich war, denn wir mochten ihn und seine Art gern.⁴

Writing later, L.G. Cowan considered that:

¹LNOJ, June, 1927, 692. Stephens himself had suggested in a letter to Austen Chamberlain that his successor be an Anglo-Saxon "in order to counterbalance too strong a French tendency." He also urged that the appointee be competent in both French and German. (Letter of Feb. 21, 1927, contained in Stephens Papers).

²Letters to Stephens from Kossmann, May 30, 1927; from Vogeler, July 3, 1927; from Stresemann, October 4, 1927 (Stephens Papers).

³Montreal Star and Montreal Gazette, November 24, 1927.

⁴Röchling, op. cit., 118.

...only two of the various members of the Commission over the fifteen-year period ever enjoyed the real confidence of the Saarlanders, It is not surprising that these two (Mr. Waugh and Mr. Stephens of Canada) were the only Commissioners who were able to take a genuinely objective view of their position, coming as they did from a geographical area which was in no way affected by the decisions made on the Saar.¹

Even more significance was seen in the brief Presidency of Stephens by Professor Russell who regarded the appointment of the Canadian as Chairman a move calculated not only to alleviate German criticism of the Commission but "to give the Commission a moral standing among the League of Nations supporters which it could never have commanded under a French chairman."²

¹Cowan, L.G., France and the Saar 1680-1948, 168.

²Russell, The Saar: Battleground and Pawn, 81.

CONCLUSION

The success of the Saar Basin Governing Commission in providing an efficient administration after 1923 cannot be denied. Clearly, the school system which the Commission maintained, the railways and road building projects which it fostered were a credit to the League administration. The success which attended the management of Saar finances has already been underlined. Moreover, these goals were achieved with a remarkable absence of friction. This achievement is made more memorable by the awareness of the problems which the Commission faced in its efforts to administer the territory.

On the other hand, it must be admitted the Commission never succeeded in establishing a government which was in any sense of the word "popular" with the Saarlanders. The unfavourable attitude toward the Commission which the Saarlanders displayed was in large measure the product of resentment to government by "foreigners". This reaction, which in the twentieth century appears to be a natural one, was reinforced to the point of hostility by the campaign of the German propagandists against the Commission. Indeed it was not surprising that the Saar became a centre for the campaign that took place in Germany to discredit the Versailles settlement. As a product of the Versailles

settlement, the Commission inevitably experienced difficulties in governing a region severed from Germany in 1919. Undoubtedly one of the basic problems of the Governing Commission was the fact that it was created to carry out the terms of a Treaty which was held to be odious by the Germans. Moreover the anticipation of the plebiscite to be held in the territory heightened the efforts of the propagandists to emphasize the purely German character and sentiments of the population.

One of the major complaints of the political leaders of the Saarlanders was that the territory was denied the right of parliamentary government during the League regime. The validity of this grievance can not be denied. This was, however, a problem for which there was no simple solution since it was clearly not possible to make the Commission responsible both to the League Council and to the Saarlanders. This unfortunate feature of the League regime undoubtedly could not be justified on a permanent basis. On the other hand, it must be admitted that the fear on the part of the Commission that a Saar parliament would adopt a wholly obstructionist attitude was by no means reduced by the propaganda line taken by the Saar leaders.

Charges of French influence in the territory

even after 1923 were also not totally devoid of truth. A France which felt itself deprived at the Peace Conference of the position it coveted in Europe naturally attempted to gain as much benefit as possible from the "neutral" regime of the League in the Saar. Clearly, although the influence exercised by the French state declined after 1923, France retained in the territory a position which was not fully compatible with the concept of international administration.

In meeting the problem of French influence, the neutral Commissioner often faced opposition from members of the Commission who were favourable to the interests of France. On the other hand, the Commission as a whole was hindered in its efforts to negotiate with the French Government on Saar problems because the territory did not possess the status of a sovereign state. Because of this fact, it was difficult for the Commission to cope with the more subtle means of economic influence exercised by France in the territory. The territory had of course been made a League dependency in 1919 rather than an independent state because as a very small state it likely would have fallen even more directly under the control of France to which it was economically tied. Yet the fact remained that on the League Council itself French influence was of

considerable significance and hence the League itself was not always in a position to defend the interests of the territory. In view of this situation, the success which attended the Commission's efforts to protect the rights of the Saarlanders, particularly with regard to such matters as the price of coal and tariff concessions, was a noteworthy achievement.

In the last analysis the success of any single Commissioner in altering the situation of the Saarlanders, be it for good or ill, was definitely circumscribed by the very nature of the Commission which was a body which possessed limited authority. Thus the participation of George Stephens in the Commission is significant not so much because of the tangible achievements he attained for the Saarlanders, which are not to be denied, but more as a remarkable illustration of the sincere attempt by the truly neutral administrator to serve the interests of the people and nations concerned.

It is largely because of Stephens' neutralism that his replacement of Rault as Chairman of the Commission was an event of great importance in the history of the League regime. In fact, Stephens' role, both as a member of the Commission and later as President of that body,

served to prove the proposition that the most essential quality of the international administrator is a soundly based neutralism. For Stephens' neutralism did not stem from an attitude of indifference or a lack of involvement but rather from a sincere desire to understand both the German and the French point of view. It is neutralism of this nature which is worthy of imitation by the international administrator.

In the broader perspective of Franco-German relations during the rapprochement of the mid-twenties, the withdrawal of the French troops from the territory must be considered as an event of some significance. Furthermore, the scene of the final negotiations to attain this goal having been Geneva the event itself underlined the fact that the existence of the League of Nations was not without meaning in the search for the solution of international problems by peaceful means.

APPENDIX ANET PROFITS OF THE SAAR MINES IN FRANCS (1920-1933)¹

1920	18,569,393
1921	23,790,541
1922	29,046,327
1923	7,927,610
1924	29,463,056
1925	9,184,293
1926	25,211,353
1927	4,366,533
1928	- 2,193,662
1929	18,566,687
1930	9,817,493
1931	- 19,075,729
1932	- 21,813,043
1933	- 13,092,056
	119,768,796

¹Saarwirtschaftsstatistik, IX, 1934, S. 23.

BIBLIOGRAPHYPRIMARY SOURCESUnpublished Sources

Commission de Gouvernement du Territoire de la Sarre,
Procès-Verbaux (1920-1926) (Mimeographed -
contained in the Stephens Papers).

Germany, Auswärtiges Amt, Politisches Archiv, Microfilm
released by the National Archives, Washington,
D.C., Microcopy T-120.

Serial 3058 "Büro des Reichsministers, Besetzte
Gebiete - Saargebiet

4517 "Büro des Staatssekretärs:
Angelegenheiten des Saargebiets

K2110 Abteilung II besetzte Gebiete:
Politische Angelegenheiten des
Saargebiets

L1562 Abteilung II besetzte Gebiete:
Saargebiet, Die Regierungskommission
des Saargebiets

Great Britain, Foreign Office,
Germany Confidential C2691/1616/18. Section 1
Memorandum on the Presence of French Troops in
the Saar and the Development of the Local
Gendarmerie. March 2, 1926.

C9743/493/18. Section 5
The Saar Valley (A Chapter of 'A History of the
Peace Conference' by J.W. Headlam-Morley) May
25, 1923.

C9487/493/18. Section 2
Memorandum on the Administration of the Saar under
the League of Nations. June 4, 1923.

(Printed - contained in Stephens Papers).

Stephens Papers - Diary, Correspondence, Reports.
(Manuscript - McGill University Library, and
Private Collection of Mr. Murray Ballantyne,
Montreal, Que.).

Waugh Papers - Correspondence. (Manuscript - Private
Collection of Mr. R.D. Waugh, Winnipeg, Man.).

Official Publications

Canada, Parliamentary Debates (Commons), Vol. 141, 1920.

Germany, Das Saargebiet unter der Herrschaft des
Waffenstillstandsabkommens und des Vertrags
von Versailles, Berlin, 1921.

Great Britain, Parliamentary Debates (5th Series-Commons)
Vol. 106, 1918; Vol. 163, 1923; Vol. 171, 1924;
Vol. 180, 1924-25; Vol. 181, 1924-25.

Parliamentary Papers.

HC Cmd. 153 of 1919. L111. Treaty of Peace
between the Allied and Associated Powers and
Germany. Signed at Versailles, June 28, 1919.

HC Cmd. 1325 of 1921. XL111. Protocols and
Correspondence between the Supreme Council and
the Conference of Ambassadors and the German
Government and the German Peace Delegation
between January 10, 1920 and July, 17, 1920,
respecting the execution of the Treaty of
Versailles of June 28, 1919.

HC Cmd. 1614 of 1922. XX111. Memorandum
circulated by the Prime Minister on March 25,
1919.

HC Cmd. 2169 of 1924. XXVI. Papers Respecting
Negotiations for an Anglo-French Pact.

Great Britain, Foreign Office, Historical Section,
Lorraine and Saar Minefields. Handbooks
prepared under direction of the historical
section of the Foreign Office. #31. Edited by
Sir G.W. Prothero. London, 1920.

League of Nations, Documents C. 754. M.300. 1923 I
 C. 755. M.301. 1923 I
 C. 757. M.304. 1923 I
 C. 803. M.302. 1923 I
 C. 57. M. 22. 1924 I
 C. 60. M. 23. 1924 I
 C. 75. M. 25. 1924 I
 C. 126(I) M.36. 1924 I
 C. 245. M. 82. 1924 I
 C. 259. M. 86. 1924 I
 C. 282. M. 89. 1924 I
 C. 355. M.122. 1924 I
 C. 458. M.174. 1924 I
 C. 462. M.171. 1924 I
 C. 465. M.173. 1924 I
 C. 473. M.179. 1924 I
 C. 474. M.177. 1924 I
 C. 501. M.183. 1924 I
 C. 681. M.242. 1924 I
 C. 799. M.268. 1924 I
 C. 50. M. 27. 1925 I
 C. 92. M. 46. 1925 I
 C. 116. M. 56. 1925 I
 C. 128. M. 57. 1925 I
 C. 173(I) M. 59. 1925 I
 C. 236. M. 89. 1925 I
 C. 412. M.148. 1925 I
 C. 40. M. 20. 1926 I
 C. 424. M.157. 1926 I
 C. 519. M.199. 1926 I
 C. 520. M.200. 1926 I
 C. 65. M. 30. 1927 I
 C. 155. 1927 I

Records of the Third Assembly of the League of Nations, I,
 1922.

League of Nations Official Journal Vols. I-XVI (1920-1935)

League of Nations Treaty Series: V, 1921; XXVII, 1924;
 LV, 1926; LXII, 1927; LXX, 1928; LXXIII, 1928;
 LXXIX, 1928.

League of Nations, Secretariat, Information Section,
The Saar Basin and the Free City of Danzig,
 Geneva, 1924.

Reparation Commission, Statement of Germany's Obligations, December 31, 1922. London, 1923.

Saargebiet, Saarwirtschaftsarchiv, Saarwirtschaftsstatistik, Heft VII, 1933; IX, 1934.

United States, State, Department of, Papers Relating to the Foreign Relations of the United States. The Paris Peace Conference, 1919. Vols. V, VI, VIII, XI.

Unofficial Publications

Baker, Ray, Woodrow Wilson and World Settlement. Written from his unpublished and personal material. 3 Vols., New York, 1922.

Carnegie Endowment for International Peace, Official Statements of War Aims and Peace Proposals, December 1916-November 1918. (Edited by James B. Scott) Washington, 1921.

House, Edward, The Intimate Papers of Colonel House. Vol. 4, The Ending of the War. (Arranged as a narrative by Charles Seymour) Boston, 1928.

House, Edward and Seymour, Charles (Eds.) What Really Happened at Paris. The Story of the Peace Conference 1918-1919. New York, 1921.

Lavissee, Ernest (Ed.) Travaux du Comité d'Etudes, Tome I. L'Alsace-Lorraine et la frontière du nord-est. Paris, 1918.

Lloyd George, David, The Truth About the Peace Treaties Vol. I, London, 1938.

Mantoux, Paul, Les délibérations du Conseil des Quatre (24 mars-28 juin, 1919). Notes de l'Officier Interprète. 2 Tomes, Paris, 1955.

Miller, David, My Diary at the Conference of Paris With Documents. Vols. IV, VI, VIII, IX, XVIII, XIX. New York, 1924.

Pinot, Robert, Le Comité des Forges de France au service de la nation (août 1914-novembre 1918). Paris, 1919.

Stresemann, Gustav, His Diaries, Letters, and Papers,
Vol. 3 (Edited and translated by Eric Sutton),
London, 1940.

Tardieu, André, The Truth About the Treaty, Indianapolis,
1921.

Petitions of Saar Political Parties to League of Nations

Saar Territory, Factions of the Advisory Council, Le Danger
Monétaire en Sarre, Saarbrücken, 1925.

The Draining of the Resources of the Saar
Territory by France, Saarbrücken, 1924.

Durchreise von Saareinwohnern durch das
besetzte Gebiet von Deutschland, Saarbrücken,
1923.

Der Fall Hector und seine Konsequenzen,
Saarbrücken, 1923.

Das französische Militär im Saargebiet,
Saarbrücken, 1922. (English trans. The French
Troops in the Saar Basin. Saarbrücken, 1923)

The French Military Forces in the Saar
Territory. Illegal and Unnecessary Maintenance
of Troops to the Danger of the Public.
Saarbrücken, 1924.

La majorité française de la Commission de
Gouvernement du Bassin de la Sarre et le
préjudice qu'elle cause à la Sarre,
Saarbrücken, 1926.

Memorial relating to the Election of the
Saar Member of the Governing Commission of the
Saar Territory and the Hearing of the Elected
Representatives of the Saar Population by the
Council of the League of Nations, Saarbrücken,
1924.

Plaintes et Revendications des habitants du
Bassin de la Sarre, Saarbrücken, 1922.

Protest gegen die Verordnung der
Regierungskommission des Saargebietes vom 2.
Mai 1923, Saarbrücken, 1923.

The Spirit of the Saar Statute and the execution of the same by the Governing Commission, Saarbrücken, 1923.

The Untenable Character of the Customs Regime in the Saar Basin, Saarbrücken, 1925.

Saar Territory, Social Democratic Party, Mémoire concernant l'administration du Territoire de la Sarre, Saarbrücken, 1926.

Mémoire concernant la nomination des membres et du président de la Commission de Gouvernement du Territoire de la Sarre, Saarbrücken, 1925.

Newspapers (Selected Articles)

Arbeiter-Zeitung (Saarbrücken)

L'Avenir (Paris)

Berliner Tageblatt

Deutsche Allgemeine Zeitung (Berlin)

Frankfurter Zeitung

The Gazette (Montreal)

Germania (Berlin)

Journal d'Alsace et de Lorraine (Strasbourg)

Journal de l'Est (Strasbourg)

Kölnische Zeitung

The Manchester Guardian

Le Matin (Paris)

The Montreal Star

Neuer Saar-Kurier

Neunkirchener Zeitung

The New York Times

Saarbrücker Landeszeitung

Saarbrücker Zeitung

Le Temps (Paris)

The Times (London)

Volksstimme (Saarbrücken)

SECONDARY SOURCES

Books and Theses

Allot, Alexandre, Le bassin de la Sarre, Paris, 1924.

Baldauf, Heinrich, Fünfzehn Jahre publizistischer Kampf um die Saar. Saarbrücken, 1934.

Balk, Theodor, The Saar at First Hand. London, 1934.

Barthou, Louis, Le Traité de Paix. Paris, 1919.

Benham, Frederic, The Iron and Steel Industry of Germany, France, Belgium, Luxembourg and the Saar. London, 1934.

Biesel, Eduard, Die völkerrechtliche Stellung des Saargebiets. Leipzig, 1929.

Bisschop, W.R., The Saar Controversy, London, 1924. The Grotius Society Publications #2.

Bretton, H.L., Stresemann and the Revision of Versailles. A Fight for Reason. Stanford, 1953.

Brogan, Denis, France Under the Republic. The Development of Modern France (1870-1939). London, 1940.

Bumiller, J.M., Die völkerrechtliche Stellung der fremden Truppen im Saargebiet. Berlin, 1928.

Busemann, Karl, Die Rückgliederung der Saar. Wirtschaftliche Hoffnungen und Notwendigkeiten. Frankfurt, 1934.

- Capot-Rey, Robert, La région industrielle sarroise. Territoire de la Sarre et bassin houiller de la Moselle. Etude géographique. Nancy, 1934.
- Chiny, Henri, Le retour éventuel de la Sarre à l'Allemagne vu par les Allemands. Paris, 1932.
- Coursier, Henri, Le Statut International du Territoire de la Sarre, Paris, 1925.
- Cowan, L.G., France and the Saar (1680-1948). New York, 1950.
- Dawson, W.H., The Saar Territory. Its History, Population, Industry, and Government by the League of Nations. London, 1934.
- Donald, Robert, A Danger Spot in Europe and its Government by the League of Nations. London, 1925.
- Donnadieu, Jacques, La liquidation de la victoire. La Sarre. Paris, 1930.
- Ebray, Alcide, A Frenchman looks at the Peace. Trans. by E.W. Dickes. New York, 1927.
- Eyck, Erich, A History of the Weimar Republic, 2 vols. Trans. by H.P. Hanson and R.G. Waite. Cambridge, Mass., 1962-63.
- Fittbogen, Gottfried, Die französischen Schulen im Saargebiet. Berlin, 1925. Rheinische Schicksalsfragen. Vol. 4.
- Florinsky, M.T., The Saar Struggle. New York, 1934.
- Frisch, Sepp, Die Saar blieb deutsch: ein Rückblick 1680-1955, Berlin, 1956.
- Goergen, Joseph, Das Saarexperiment des Völkerbundes. Strasbourg, 1935.
- Grabowsky, Adolf, und Sante, Georg, (Eds.) Die Grundlagen des Saarkampfes. Berlin, 1934. Zeitschrift für Geopolitik. (Sondernummer).

- Grimm, Friedrich, Frankreich an der Saar. Der Kampf um die Saar im Lichte der historischen französischen Rheinpolitik. Hamburg, 1934.
- Groten, Curt, Die Kontrolle des Völkerbundes und die Tätigkeit des Regierungskommission des Saargebietes. Saarbrücken, 1929.
- Haskins, Charles, and Lord, Robert, Some Problems of the Peace Conference. Cambridge, Mass., 1920.
- Hellwig, Fritz, The Saar Basin and the Saar Question. Berlin, 1934.
- Herly, Robert, L'introduction du franc dans la Sarre. Une expérience monétaire. Nancy, 1925.
- Hirsch, Helmut, Die Saar in Versailles: Die Saarfrage auf der Friedenskonferenz von 1919. Bonn, 1952.
Rheinisches Archiv. Series, Band 42.
- The Saar Territory. Unpublished Doctoral Thesis. University of Chicago, 1945.
- Die Saar von Genf: die Saarfrage während des Völkerbundregimes von 1920-1935. Bonn, 1954.
- Katsch, Helmut, Regierung und Volksvertretung im Saargebiet. Leipzig, 1930.
- Keynes, J.M., The Economic Consequences of the Peace. New York, 1920.
- Kloevekorn, Fritz, (Ed.) Das Saargebiet: seine Struktur, seine Probleme. Saarbrücken, 1929.
- Kronhausen, Eberhard, Saarvolk im Kampf, Stellung und Bedeutung des Saargebiets im Volksstaat. Stuttgart, 1934.
- Lambert, Margaret, The Saar. London, 1934.
- Loveday, Alexander, Reflections on International Administration. Oxford, 1956.
- Luckau, Alma, The German Delegation at the Paris Peace Conference. New York, 1941.
- Marvaud, Angel, Le Territoire de la Sarre. Son évolution économique et sociale. Paris, 1924.

- Maupas, Jacques, La Sarre et son rattachement à l'Allemagne. Paris, 1936.
- Metzger, Ernst, Der Einfluss des Saarstatuts auf die politischen und wirtschaftlichen Verhältnisse des Saargebietes, Würzburg, 1934.
- Morgan, H.J., (Ed.) The Canadian Men and Women of the Time. Toronto, 1912.
- Moulton, H.G., and McGuire, C.E., Germany's Capacity to Pay. A Study of the Reparation Problem. New York, 1923.
- Noble, George, Policies and Opinions at Paris, 1919. New York, 1935.
- Osborne, Sidney, The Saar Question. A Disease Spot in Europe. London, 1923.
- Pange, Jean de, Ce qu'il faut savoir de la Sarre. Paris, 1934.
- Passe, Georges, Le plébiscite de la Sarre. Paris, 1935.
- Priou, Jean, L'organisation politique et économique du Territoire de la Sarre. Paris, 1921.
- Le Territoire de la Sarre. Etudes politiques et économiques. Paris, 1923.
- Revire, Jean (Robert Herly), Perdons-nous la Sarre? Paris, 1930.
- La Sarre. Note sur le problème de la Sarre. Lyon, 1926.
- Reynolds, B.T., The Saar and the Franco-German Problem. London, 1934.
- Röchling, Hermann, Wir halten die Saar. Berlin, 1934.
- Roegels, F.C., Deutsches Schicksal an der Saar. Breslau, 1934.
- Russell, F.M., The International Government of the Saar. Berkeley, 1926. University of California Publications. Bureau of International Relations. Vol. 1, #2.

- The Saar: Battleground and Pawn. Stanford, 1951.
- Schmidt, R.H., Saarpolitik 1945-1957. Band 1, Berlin, 1959.
- Suarez, Georges, Briand: sa vie; son oeuvre. Tome 6, Paris, 1952.
- Temperley, Harold, (Ed.), A History of the Peace Conference of Paris. Vols. 1-3, London, 1920.
- Tillman, S.P., Anglo-American Relations at the Peace Conference of 1919. Princeton, 1961.
- Toynbee, Arnold, Survey of International Affairs. 1920-1923; 1925; 1927; 1934. London, 1927-1935.
- Vidal de la Blache, Paul, et Gallois, Lucien, Le bassin de la Sarre; clauses du Traité de Versailles. Etude historique et économique. Paris, 1919.
- Walters, F.P., A History of the League of Nations. London, 1952.
- Wambaugh, Sarah, The Saar Plebiscite, with a collection of official documents. Cambridge, Mass., 1940.
- Wehberg, Hans, Saargebiet. Die staats-und völkerrechtliche Stellung des Saargebietes. n.p., 1924. Staatsbürger Bibliothek. Heft 116.
- Ydit, Méir, Internationalised Territories from the 'Free City of Cracow' to the 'Free City of Berlin'. A Study in the historical development of a modern notion in international law and international relations (1815-1960). Leyden, 1961.
- Zimmerman, Albert, La réadaptation économique de la Sarre à l'Allemagne (1935-1936). Paris, 1937.

Articles, Essays, Pamphlets.

- Anonymous, French Policy in the Territory of the Saar Basin. Saarbrücken, 1922.

Baldwin, E.F., A Little-known Buffer State. The Outlook.
Vol. 133, April, 11, 1923.

Two Germanys. The Outlook. Vol. 136,
January 2, 1924.

Bell, John, Harmonious Adjustments in the Sarre. Current History, A Monthly Magazine of the New York Times.
Vol. 21, January, 1925.

Brooks, Alfred, and Croix, Morris, The Iron and Associated Industries of Lorraine, the Sarre District, Luxemburg, and Belgium. U.S. Geological Survey Bulletin #703, Washington, 1920.

Bulletin of International News, Franco-German Relations Since Thoiry. Vol. 4, #17, February 18, 1928.

Capot-Rey, Robert, The Industrial Region of the Saar. Geographical Review. Vol. 25, January, 1935.

Contemporary Review, France, Germany, and the Saar. Vol. 120, August, 1921.

The Saar, Vol. 123, April, 1923.

Current History, A Monthly Magazine of the New York Times, Franco-German Controversy in the Sarre Valley, Vol. 16, July, 1922.

French Designs Blamed for Sarre unrest.
Vol. 18, July, 1923.

Degouy (Amiral), Dans la Sarre. Revue des Deux Mondes. Vol. 18, November 15, 1923.

Dell, Robert, The League of Nations and the Saar. New Statesman. Vol. 21, May 19, 1923.

A Visit to the Saar. Contemporary Review. Vol. 123, March, 1923.

Donald, Robert, The League and the Saar. Contemporary Review. Vol. 127, March, 1925.

Doyle, W. Gleaves, The Trouble in the Saar. The Bulletin of the League of Nations Society in Canada. Vol. 1, #5, August, 1923.

- Economist, France and the Saar, Vol. 103, October 2, 1926.
- Fassbinder, J.M., Saarland, das Treupfand des Völkerbundes. Westermanns Monatshefte. Vol. 143, September, 1927.
- Freeman, The League in the Saar. Vol. 7, June 6, 1923.
The Whitewash in the Saar. Vol. 7, July 25, 1923.
- Glückauf. Berg- und Hüttenmännische Zeitschrift, Vol. 61, 1925, pp. 170, 353.
- Greenwood, H.P., Lessons of the Saar. The Spectator. Vol. 154, January 25, 1935.
- Haskins, Charles, The Saar Territory as it is To-day. Foreign Affairs. Vol. 1, #2, December, 1922.
- Headlam-Morley, Kenneth, Saar Valley. Contemporary Review. Vol. 135, January, 1929.
- Hirschauer (Général), Les Mines de la Sarre sous l'administration française. Revue des Deux Mondes. Ser. 7, Vol. 10. August 1, 1922.
- Hüttebräucher, Kurt, Das Fiasko der französischen Saarpolitik. Deutsche Rundschau. Vol. 207, 1926.
- L'Illustration, La Sarre, gage de la paix. Vol. 177, November 29, 1930.
- Iron and Coal Trades Review, Vol. 111, October, 1925.
- Journal des Débats, Le problème de la Sarre. Vol. 31, October 3, 1924.
La Sarre et la Société des Nations. Vol. 33, March 12, 1926.
- Kuhlmann, Richard von, The Future of the Saar. Foreign Affairs. Vol. 12, April, 1934.
- Literary Digest, A 'German Blow' at the Versailles Treaty. Vol. 91, October 23, 1926.

- Living Age, A Saar Episode. Vol. 317, June 16, 1923.
- Marvaud, Angel, La situation dans la Sarre. Revue
Politique et Littéraire. Vol. 61, May 19, 1923.
- Maupas, Jacques, La question de la Sarre. Revue
Politique et Littéraire. Vol. 72, October 20,
1934.
- Metz, Friedrich, Das Saargebiet. Deutsche Rundschau.
Vol. 209, December, 1926.
- Nation, Treaty-Breaking in the Saar Basin. Vol. 166,
March 14, 1923.
- Trouble on the Saar. Vol. 117, August 1,
1923.
- New Statesman, The Conversations of Thoiry. Vol. 27,
September 25, 1926.
- The League of Nations and the Saar. Vol. 21,
May 5, 1923.
- Revire, Jean, La Sarre, la France et l'Europe. Le Monde
Français. Vol. 17, 1950, p.354.
- "
Röchling, Hermann, Das Saargebiet und der Völkerbund.
Deutsche Rundschau. Vol. 199, May, 1924.
- Royal Institute of International Affairs, The Saar Problem.
Information Department Papers #11, London, 1934.
- Russell, F.M., The Saar Basin Governing Commission.
Political Science Quarterly. Vol. 36, June,
1921.
- Sandon, (Viscount), The Saar. The Empire Review. Vol. 45,
March, 1927.
- Schevill, Ferdinand, The International Saar. New Republic.
Vol. 35, August 22, 1923.
- "
Schucking, Levin, The Unfortunate Saar District. New
Statesman. Vol. 19, May 27, 1922.
- Science et Industrie, La Sarre. #117, January, 1924.

- Staley, Eugene, Private Investments and International Politics in the Saar, 1919-1920. Journal of Political Economy. Vol. 41, October, 1933.
- Tardieu, André, Le bassin de la Sarre. L'Illustration. Vol. 155, June 12, 1920.
- Wambaugh, Sarah, New Tools for Peaceful Settlement. Annals of American Academy of Political and Social Science. Vol. 240, July, 1945.
- "The Saar." World Organisation. A Balance Sheet of the First Great Experiment. pp.260-270. Published by the American Council on Public Affairs, Washington, 1942.
- Werth, Alexander, The Honeymoon that Failed. New Statesman and Nation. Vol. 9, February 2, 1935.
- Wilton, Ernest, The Saar Plebiscite-and after. The Quarterly Review. Vol. 264, April, 1935.
- Wiskemann, Elizabeth, The Saar: The Historical Background. History Today. Vol. 3, August, 1953.