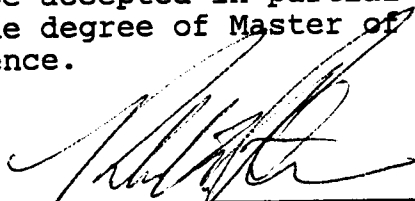


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ACCEPTING THE DIVISION: THE RECOGNITION
OF THE GERMAN DEMOCRATIC REPUBLIC
BY THE UNITED STATES

A Thesis
Presented for the
Master of Arts
Degree
The University of Tennessee, Knoxville

Matthias Graner

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ABSTRACT

In September 1974, the United States formally recognized the German Democratic Republic by signing an agreement on the establishment of diplomatic relations. This thesis examines the diplomatic process which led up to the agreement between the two states from the perspective of the U.S.

The study relies on literature on U.S.-German relations and the Berlin Agreement and a large number of newspaper accounts. Additional information was received in interviews with officials at the State Department in Washington, D.C.

The U.S. ignored the GDR until the late 1960s, when West Germany began to alter its position toward East Berlin. The Quadripartite Agreement brought about a substantial change in U.S. policy toward the GDR. Before extending formal recognition, the U.S. was able to use the issue as a "bargaining chip" in the Berlin Talks to elicit additional concessions from the Soviet Union. In the bilateral talks the U.S. delayed the establishment of diplomatic relations until the GDR had met certain U.S. demands.

U.S. policy toward the GDR is determined by external factors to a large degree. The FRG is most influential among them. Therefore, the future of U.S.-East German relations will depend on Bonn's interests.

TABLE OF CONTENTS

SECTION	PAGE
I. INTRODUCTION	1
II. THE U.S. POSITION TOWARD EAST GERMANY DURING THE POST-WAR PERIOD	12
1. The Establishment of Two German States	12
2. Discussion about an Alternative Policy toward Germany	17
3. Steadfastness in Washington and Changes in Bonn	21
4. Two Decades of "Non-Relations"	25
III. THE BERLIN NEGOTIATIONS: TURNING POINT IN U.S. ATTITUDE TOWARD THE GDR	32
1. Proposing an Exchange of Views on Berlin	32
The Soviet Position	34
The East German Position	36
The U.S. Position	38
The West German Position	40
2. The Negotiations	41
A "Cumbersome Four-Power Machinery" and its Backchannel.	42
The Allied Travel Office	45
Related Developments	46
The Talks Gain Momentum	48
3. A Pyrrhic Victory for the GDR	52
4. The GDR in the International Arena	58
The CSCE Process	60
The United Nations	61
IV. BILATERAL NEGOTIATIONS BETWEEN THE U.S. AND THE GDR	67
1. Overtures in the Trade Area	67
2. Official Contacts	69
3. The Talks on the Establishment of Diplomatic Relations	73
Struggle over the Federal Environmental Agency in West Berlin	76
Finally: The Agreement	80
4. The GDR without Leverage	85
V. CONCLUSION	91
BIBLIOGRAPHY	99
VITA	107

I. INTRODUCTION

On September 4, 1974, twenty-five years after the establishment of the GDR and following five years of direct and indirect preliminaries, the United States and the German Democratic Republic signed an agreement on the establishment of diplomatic relations.

The aim of this thesis is to examine the diplomatic process that led up to the U.S.-GDR agreement from the perspective of the United States. This process was considerably more complicated than many similar developments between the U.S. and other states, since the GDR is regarded in the West as being subject to the special post-war status of Germany as a whole, which infringes upon its right to freely conduct its external relations. The U.S., on the other hand, one of the winning nations of World War II, participates in Four-Power authority over matters of an all-German nature. An additional complication is the case of Berlin, which is also under Four-Power authority but whose Eastern Sector is claimed by the GDR as its capital. Consequently, a study dealing with an aspect of East German foreign policy cannot be conducted without giving special attention to the problems of the status of Germany in post-war Europe.

Therefore, this study goes beyond the bilateral negotiations between the U.S. and the GDR in order to provide a full picture of the process under consideration. Actors, positions, interests, and developments which at first sight do not seem to be related to U.S. policy toward the GDR must be taken into account as well. Among the actors which must be studied are (1) the Soviet Union in its dual role as a party equally sharing Four-Power rights over Germany but simultaneously as the global opponent of the U.S., (2) West Germany as the state that has become the most important U.S. ally in Europe but also as the state with a natural interest in all questions relating to Germany as a whole, and--to a somewhat lesser degree--(3) Great Britain and France as the other states sharing Four-Power authority over Germany.

All these actors are concerned with matters relating to the GDR, so that they were directly affected by any modification in U.S.-GDR relations. One of the questions to be answered in the thesis relates to the extent these actors tried to influence the U.S. position toward the GDR, and by what means this influence was exerted.

This consideration leads to further questions that will be examined here: Was U.S. recognition of East Germany required to sustain the process of détente, as the period of lessening of tensions between East and West dur-

ing the late 1960s and early 1970s is generally known among Western scholars? What kind of influence was exerted by West Germany after it had abandoned the Hallstein-Doc-trine and moved toward recognition of the GDR? To what extent was the U.S. able to use recognition of the GDR as a "bargaining chip", first during the Quadripartite Negotia-tions and later in the bilateral talks with the GDR? What was the impact of public opinion in the U.S. on these talks? Why did the U.S. wait for eighteen months after Great Britain and France had recognized the GDR before it undertook this step? Did U.S. recognition of East Germany affect the post-war status quo in Europe?

To answer these questions, the study will focus on the diplomatic activities of the above mentioned actors. Since a closer examination of the decisionmaking process within each government would go beyond the limits of this study, a government is assumed to be a single actor. This refers in particular to the U.S. government, whose deci-sion to establish diplomatic relations with the GDR will not be examined in the context of the intra-governmental decisionmaking process but rather as a result of external factors caused by the actions of other governments. U.S. relations with these governments, which influenced the U.S. decision, can be roughly divided into two groups: re-lations with allied states within the North Atlantic Al-

liance and relations with states of the opposing alliance, i.e. the Warsaw Pact. Thus, it will also be an objective of this thesis to assess whether intra or inter-alliance influence prevailed in affecting the U.S. decision.

To accomplish these purposes, the thesis is structured in the following way: Chapter II deals with the two decades between 1949 and 1969, a time when U.S.-GDR relations were practically nonexistent. It looks into the reasons for this situation, describes and analyzes U.S. and West German positions during that period, and gives an account of Soviet attempts to introduce its East German ally into the international arena. These years are fundamental to understanding the positions of the actors and their aims and interests during the subsequent period.

Chapter III examines the Quadripartite Negotiations on Berlin 1970/1971 and the modification of the West German position toward the GDR. These developments freed East Germany from its international quarantine in that it brought diplomatic recognition from more than 100 states. Several Western scholars call the U.S. signing of the Quadripartite Agreement inter alia a de facto recognition of East Germany by the U.S.¹ This interpretation is

¹ Peter Christian Ludz, "Amerikanische Haltungen zur deutschen Frage," Deutschland-Archiv 5 (1972) 589.

controversial, but a significant consequence of the Berlin Agreement was East Germany's participation in multilateral conferences under U.S. approval, including its admission--simultaneous with West Germany--to the United Nations. Therefore it is justified to speak of that period as a turning point in the U.S. position toward the GDR which can not be overestimated in its significance for the process under consideration.

The bilateral negotiations between the U.S. and East Germany with the aim of establishing diplomatic ties are the subject of Chapter IV. This phase is again characterized by external influences, but actors within the U.S. also tried to participate in determining the U.S. negotiating position. Therefore it is necessary to look at the domestic response to the impending recognition of East Germany.

The concluding Chapter V wraps up the arguments of the preceding analysis and answers the questions posed at the beginning of the thesis. In addition, it attempts to give an appraisal of the current U.S. policy toward the GDR and its possible effect on the future of the "German Question".

This "German Question" has been the subject of a vast number of studies and is currently a very fashionable topic for additional books and articles, especially in Eu-

rope.² But the degree of U.S. interest and influence on these issues is little analyzed. Studies on current U.S.-German relations deal almost exclusively with U.S.-West German relations, usually in the light of developments within the military or economical area. There are also a large number of studies on U.S.-East European relations, but here the focal point is on countries like Poland and Romania, again excluding East Germany. This situation led the GDR to "fall between two stools."³ No study exists on U.S.-East German relations, the closest thing being a five-page article in the mid-1970s which appeared in the Foreign Service Journal, and which was mainly intended as briefing material for U.S. diplomats.⁴ A comprehensive West German study on GDR foreign policy includes a brief chapter on relations to the U.S.⁵ An American scholar

² Eckhard Jesse, "Die (Pseudo-)Aktualität der deutschen Frage - ein publizistisches, kein politisches Phänomen," Die Deutsche Frage in der Weltpolitik, ed. Wolfgang Michalka, Neue Politische Literatur: Beihefte, 3 (Stuttgart: Steiner Verlag, 1986) 51-68.

³ Lyman H. Legters, "Introduction: The GDR in Perspective," The German Democratic Republic: A Developed Socialist Society, ed. Lyman H. Legters, (Boulder: Westview P, 1978) 7.

⁴ John Starrels, "American Foreign Policy and East Germany," Foreign Service Journal 52.4 (1975) 17-20, 39.

⁵ Hans-Adolf Jacobsen, et al., eds., Drei Jahrzehnte Aussenpolitik der DDR: Bestimmungsfaktoren, Instrumente, Aktionsfelder (München: R. Oldenbourg Verlag, 1979) 623-34.

wrote in the late 1970s with regard to U.S. academic interest in the GDR that

the academic world has been implicated, tacitly perhaps but just as emphatically as the State Department and prevailing popular attitudes, in a habitual stance of ignoring the GDR, of acting as if it were shortly to disappear.⁶

A few studies on the GDR appeared in the early 1980s, but they are of a more introductory nature, dealing with aspects of GDR society in a textbook fashion.⁷

Consequently, this thesis is not based on a host of existing literature (e.g. in order to look into some specific aspects of the bilateral relations). Instead, it examines the topic in a very general sense, a perspective that is necessary also because of the strictly limited number of declassified documents.

The post-war period, West German Ostpolitik, and the Quadripartite Agreement are extensively examined, so that chapters II and III refer in part to existing literature. Chapter IV draws mainly on newspaper accounts (in particular New York Times, Washington Post, and Frankfurter All-

⁶ Legters 7.

⁷ See: David Childs, ed., Honecker's Germany (London: Allen & Unwin, 1985); Henry Krisch, The German Democratic Republic: The Search for Identity (Boulder: Westview P, 1985).

gemeine Zeitung) and interviews with State Department officials that were conducted in Washington, D.C. in April 1987.

Two remarks on semantics: Since the time when the deliberate use of the term "East Germany" intended to highlight the user's contempt for this state seems to be over, the terms German Democratic Republic (GDR) and East Germany, as well as Federal Republic of Germany (FRG) and West Germany, are used interchangeably. The use of any of these terms does not imply a debasement in any way.

A second term often used in this thesis refers to the principle of recognition. Its significance and the way it was used by the U.S. will be briefly examined.

Since "no multilateral treaty or convention governs recognition of foreign states,"⁸ there is no agreement on the necessary conditions for recognition. There are conflicting views among Western scholars whether recognition is a duty to be performed when a community fulfills the conditions of statehood (recognition as a matter of inter-

⁸ Randall S. Leff, "United States Policy Regarding Recognition of Foreign States," Hastings International and Comparative Law Review Inaugural Issue (1977) 174-5.

national law) or whether it can be decided on a case by case basis (recognition as a question of policy).⁹

The theoretical distinction between de facto and de jure recognition is also disputed.¹⁰ In political practice, however, de facto recognition has been used to acknowledge that a government wields effective authority over a territory, whereas de jure recognition entails a number of legal consequences for the future relations between the two states.

Some confusion arises over the connection between recognition and establishment of diplomatic relations. Although states may recognize each other without establishing diplomatic relations (especially smaller states which often lack funds to maintain diplomatic missions in a large number of countries), "diplomatic relations have never been established without recognition."¹¹

The U.S. had regarded recognition of foreign states as a duty throughout the 19th century but changed its po-

⁹ B. Sen, A Diplomat's Handbook of International Law and Practice (The Hague: Martinus Nijhoff, 1965) 409. Sen argues that "there is probably no other field of international relations in which law and politics are more closely interwoven."

¹⁰ H. Lauterpacht, Recognition in International Law, (Cambridge: Cambridge UP, 1947) 341-6.

¹¹ Leff 195.

sition at the turn of the century after it had achieved "substantial military and economic strength."¹² President Wilson began to base recognitional policy on the question of whether a given government rested upon the consent of the governed. A well-known episode was the U.S. refusal to recognize the Soviet Union until 1933 because, among other issues, it violated the principles of democracy in denying self-determination to the Russian people.¹³ But in 1969 the U.S. Congress adopted a resolution based on the conclusion that withholding recognition from governments of which the U.S. disapproves had failed to advance democratic principles:

[I]t is the sense of the Senate that when the United States recognizes a foreign government and exchanges diplomatic representatives with it this does not of itself imply that the United States approves of the form, ideology, or policy of that foreign government.¹⁴

At the same time a legal adviser of the State Department pointed out that the

decision whether to extend recognition is made after weighing a number of considerations relevant to the basic question of whether recognition or non-recogni-

¹² Leff 185.

¹³ Leff 187.

¹⁴ Rpt. in Leff 189.

tion would better serve the foreign policy of the United States.¹⁵

These quotes show that by 1969 the U.S. had arrived at a rather pragmatic recognitional policy, which had major consequences regarding the establishment of relations with the People's Republic of China, as well as U.S. policy toward the GDR.

¹⁵ Leff 189.

II. THE U.S. POSITION TOWARD EAST GERMANY DURING THE POST-WAR PERIOD

1. The Establishment of Two German States

The German Democratic Republic (GDR) was established on October 7, 1949. Five months after the Parliamentary Council in Bonn had passed the "Basic Law" and thus created the Federal Republic of Germany (FRG), a second state was established on the territory of the former German Reich.

Western scholars consider both German states to be products of the Cold War.¹⁶ Although Truman, Churchill (later Attlee), and Stalin had expressed their aim of a joint policy toward the defeated Germany at the Berlin (Potsdam) Conference in August 1945, less than two years later the widening rift between the wartime allies was clearly visible. Differing conceptions about the future of Germany proved incompatible, and the former allies initiated the separate rebuilding of their respective occupation zones. The Berlin Blockade, carried out by the Soviet Union under the pretext of the currency reform in the Western Zones, did away with the last hopes for a joint

¹⁶ Richard Löwenthal, Vom Kalten Krieg zur Ostpolitik (Stuttgart: Seewald Verlag, 1974) 2; also Legters 7.

policy in all zones. Both sides began undertaking the first steps toward the building of new states.

The Soviet Union, trying to avoid the onus of being responsible for the division, insured that

[g]radualism was practiced: the East German state was to emerge step-by-step, never in advance of the conversion of West Germany into independent statehood, but never much behind.¹⁷

The Western Allies responded with a strongly worded statement against the establishment of the GDR, arguing that the FRG was based on fundamental democratic principles, whereas the

so-called Government of the German Democratic Republic is the artificial creation of a "popular assembly" which has no mandate for its purpose. . . . This so-called government, which is devoid of any legal basis, and has determined to evade an appeal to the electorate, has no title to represent Eastern Germany. It has an even smaller claim to speak in the name of Germany as a whole.¹⁸

The U.S. Secretary of State, Dean Acheson, contended that "the so-called German Democratic Republic . . . was created by Soviet and Communist fiat."¹⁹

¹⁷ Ferenc A. Váli, The Quest for a United Germany (Baltimore: Johns Hopkins P, 1967) 140.

¹⁸ United States Department of State, Documents on Germany: 1944-1985 (Washington, D.C.) 308-9.

¹⁹ Department of State Bulletin Oct. 24, 1949, 634.

These Allied statements also expressed broad support for the West German position on reunification. The Federal Government considered itself as entitled to act for all Germans, a claim that had been stated in the preamble of the Basic Law and had been accepted by the military governors of the three Western Zones.

The West German claim to be the sole legitimate representative of all Germans was fully endorsed by the Allied Governments at several occasions during the next few years.²⁰ Furthermore, the Allies stated in their Joint Declaration of October 1954 that the "achievement through peaceful means of a fully free and unified Germany remains a fundamental goal of their policy."²¹

With the ratification of the Paris Agreements on May 5, 1955, the Federal Republic became a member of NATO and was extended full sovereignty over its external and internal affairs. The Allies only retained their rights regarding the whole of Germany and Berlin.

Based on Allied support for its policy, Bonn subsequently formulated the so-called Hallstein-Doctrine. Chancellor Adenauer's visit to Moscow in September 1955 had led to the establishment of diplomatic relations between

²⁰ Documents 341-4, 423-4.

²¹ Documents 424.

the Soviet Union and the FRG, and Moscow thus became the first capital in the world with two German embassies. This situation stood in sharp contrast to the sole representation claim, but Bonn argued that an exception had to be made because of Soviet Four-Power responsibility for Germany. To avoid creating a precedent, Bonn declared publicly that it would immediately sever its ties with any other country that formally recognized the GDR. The first time Bonn acted on this principle was against Yugoslavia in 1957.

The GDR had been recognized by the Soviet Union a few days after its foundation. The Communist states of Eastern Europe followed this step until spring 1950. After Stalin's diplomatic note of March 10, 1952 failed to forestall rearmament of the Federal Republic, the Soviet Union attributed full sovereignty to the GDR on March 25, 1954. As the Western Allies would do a year later, the Soviet Union also retained all rights "regarding questions of an all-German character."²²

In response to the Soviet move, the Western Allies repeated their position not to "recognize the sovereignty

²² Documents 418.

of the East German regime" and not to "deal with it as a government."²³

The so-called Bolz-Zorin Agreement of September 20, 1955, actually an exchange of letters between the GDR Foreign Minister Bolz and the Soviet Deputy Foreign Minister Zorin accompanying the conclusion of the first Soviet-East German friendship treaty, explicitly granted the GDR partial control of traffic between the FRG and Berlin:

The German Democratic Republic carries out protection and control . . . on the lines of communication between the German Federal Republic and Western Berlin running through the territory of the German Democratic Republic. . . . [T]he German Democratic Republic will ensure the settlement with the appropriate authorities of the German Federal Republic of all questions pertaining to the transit of rail, road and water traffic of the German Federal Republic or Western Berlin, their citizens or residents, and also of foreign states and their citizens, excepting the personnel and freight of the United States, British and French troops in Western Berlin.²⁴

"This action was intended to demonstrate that the German Democratic Republic was a sovereign state and to force the Western Allies to recognize it as such."²⁵ The Soviet Union also tried to renege from the terms it had

²³ Documents 419.

²⁴ Documents 460-1.

²⁵ Dennis L. Bark, Agreement on Berlin: A Study of the 1970-72 Quadripartite Negotiations (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1974) 20.

accepted in the 1944, 1945, and 1949 agreements on the post war status of Germany and Berlin.²⁶

But the Western Governments resisted this attempt and emphasized that the Soviet-East German agreements

cannot affect the obligations or responsibilities of the Soviet Union under agreements and arrangements between the Three Powers and the Soviet Union on the subject of Germany and Berlin.²⁷

By 1955, both German states were given full sovereignty by their respective alliance partners and joined opposite military blocs. This process completed the formation period in post-war Central Europe. After this year, proposals that attempted to come to terms with the new realities in Europe gained more and more influence, as the following events will show.

2. Discussion about an Alternative Policy toward Germany

The Allied pledge not to consider recognition of the GDR was still valid, but at several occasions during the late 1950s and early 1960s measures were considered in the U.S. that would have implied at least acceptance of the existence of the GDR. The then Secretary of State, Dulles,

²⁶ For an overview see: Bark 7-16.

²⁷ Documents 461.

proposed at a press conference in November 1958 that the West might go along with East German officials exerting control on the Berlin highways as long as they formally acted as agents of the Soviet Union,²⁸ this measure would have constituted a thinly-veiled acceptance of the Bolz-Zorin Agreement.

Other suggestions were made in the context of security and disarmament proposals for Europe. Although West Germany insisted that reunification had to precede all kinds of disarmament talks, a number of plans favored East-West talks on security matters even without a solution of the German problem.²⁹

At the Foreign Ministers' Conference in Geneva in 1959 delegations of both German states for the first time attended a post-war conference of the "Big Four". After a prolonged controversy over the status of the German representatives (the notorious "battle of the tables"), the delegations were granted observer status and seated at a "children's table". But the East German delegation offi-

²⁸ James L. Richardson, Germany and the Atlantic Alliance: The Interaction of Strategy and Politics (Cambridge, Harvard UP, 1966) 267. See also: Werner Weber, and Werner Jahn, eds. Synopse zur Deutschlandpolitik 1941 bis 1973 (Göttingen, Verlag Otto Schwartz & Co., 1973) 325.

²⁹ Proposals were made - among others - by Senator Mansfield and George F. Kennan. Several ideas were also raised in Great Britain.

cially enjoyed the same status as the one from West Germany.

Shortly before the Geneva Conference, the influential columnist Walter Lippmann had set off a public debate with a series of articles on "The Two Germanys and Berlin", that appeared in the New York Herald Tribune in April 1959.³⁰ The very title represented the thrust of Lippmann's argument, acceptance of the German division and recognition of East Germany as a partner in an international settlement that was to guarantee the freedom of West Berlin.

Lippmann's ideas were picked up by a number of well-known American and European experts on international affairs, including diplomats, political scientists, historians, journalists, and politicians, and controversially discussed in other publications.³¹

Averell Harriman said in a television interview at the time when the foreign ministers were meeting in

³⁰ New York Herald Tribune 6-9 April 1959.

³¹ Among the participants in the debate were: Hubert H. Humphrey, Karl Jaspers, George Kennan, Flora Lewis, Richard Löwenthal, Hans J. Morgenthau, and C.L. Sulzberger. See especially: Louis J. Halle et al., "Solution for Berlin," New Republic 11 May 1959: 9-16, and 18 May 1959: 8-13; Lennart Hirschfeldt, "The Demand for Recognition," New Republic, 2 October 1961: 31-3; Charles W. Thayer, "We Can Now Make a Deal on Berlin," Harper's Magazine, June 1962: 27-32.

Geneva, "I think that in some ways it might be of value to give the East German regime a little more acceptance." However, one should stop short of "recognition in the diplomatic sense."³²

Senator Claiborne Pell stated unequivocally, "I believe we should grant de facto recognition to the government of East Germany."³³ John McCloy is quoted as having said

that it was about time the FRG began coming to grips with some central and Eastern European realities, citing the Oder-Neisse line, the existence of the GDR and the situation in Berlin as examples.³⁴

In early 1962, after recurring harassments against Allied air traffic to Berlin, even President Kennedy considered the possibility of an attempt to obtain Soviet guarantees of Western rights in Berlin in exchange for a limited recognition of the GDR.³⁵

³² New York Times 13 July 1959: 1.

³³ Claiborne Pell, "Berlin: Let's Stop Courting Disaster," Saturday Evening Post, 8 February 1964: 9.

³⁴ David M. Keithly, Breakthrough in the Ostpolitik: The 1971 Quadripartite Agreement (Boulder: Westview Press, 1986) 70.

³⁵ William E. Griffith, The Ostpolitik of the Federal Republic of Germany (Cambridge: MIT Press, 1978) 92, 94. See also: Löwenthal 57-8, Váli 46.

The open discussion in the U.S. caused great concern in West Germany and further spurred already existing tensions between Washington and Bonn in the early 1960s. The forced replacement of the West German Ambassador to Washington, Grewe, in April 1962 was a consequence of this crisis.³⁶

3. Steadfastness in Washington and Changes in Bonn

Another ambiguity with regard to East Germany's international status emerged during the talks on the Test Ban Treaty, when the negotiating delegations from the U.S., the Soviet Union, and Great Britain agreed that the treaty should be open for all states willing to accede. The problem that arose was how to deal with states which one or the other side did not recognize. During the talks a compromise was reached in which the ratification documents of an acceding state would be deposited at the capital of only one of the signatories.³⁷

However, there were still apprehensions in the Bonn government and among its Congressional supporters in Wash-

³⁶ Wilhelm G. Grewe, Rückblenden: 1976-1951 (Frankfurt: Propyläen, 1979) 545-63. See also: Griffith 94.

³⁷ Glenn T. Seaborg, Kennedy, Khrushchev and the Test Ban (Berkeley: U of California P, 1981) 249-50.

ington that East German accession to the treaty might signify an important improvement of the international standing of the East Berlin government. President Kennedy, in an attempt to insure Senate ratification of the treaty, unequivocally declared that the

treaty in no way changes the status of the authorities of East Germany. As the Secretary of State has made clear, "We do not recognize, and we do not intend to recognize, the Soviet occupation zone of East Germany as a state or an entity possessing national sovereignty, or to recognize the local authorities as a government."³⁸

Thus, in the mid-1960s old principles were reiterated. The NATO council at The Hague once again reaffirmed the West German sole representation claim,³⁹ and when the GDR submitted a formal request for admission to the United Nations on March 1, 1966, the Security Council did not even act since the Western Allies declared that the "so-called German Democratic Republic" had no right to admission to the United Nations because "it is not a state."⁴⁰

At this time, as the Western Allies were seemingly united behind the FRG and firmly determined not to deal with the GDR, West Germany began to modify its position

³⁸ New York Times 12 September 1963 20.

³⁹ Váli 148.

⁴⁰ Váli 153.

toward the East. Foreign Minister Schröder had initiated a "policy of movement" toward Eastern Europe,⁴¹ but he had excluded the GDR from his efforts and had sought to isolate it. With the exception of the establishment of West German trade missions in some WTO countries, his policy did not reach its goals.

Because of Schröder's lack of success, the "Grand Coalition" began to concentrate on a more active policy toward the GDR. Chancellor Kiesinger announced in his governmental declaration the West German intention to

encourage human, economic and cultural relations with our countrymen in the other part of Germany.

Where this requires the establishment of contacts between authorities of the Federal Republic and of those of the other part of Germany it does not imply recognition of a second German state.⁴²

Other developments in 1966 contributed to a general change in the East-West climate in Europe. The French President de Gaulle pursued his independent moves toward the East with a visit to Moscow, NATO began to reconsider its strategy, a process culminating with the adoption of the Harmel Report, and the Warsaw Pact leaders enunciated for the first time their desire for a conference on Euro-

⁴¹ See: Griffith 107-30.

⁴² Documents 940. Notice how carefully Kiesinger avoided the taboo word GDR.

pean security.⁴³ Although the Soviet military intervention in Czechoslovakia in 1968 temporarily shattered Western hopes for détente, it did not bring about a policy reversal.

Instead, 1969 became yet another year in which several interrelated developments paved the way for détente. President Nixon stressed in his inaugural speech the need for an "era of negotiations" and underlined his appeal during a visit to the capitals of Western Europe and Berlin five weeks after taking office.

In Bonn, the Grand Coalition was replaced by a coalition between Social Democrats and Liberals, and Willy Brandt, the former Governing Mayor of Berlin and Foreign Minister, became Chancellor. He went further along the road his predecessor had taken and for the first time a German chancellor explicitly used the word DDR (GDR) in parliament, without a supplementary "so-called" or unmistakable quotation marks. He put forth the agenda of the new government:

Twenty years after the establishment of the Federal Republic of Germany and of the GDR we must prevent any further alienation of the two parts of the German

⁴³ See the chapter: "Europe Moves to Détente", in: Raymond L. Garthoff, Détente and Confrontation: American-Soviet Relations from Nixon to Reagan (Washington, D.C.: Brookings Institution, 1985) 106-26.

nation; that is, arrive at a regular modus vivendi and from there proceed to cooperation.

Simultaneously Brandt emphasized the commitment laid down in the preamble of the Basic Law:

International recognition of the GDR by the Federal Republic is out of the question. Even if two states exist in Germany, they are not foreign countries to each other, their relations with each other can only be of a special nature.

And with regard to the Hallstein-Doctrine, Brandt announced that "our own attitude and that of our friends toward the international relations of the GDR depends on the attitude of East Berlin itself."⁴⁴

With this declaration Brandt brought to an end the policy of bypassing and isolating the GDR that had been pursued by the FRG for two decades. In so doing he opened the way for the Four Powers to redefine their position on the situation in Central Europe and especially on Berlin.

4. Two Decades of "Non-Relations"

As this account of twenty years of U.S.-GDR "non-relations" shows, the U.S. position toward the GDR was

⁴⁴ Documents 1049.

determined by three factors: the Cold War, security considerations, and the position of West Germany.

In the early post-war years, the Cold War necessitated non-recognition of the GDR and excluded an alternative approach. Recognition or even acceptance of the East German state would have been inconsistent with the U.S. policy of containment, as it was spelled out in the Truman-Doctrine: It is "the policy of the United States to support free peoples who are resisting attempted subjugation . . . by outside pressures."⁴⁵ The doctrine had to be applied to the GDR in the following years, because the large number of refugees and the uprising on June 17, 1953 were clear evidence of the will of the people to resist outside pressures.

The non-recognition policy also proved compatible with the goal most important for the West Germans, i.e. restoration of German unity. Without Allied acceptance of that goal, West German leaders would not have agreed to the provisional establishment of the FRG. Thus, during the early postwar years, U.S. and West German interests with regard to the GDR were identical, and the West German claim to sole representation as well as the non-recogni-

⁴⁵ Rpt. in Stephen E. Ambrose, Rise to Globalism: American Foreign Policy Since 1938, 4th rev. ed. (New York: Viking Penguin, 1985) 86.

tion of the GDR added up to the Western strategy of containment "as highly offensive instruments that were suitable to keep the GDR for decades in an international status minor."⁴⁶

When soon after the establishment of the FRG the question of German rearmament and participation in a joint Western defense against the Soviet Union arose, it was again essential for the U.S. to explicitly support reunification. Adenauer's internal opponents, especially the Social Democrats under Kurt Schumacher, regarded a West German rearmament as highly detrimental to reunification. A recognition of the GDR or even a lack of support for the West German claims by the U.S., the leader of the Western Alliance, would have been the strongest possible evidence for their assertions and would have undermined Adenauer's position. Since the U.S. considered West German participation in NATO indispensable, it had to support Adenauer.

But the compatibility of U.S. global strategy and West German interests gradually began to unravel after 1955. The admission of the two German states to heavily armed military blocs hostile to each other changed the situation dramatically. Despite strong West German objec-

⁴⁶ Heinrich End, Zweimal Deutsche Aussenpolitik: Internationale Dimensionen des innerdeutschen Konflikts (Köln: Verlag Wissenschaft und Politik, 1973) 27.

tions, the Western Allies began to assess prospects for reunification in the light of their possible effects on security in Europe. A fundamental revisionist policy, as was the goal to restore German unity, could possibly have very dangerous consequences for European security. Thus, it is not surprising that several disarmament proposals, coming especially from the U.S. and Great Britain, were based on the status quo in Europe, including the existence of two German states.

Soviet acquisition of capabilities to threaten the American continent with nuclear missiles and Khrushchev's first Berlin ultimatum further corroborated Western concerns for European security. And the Berlin ultimatum exposed the precariousness of the Allied position in the city. "Now Western efforts had to be concentrated on preserving the Berlin status quo instead of changing the divided status of Germany."⁴⁷

This strategic situation explains the public discussion taking place in the U.S. in the late 1950s and early 1960s, when there was major concern about a possible scenario in which Berlin was seen as the fuse that ignited World War III. During the public discussion a number of proposals on how to avoid this possibility were made, in-

⁴⁷ váli 45.

cluding the option of direct contacts with East Germany. However, the U.S. did not follow these suggestions.

Foy D. Kohler, Assistant Secretary of State, listed in a memorandum in July 1961 a number of arguments favoring and opposing the possibility of direct contacts with the GDR.⁴⁸ He admitted that since "reunification of Germany is not a practicable goal of policy for the foreseeable future, we should adapt ourselves to this reality." Furthermore, public opinion would not "support refusal to deal with the 'GDR' as a casus belli." Thirdly, recognition of the GDR in some form might stabilize Berlin, and, finally, Great Britain would probably support such a move.

But arguments against recognition also weighed heavy:

The Germans and the French will probably not accept recognition of the GDR as an element of the Western negotiating position, and our advocacy of it would have a disruptive effect within the Western Alliance.

In addition, Kohler doubted that any "agreement on Berlin bought by recognition of the GDR" would last very long and continued:

Acceptance of the GDR would mean our overt acceptance of the division of Germany. This abandonment of a symbol might produce a long-run danger of a revival of German nationalism seeking unification by force.

⁴⁸ Memorandum from Foy D. Kohler to the Secretary of State. July 17, 1961. The Declassified Documents Reference System, Retrospective Collection, 476 B. (Microfiche)

It would also mean in effect, the jettisoning of a major component of post-war American policy towards Germany.

This last argument apparently characterized the perception of the administration and was again expressed by Kennedy in a meeting with President Kekkonen of Finland. Kennedy spoke of the "melancholy state of mind" in West Germany and added, "We do not wish to spread that state of melancholy by legitimizing the East German regime and stimulating a nationalist revival in West Germany."⁴⁹ Thus, the goal of securing inner-German stability (and, simultaneously, intra-alliance stability) ranged high within the Kennedy administration and explains the repetition of the "old formulas" at almost every public occasion.

The erection of the Wall, however, did not induce a "nationalist revival" but modified the prevalent thinking in West Germany:

The Berlin Wall was the decisive watershed in postwar West German foreign policy for it forced the West Germans to accept the reality of long-term partition of Germany.⁵⁰

⁴⁹ Arthur M. Schlesinger, Jr., A Thousand Days: John F. Kennedy in the White House (1965; New York: Fawcett Premier, 1971) 371.

⁵⁰ Griffith 102.

This insight, combined with growing uneasiness among the West German population over the absence of progress in matters related to the GDR, led to a gradual modification of Bonn's Eastern policy, a process which continued throughout most of the 1960s and came to an end with Brandt's governmental declaration. And the Wall, closing the last gate for refugees, also stabilized East Germany economically, making it a permanent factor on the European continent.

III. THE BERLIN NEGOTIATIONS: TURNING POINT IN U.S. ATTITUDE TOWARD THE GDR

The Quadripartite Agreement on Berlin constitutes the first official document bearing the signature of the U.S. which mentions the GDR by its formal name. It is of major significance for the subsequent process that led to the establishment of formal diplomatic relations between the U.S. and the GDR. Since the issue of recognition of the GDR played an important role during the negotiations, the Quadripartite Negotiations will be analyzed in greater detail.

1. Proposing an Exchange of Views on Berlin

During his visit to Berlin in February 1969, President Nixon spoke of the city's status as an unsatisfactory situation that should be seen "as an invocation, a call to end the tensions of the past age here and everywhere."⁵¹ Nixon and his Special Assistant for International Security Affairs, Henry Kissinger, had come to the conclusion "that the key to peace and stability continued

⁵¹ Documents 1033.

to lie in Europe and that the cornerstone of peace there would have to be laid in Berlin."⁵²

The European moves toward détente have already been described. But the Soviet Union too was interested in a lessening of tensions in Europe. Rapidly deteriorating relations with China led to military clashes at the Ussuri river in March 1969 and prompted Soviet attempts to secure its Western flank. The long-term goal of the Soviet Union, to achieve Western recognition of the post-war status quo in Europe by the means of a European Security Conference also contributed to Soviet interest in détente. Finally, Soviet leaders expected an increase in the transfer of badly needed Western technology to accompany an improvement in relations with Western Europe.

Under these generally promising circumstances the Western Allies proposed to the Soviet Union an "exchange of opinions on the Berlin question" in August 1969.⁵³ The Soviet Foreign Minister Gromyko had already made a similar suggestion,⁵⁴ and after an exchange of several notes in

⁵² Honoré M. Catudal, Jr., The Diplomacy of the Quadripartite Agreement on Berlin: A New Era in East-West Politics (Berlin: Berlin Verlag, 1978) 50.

⁵³ Catudal 61.

⁵⁴ Keithly 68.

late 1969 and early 1970,⁵⁵ the Quadripartite Talks on Berlin were formally opened on March 26, 1970.

This development shows that the Four Powers concurred insofar as they regarded a settlement of the "perennial flashpoint of Berlin"⁵⁶ as necessary for a reduction of tensions in Europe. But there were deep differences about the appropriate way and the desirable goals to be attained in a Berlin accord.

The different positions and expectations of the negotiating partners, i.e. the United States and the Soviet Union affected the way the negotiations were carried out. They will be examined subsequently. Great Britain and France pursued in part their own interests, but for the question of how the Berlin talks affected the U.S. policy of non-recognition of East Germany and vice versa, these interests need not be considered here. It will also prove helpful to look at the positions of the two German states, which were to be directly affected by the outcome of the talks.

The Soviet Position

An important aim of the Soviet Union at the outset of the Four-Power talks was to reduce the presence of the

⁵⁵ Catudal 61, 65-67.

⁵⁶ Garthoff, Détente 9.

Western Powers in Berlin and to give West Berlin the status of an internationally recognized "independent political unit."⁵⁷ The Soviets also demanded formal Western recognition of the GDR and its capital "Berlin".⁵⁸ In addition, they refused "to regard Berlin access as Quadripartite business"⁵⁹ and insisted upon direct negotiations of Western officials with the GDR on the regulation of traffic to the city.

The Soviet Union furthermore rejected strongly all attempts by the FRG to display political presence in West Berlin. When the West German Bundestag, the Lower House of Parliament, met in West Berlin in April 1965, Soviet jet fighters buzzed over the Congress Hall during the entire session, cracking windows throughout the city with sonic booms.⁶⁰ Meetings of Bundestag Committees during the 1960s were accompanied by traffic harassment on the Berlin access highways. Although this was carried out by East German organs, it was instigated by the Soviets, who were

⁵⁷ This term had been used in the 1964 friendship treaty between the Soviet Union and the GDR. Documents 871.

⁵⁸ Keithly 86. According to Soviet and East German usage, the two parts of the former German capital are called "Berlin" and "West Berlin".

⁵⁹ Keithly 133.

⁶⁰ New York Times 8 April 1965: 1.

regularly filing protest notes to the Western Allies. The Soviets disparaged the convention of the Federal Election Committee to elect the President of the Federal Republic in West Berlin in 1969 an unlawful intrigue and a manifestation of "revanchism and aggressiveness."⁶¹

The most important goal, however, was the European Security Conference to confirm the post-war status quo in Europe.

The East German Position

Although one would expect that the GDR, owing "its existence entirely to Moscow,"⁶² pursued interests identical to those of the Soviet Union, a closer examination of the East German position reveals some significant differences.

The GDR was hoping for a visible improvement of its international reputation but at the same time was afraid that East-West détente might come at the expense of its still limited sovereignty. The East German Party Secretary, Walter Ulbricht, did not want to give up part of his laboriously acquired achievements. He was opposed to any kind of Four-Power control over the Berlin highways, ar-

⁶¹ Documents 1030.

⁶² Angela E. Stent, "Soviet Policy toward the German Democratic Republic," Soviet Policy in Eastern Europe, ed. Sarah Meiklejohn Terry (New Haven: Yale UP, 1984) 33.

gued strongly against Western attempts to deny East Berlin the status of "Capital of the German Democratic Republic" and objected to any kind of ties between West Berlin and West Germany.

Ulbricht became deeply suspicious after the conclusion of the nonaggression treaty "between his biggest ally, the Soviet Union, and his biggest foe, West Germany," because he was afraid that the treaty might "open the gate for West German penetration of East Europe"⁶³ and thus threaten the precarious stability of his regime. He was determined to "guard East German vital interests if not, in so doing, actually to sabotage the . . . treaty in particular and East-West detente in general."⁶⁴

The strategy used to achieve this aim was frequent harassment on the Berlin highways in 1970 and 1971. This harassment was purportedly directed against "unlawful" West German presence in West Berlin, but its intention was obstruction of the Quadripartite Talks.⁶⁵ By harassing

⁶³ New York Times 30 August 1970: IV,2.

⁶⁴ Melvin Croan, East Germany: The Soviet Connection (Beverly Hills: Sage Publications, 1976) 24.

⁶⁵ This strategy becomes especially conspicuous, when East German actions coincided with official meetings of the four Ambassadors in Berlin. At the time of the second meeting, the GDR raised the tolls on the Berlin highways and canals 30%. New York Times 29 April 1970: 7.

the Berlin traffic, the GDR also tried to remind the Four Powers that it had "something to say on the subject."⁶⁶

The U.S. Position

The "basic tenets of the U.S. position on Berlin"⁶⁷ still consisted of President Kennedy's famous "three essentials", stated in a televised speech after the Vienna Summit in 1961: (1) the right to deploy troops in West Berlin, (2) the right of "access across East Germany", and (3) the commitment to guarantee the West Berliners the right "to determine their own future and choose their own way of life."⁶⁸

The U.S. was not willing to give up any of these demands in the Quadripartite Talks. In addition, it wanted to insure further validity of the Four-Power rights for Berlin as a whole, not only the Western Sectors. Based on these requirements, the U.S. sought to "achieve a modus vivendi on the Berlin situation to ease tension and facilitate East-West contact."⁶⁹

The U.S. was strongly opposed to any contact with the East German government. Access to Berlin was the most cru-

⁶⁶ New York Times 29 April 1970: 7.

⁶⁷ Keithly 66.

⁶⁸ Documents 763.

⁶⁹ Keithly 66.

cial point, and the U.S. administration demanded a formal Soviet guarantee for unimpeded traffic to Berlin, military and civilian. GDR sovereignty over the Berlin highways had never been recognized by the U.S., and an East German guarantee was not considered sufficient because, as Kissinger put it, "there was little we could do to enforce our claims."⁷⁰

With regard to the city itself, the U.S. supported the West German desire to show political presence in West Berlin although it did not regard the city as part of the Federal Republic.⁷¹ But meetings of parliamentary bodies or the 1969 presidential election convention had been endorsed by the three Western Powers.⁷² Therefore, another U.S. goal in the Quadripartite Talks was to gain Soviet acknowledgement of the ties between West Berlin and the

⁷⁰ Henry Kissinger, White House Years (Boston: Little, 1979) 808.

⁷¹ Art. I, Sec. 2 of the (West) Berlin Constitution of 1950 states that "Berlin is a land of the German Federal Republic." (Documents, p. 324) This article has been suspended by the Western Allies in order to maintain their occupation status in Berlin. Similar provisions in the West German Basic Law have also been suspended.

⁷² Documents 1028 - 1029. The question of Federal presence in West Berlin reveals some differences among the Western Allies. In 1970 a journalist disclosed that the late President de Gaulle thought that the Allies should not have allowed the FRG to hold the presidential election in West Berlin in 1969. See: New York Times 11 November 1970: 1.

FRG. Furthermore, the U.S. supported the West German interest in establishing better communication lines between East and West Berlin and providing for regular visits of West Berliners to East Berlin and the GDR.⁷³

Although the U.S. supported several major objectives of the FRG, Bonn had interests of its own which were not shared by its senior ally.

The West German Position

Bonn's eastern policy (Ostpolitik) had been heavily disputed within West Germany since 1969, when Willy Brandt became Chancellor of the Federal Republic. The rapid conclusion of nonaggression treaties with the Soviet Union and Poland in 1970 further intensified the public debate. Since the FRG had given up some previously held positions in the treaties, e.g. by recognizing the Oder-Neisse Line, Brandt considered major improvements in other areas necessary to insure parliamentary ratification of the treaties. Therefore, he delayed ratification of the treaties and made it dependent upon an acceptable Berlin Agreement.

Besides insuring unimpeded access, establishing better communication lines, and arranging for more visits of West Berliners, the FRG wanted to extend its consular pro-

⁷³ Since the erection of the wall, West Berliners had not been allowed to visit East Berlin or the GDR except for a few brief holiday periods in the mid-1960s.

tection to West Berliners, in particular in Warsaw Pact countries. West Berliners would thus have the right to travel on West German passports. In addition, the FRG wanted West Berliners to be allowed to participate in all international activities of the Federal Republic.

These were the major interests and goals of the U.S. and the Soviet Union and its junior allies in Germany, when the representatives of the Four Powers convened in Berlin in late March 1970.

2. The Negotiations

The Western Allies were represented in the negotiations by their Ambassadors accredited in Bonn: Sir Roger William Jackling (Great Britain), Kenneth Rush (United States), and Jean Sauvagnargues (France).⁷⁴ The representative of the Soviet Union was Pyotr A. Abrasimov, the Ambassador to East Berlin. The ambassadors met in the Allied Control Council Building, the very same residence from which the Allies had tried to rule jointly the defeated Germany between 1945 and 1948. The meeting of the ambassadors marked the first time since the unsuccessful Geneva Foreign Min-

⁷⁴ Sauvagnargues joined the Berlin talks in early April 1970, when he replaced his predecessor, Francois Seydoux de Clousson, as the French Ambassador to Bonn.

isters' Conference in 1959 that representatives of the Four Powers came together in an effort to solve some of the problems connected with the "German Question."

A "Cumbersome Four-Power Machinery" and its Backchannel

Henry Kissinger describes in his memoirs the problems of the Berlin talks, in which "every proposal had to move through a cumbersome Four-Power Machinery."⁷⁵ He used this term because the ambassadors constituted only the highest negotiating level, below which a network of additional communication lines was established. The so-called "experts", the Political Counselors of the Four Powers, took up their work in October 1970 and prepared the negotiations of the Ambassadors.

Since the legal conditions of the Berlin situation precluded a direct participation of East and West Germany, the two states were not directly involved in the talks. However, the Western Allies insured full West German participation in the formulation of a joint negotiating position.

The inter-allied consultations between the U.S., France, Great Britain, and West Germany took place on four

⁷⁵ Kissinger 800.

levels.⁷⁶ The Foreign Ministers met traditionally on the eve of the semiannual NATO conferences. Rush, Sauvagnargues, and Jackling conferred on a regular basis with Egon Bahr, Brandt's chief aide. Senior foreign service officials reviewed the developments and drafted new proposals, and the so-called "Bonn Group", which had been established in accordance with the Paris Agreements in the mid-1950s, met on a day-by-day basis, formulating "a joint Western negotiating line."⁷⁷

Kissinger revealed the existence of a sophisticated backchannel system, set up in February 1971, which, according to his account, saved the Berlin talks from breakdown and "achieved within seven months an agreement that has stood the test of time."⁷⁸ According to Kissinger, Rush and Bahr drafted propositions for the talks and discussed them with Western officials. Kissinger would then sound them out in exploratory talks with Anatoly F. Dobrynin, the Soviet Ambassador to Washington, "and then Rush or Bahr would put them back into regular

⁷⁶ For a detailed description see: Guenther Schmid, Entscheidung in Bonn: Die Entstehung der Ost- und Deutschlandpolitik 1969/1970 (Köln: Verlag Wissenschaft und Politik, 1979) 251 - 261. See also: Catudal 87 - 103.

⁷⁷ Schmid 251.

⁷⁸ Kissinger 809.

channels."⁷⁹ During the final stages of the negotiations, Rush and Bahr met repeatedly with the Soviet Ambassador to Bonn, Valentin Falin. Establishing this contact enabled the West to bypass "the stonewalling of the chief Soviet negotiator, . . . who was not a diplomat but a Communist party functionary . . . peremptory and abrasive even by Soviet standards."⁸⁰

For obvious reasons it is quite difficult to describe the channels of communication between the Soviet Union and the GDR. But public visits by high officials indicate that an intensive consultation process must have taken place. Gromyko made several visits to East Berlin, and the Warsaw Pact nations' leaders convened in East Berlin in December 1970. Ulbricht was in Moscow on the occasion of the XXIV CPSU Party Congress in late March 1971, and Erich Honecker, Ulbricht's successor, went to Moscow two weeks after taking office. A permanent consultation line was probably also established through the Soviet Embassy and Abrasimov, who was often described in the West as the "proconsul" because of his strong influence on the East German leadership.⁸¹

⁷⁹ Kissinger 809.

⁸⁰ Kissinger 823.

⁸¹ Catudal 100.

The Allied Travel Office

The Western Three opened the talks with a move that was regarded as a "conciliatory first step"⁸² toward the Soviet Union and East Germany. The Allies announced that East Germans no longer needed a special authorization to travel to Western countries. Since NATO countries did not recognize East German passports as a valid travel document⁸³, in accordance with the nonrecognition of the GDR, East Germans had to get a "Temporary Travel Document" (TTD) at the Allied Travel Office in West Berlin before they could apply for a visa to any of those countries. East German officials were not allowed to get a visa. A White House paper described the Western tactics:

We have agreed with France and the UK on common policy principles aimed at preventing any visits to Western countries by East German officials which could be exploited as a step toward western acceptance of an independent East Germany, or of its regime as a legitimate government.⁸⁴

⁸² New York Times 27 March 1970: 1.

⁸³ West Germany handled East German travel documents differently. Since any person living in the GDR was regarded as a "German", no travel restrictions applied in West Germany. The FRG still upholds the principle that there is just one common German citizenship. This policy is heavily attacked by the GDR.

⁸⁴ The White House Staff Notes No. 732, March 8, 1960. Declassified Documents Reference System 1985, 002062. (Microfiche).

The GDR had protested heavily against this procedure and regarded it as another violation of its sovereignty. The suspension of the ATO meant that East Germans could directly apply for a visa from a NATO country.⁸⁵ The Allied gesture was widely interpreted as a step toward recognition of the GDR, although Western officials quickly declared, that it "did not imply even de facto recognition of the GDR."⁸⁶

Related Developments

During the first months, the Berlin talks were "slow and laborious",⁸⁷ because both sides delivered their well-known legal views. But progress was made in other areas which directly affected the international position of the GDR. In spring of 1970, the two German heads of government, Brandt and Stoph, met twice to begin an intra-German dialogue. Although the talks ended unsuccessfully, Brandt once again made clear that the West German claim to sole representation of all Germans abroad was obsolete. At the meeting in Kassel, he presented a twenty-point proposal for a treaty between East and West Germany. The proposal

⁸⁵ See for an account of the activities of the Allied Travel Office: Catudal 106-8, Bark 51-2.

⁸⁶ Catudal 107.

⁸⁷ Catudal 110.

included the formula that "[n]either of the two German states can act for or represent the other."⁸⁸ And with regard to the United Nations, Brandt suggested that "[t]he FRG and the GDR will take . . . the necessary measures to regulate their membership and cooperation in international organizations."⁸⁹

Similar provisions were set forth in the so-called "Bahr paper", which was worked out during the negotiations of the nonaggression treaty between the Soviet Union and the FRG in 1970. In this paper the FRG repeated its new position on the GDR that "neither of the two countries can represent the other or act in its name," and that "the relations of the German Democratic Republic and the Federal Republic of Germany to third countries will develop on this basis."⁹⁰ The FRG and the Soviet Union also declared their intention to "promote" the entrance of both German states into the United Nations.

The Foreign Ministers of the Soviet Union and the FRG, Gromyko and Scheel, signed the "Moscow Treaty" in August 1970. Six weeks later the first papers were ex-

⁸⁸ Documents 1087.

⁸⁹ Documents 1088.

⁹⁰ Documents 1103.

changed in the Berlin talks, a development that was clearly brought about by the positive events in Moscow.⁹¹

The Talks Gain Momentum

The following weeks witnessed a "flurry of informal consultations between the various governments directly or indirectly involved in the Four-Power talks."⁹² At the same time, East German control point officials once again heavily interfered with the traffic on the Berlin highways, so that some truck drivers were stalled for up to 30 hours.⁹³ This harassment was generally seen as Ulbricht's attempt "to block any Berlin solution that fails to enhance East Germany's sovereignty or lessens its control over the access routes."⁹⁴ But apparently at this time the Soviet Union forced the GDR to back down. A visit by Foreign Minister Gromyko in East Berlin produced a communique that was marked by the conspicuous absence of keywords like "unanimity" and "agreement".⁹⁵ One week later, the leaders of the Warsaw Pact countries met in East Berlin, and their statement also failed to support Ulbricht's po-

⁹¹ Griffith 197.

⁹² Catudal 127.

⁹³ New York Times 6 February 1971: 2.

⁹⁴ New York Times 1 December 1970: 46.

⁹⁵ New York Times 26 November 1970: 1.

sition. Instead, it described in very general terms "the establishment of equal relations between the German Democratic Republic and other states . . . (and) the acceptance of the GDR into the United Nations organizations" as "vital demands of the times."⁹⁶

Because of the East German traffic interference, the Western powers again underscored their demand for a "Soviet rather than East German guarantee for free access across East German territory."⁹⁷ It was included in the initial section of a draft proposal that was submitted to the Soviet Union on February 5, 1971.⁹⁸ The paper also touched upon the contentious issue of the ties between the Federal Republic and West Berlin and indicated a cautious concession with regard to demonstrative Federal presence in Berlin: "Constitutional organs of the FRG . . . will not perform official constitutional acts in the WSB."⁹⁹ (Western Sectors of Berlin)

The Soviet counterproposal was made at the end of the following month. The Soviets did not make any major

⁹⁶ Documents 1118.

⁹⁷ Kissinger 534.

⁹⁸ The proposal has never been officially published, but its contents were leaked to the West German press by late April 1971. Keithly 120-3, Der Spiegel 22 February 1971: 23.

⁹⁹ Catudal 279.

concessions and Western officials described it as "their maximum bargaining position," remaining "leagues apart" from the western proposal.¹⁰⁰ But the draft no longer referred to East Berlin as the "capital of the GDR" which was seen as a positive element.¹⁰¹

Although a comparison of the two draft proposals reveals "the wide divergence between the two sides,"¹⁰² negotiators from both sides were already moving toward a final agreement. Kissinger disclosed that Dobrynin accepted some kind of Soviet access guarantee during a backchannel talk with him on February 10, 1971.¹⁰³ He described the March proposal as a product of the Soviet bureaucracy, presumably with regard to the XXIV Party Congress that began on March 30.¹⁰⁴

After the Congress, movement in the negotiations was clearly visible. On May 3, 1971, Ulbricht was replaced as First Secretary of the Socialist Unity Party by Erich Ho-

¹⁰⁰ Washington Post 30 March 1971: A16.

¹⁰¹ Keithly 124.

¹⁰² Dieter Mahncke, "The Berlin Agreement: Balance and Prospects," World Today 27 (1971): 513. See also: Wolfgang Wagner, "Das Berlin-Problem als Angelpunkt eines Ausgleichs zwischen West und Ost in Europa: Die Berlin-Verhandlungen und die Aussichten der deutschen Ostpolitik," Europa-Archiv 26 (1971): 378-82.

¹⁰³ Kissinger 825-6.

¹⁰⁴ Kissinger 826-7. See also: Keithly 125-31.

necker. After his repeated offenses against the Soviet western policy, Ulbricht "had become a challenge to be disposed of."¹⁰⁵ His successor lost no time in modifying the East German position on the Berlin talks. The communique of a meeting with Secretary Brezhnev states

that an understanding on the question of Berlin would meet the interests of all parties . . . and would remove the grounds for disputes and conflicts in this region.¹⁰⁶

A heated discussion on the Berlin negotiations was still going on in West Germany, but the government made clear that it was willing to back down from exerting a demonstrative federal presence in West Berlin if this would facilitate an agreement over Berlin. On May 10, direct meetings between Rush, Falin, and Bahr began in Bonn. The movement in East-West détente was further underscored by the breakthrough in the SALT negotiations on May 20,¹⁰⁷ and the positive Soviet answer on the issue of mutually balanced force reductions in Central Europe (MBFR).¹⁰⁸

During the summer, the four Ambassadors met more frequently in Berlin, including a number of "marathon-ses-

¹⁰⁵ Croan 23.

¹⁰⁶ Bark 87.

¹⁰⁷ Kissinger 829.

¹⁰⁸ Catudal 167.

sions" in August. Informal talks also took place during this period. After the 33rd meeting on August 23, 1971, the ambassadors announced that a draft treaty had been completed. Rush, Jackling, Sauvagnargues, and Abrasimov signed the first part of the document on September 3, 1971.

The second part was to be a detailed arrangement on the access procedures, to be concluded between the two German states. These talks began immediately afterwards, and an agreement was reached at the end of 1971. The signing of the Final Protocol, the third and last part of the Quadripartite Agreement, brought the whole complex of accords into force on June 3, 1972.

3. A Pyrrhic Victory for the GDR

As has already been pointed out, the issue of recognition of the GDR is inseparable from the questions of the Berlin status and access to the city.

The Western demand for a Soviet access guarantee was only possible because the West had not yet recognized the GDR. A recognition would have amounted to acceptance of the Bolz-Zorin Agreement which was the basis for the Soviet position that all access procedures had to be negotiated with the GDR. On the other hand, it was clear that a

Berlin accord would have to deal with the realities in postwar Europe in order to get Soviet approval of its provisions. And the West was fully aware of this situation, as demonstrated in the February 5 proposal, by the avoidance of language unacceptable to the Soviets, such as "the open German question" or "the so-called German Democratic Republic".

Thus, the Western Allies faced a dilemma, in which they could not recognize East Germany without undermining their own position, while having to accept the existence of a second German state in order to reach an agreement. The way this dilemma was solved gives an impressive illustration of the Western negotiating skills.

The modification of the West German position, enunciated by Brandt in his "two states in Germany" doctrine allowed the Western Three to use the recognition of East Germany as a "bargaining chip". Since the delicate geographical situation could be, and very often had been, easily exploited, the "Western bargaining position was fundamentally unfavorable."¹⁰⁹ Due to this disadvantage each additional "chip" that could be bargained away was badly needed by the West. The other "bargaining counter of

¹⁰⁹ Kissinger 823.

the Western allies"¹¹⁰ was Bonn's political presence in West Berlin. All other Western positions were nonnegotiable.

But despite the unfavorable position, the U.S. needed the Berlin Agreement because it "came increasingly to perceive success in Berlin as a precondition for an American Ostpolitik directed primarily at the Soviet Union."¹¹¹ Kissinger, with his policy of "linking" different issues, and Brandt, in establishing the junktum between the Moscow Treaty and the Berlin talks, had brought about a situation in which "a whole succession of treaties and talks the Russian want depend[ed] on progress in the Berlin talks."¹¹² But heavy responsibility also rested upon the U.S. To let the talks break down - e.g. because of obstinacy toward the status of the GDR - would have severed the process of rapprochement with the Soviet Union and also seriously antagonized the West German ally, since Brandt's political fate depended on a successful outcome of the negotiations.

¹¹⁰ New York Times 6 February 1971: 2.

¹¹¹ Kenneth A. Myers, Ostpolitik and American Security Interests in Europe (Washington, D.C.: Center for Strategic and International Studies, 1972) 53.

¹¹² New York Times 22 February 1971: 10.

Kissinger argues that the U.S. held "the key to this increasingly complicated tangle of issues."¹¹³ But it was a double-sided key: not to use it would have brought the U.S. into a deep predicament.

And the U.S. could use the de facto recognition of the GDR not only to get an agreement but to get one favorable for the West. At first, the U.S. did not have very high expectations regarding the outcome of the negotiations. A securing of the status quo was considered satisfactory. But

[a]vowed Soviet interest in obtaining full recognition of East Germany in the international community raised the possibility that the three Western powers might be able to extract more substantial concessions from the Soviet Union than originally thought.¹¹⁴

Brandt's governmental declaration of October 1969 had freed the U.S. from all pledges not to recognize the GDR, so that this move could now be seriously considered among the Allies.¹¹⁵ The British and French Allies argued in favor of recognition of the GDR, and a policy review was undertaken in the White House.¹¹⁶

¹¹³ Kissinger 799.

¹¹⁴ Myers 46.

¹¹⁵ Myers 60.

¹¹⁶ Catudal 246.

The result of this policy review, which came in the middle of the talks, was the Allied decision to accept in principle the establishment of diplomatic relations with the GDR sometime after the conclusion of the Four-Power accord.¹¹⁷

Catudal quotes an "insider" who noted that

the decision to recognize the GDR was no sudden one. It was implicit throughout the negotiations; indeed one impetus for the negotiations was the fact recognition seemed so inevitable and the US wanted Berlin pinned down first. Besides, since the Soviets wanted recognition badly, it could be used as leverage.¹¹⁸

This U.S. leverage proved very successful because the Soviet Union gave an explicit guarantee for unimpeded access to Berlin, thereby giving in to the most important Western demand and effectively withdrawing the sovereignty conferred upon the GDR in the Bolz-Zorin Agreement.¹¹⁹ This was a Soviet step Ulbricht wanted to avoid under all circumstances, but his removal brought the Soviet Union in a position to force its policy upon the junior ally.

With the conclusion of the Berlin talks the GDR had almost reached its most important foreign policy aim, recognition of its independent statehood by the Western powers. But the price it had to pay was heavy. That price

¹¹⁷ Catudal 246.

¹¹⁸ Catudal 246.

¹¹⁹ Croan 29.

was the limitation of its autonomy from the Soviet Union and within the Warsaw Pact, a classical case of a Pyrrhic victory.

A Western scholar wrote in 1972 that

the agreement compels the West to come fully to terms with the second German state. The German Democratic Republic is becoming, as Alice might put it, permanent and permanent. . . . [T]he agreement . . . virtually ensure[d] the emergence of the German Democratic Republic in the politics of European security.¹²⁰

But there was one important point of the Berlin agreement in which mutual understanding could not be reached, a definition of the area to which the accord applied. The Soviet Union spoke only about the Western Sectors of Berlin, whereas the West wanted an agreement for Berlin as a whole. The problem was circumvented in that the Four Powers "agreed to disagree." Berlin is never explicitly mentioned in the accord. Instead, the agreement refers several times to "the relevant area".

By leaving this question undecided, the U.S. also avoided explicit reference to East Berlin as the "capital of the GDR". Such a move would have amounted to partial abandonment of Western rights in Berlin, something the U.S. was not willing to do. The struggle over the status

¹²⁰ Robert G. Livingstone, "East Germany Between Moscow and Bonn," Foreign Affairs 50 (1972) 297.

of East Germany's capital was later continued during the bilateral negotiations between the U.S. and the GDR.

4. The GDR in the International Arena

On June 15, 1972, a few days after the final protocol of the Quadripartite Agreement had been signed, an "exchange of views" on a "Basic Treaty", intended to provide a foundation for the relations between East and West Germany, began between representatives of East and West Germany.¹²¹ As it became clear that the Federal Republic was prepared to negotiate with the GDR and thus to revoke the Hallstein-Doctrine, a number of states, in particular non-aligned and European states, intended to undertake the necessary steps toward establishment of diplomatic relations with the GDR.¹²² But West Germany asked to delay this move for another one or two years, until after the conclusion of the Basic Treaty. Recognition of the GDR by

¹²¹ Benno Zündorf, Die Ostverträge: Die Verträge von Moskau, Warschau, Prag, das Berlin-Abkommen und die Verträge mit der DDR (München: Beck, 1979) 217.

¹²² By the early 1970s, the GDR had become an economically highly successful state so that the eagerness of third states to take up relations with the GDR is quite understandable. The GNP per capita was in 1970 \$3,381, which placed the GDR on position 14 in a comparison with other states, even before countries like Italy and Spain. U.S. Dept. of Commerce, Statistical Abstract of the United States 1980 (Washington, D.C.: GPO, 1980) 907.

a large number of states would unnecessarily complicate the ongoing negotiations with the GDR, especially in the difficult field of the "national question." The West German request is known as the "Scheel-Doctrine", named after the then Foreign Minister of the Federal Republic, Walter Scheel.¹²³

The Basic Treaty was initialed on November 8 and signed on December 21, 1972. Ratification documents were exchanged on June 21, 1973. After the conclusion of the Basic Treaty, a number of states formally recognized the GDR in a process that Western scholars often described as the "recognition race to East Berlin."¹²⁴ Most of West Germany's NATO partners established diplomatic ties with East Germany in 1973. Great Britain and France formally recognized the German Democratic Republic on February 9, 1973.¹²⁵ This left the United States as the last of the

¹²³ Zündorf 45. Scheel declared after the conclusion of the Basic Treaty that "recognition of the GDR by third states is now unobjectionable." Frankfurter Allgemeine Zeitung 14 November 1972: 1.

¹²⁴ By 1963, the GDR had diplomatic relations with thirteen states. In 1969 and 1970, the GDR was recognized by another fourteen states. When the Basic Treaty was initialed in November 1972, thirty-three states had diplomatic relations with the GDR. Within six weeks, twenty-one states recognized the GDR, followed by another forty-six in 1973. The "wave" ebbed in 1974, when eleven states recognized the GDR. Jacobsen 857-9.

¹²⁵ New York Times 10 February 1973: 14.

Big Three Western powers which did not yet recognize the GDR.¹²⁶ But the U.S. was cooperating with East Germany in a multilateral setting, something it had strictly avoided in previous years.

The CSCE Process

The Conference on Security and Cooperation in Europe (CSCE) was formally launched on the occasion of President Nixon's visit to Moscow in May 1972. The communiqué foresaw the opening of the conference as soon as the Final Quadripartite Protocol was signed.¹²⁷

The GDR was to take part in the conference, having equal rights among all other participants. Preparatory talks among the 35 states (including all European states except Albania plus the U.S. and Canada) began on November 22, 1972 in Helsinki.

In early July 1973 the foreign ministers of the CSCE states met in Helsinki to formally open the Conference. On this occasion U.S. Secretary of State Rogers encountered his East German colleague, Otto Winzer. They briefly discussed possible diplomatic recognition; Rogers, however,

¹²⁶ Kenneth Rush, however, is quoted as having said in December 1972: "We will undoubtedly recognize the GDR after the ratification of the Basic Treaty." Gisela Helwig, "Auf dem Weg in die UNO und zur internationalen Anerkennung," Deutschland-Archiv 5 (1972): 1239.

¹²⁷ New York Times 30 May 1972: 18.

was clearly embarrassed by the situation. He later told reporters that the conversation only took place because he was seated near Mr. Winzer at a dinner given by the Finnish President. The "brief talk did not necessarily bring the establishment of relations any nearer."¹²⁸

The working phase of the CSCE began in September 1973, and the U.S. did not hesitate to accept East German participation in the conference.

The United Nations

The other multilateral forum in which the U.S. came into contact with the GDR was the United Nations, because among the new developments initiated by West German Ostpolitik was the accession of the two German states to the world organization.

When the Basic Treaty was initialed, the FRG and the GDR exchanged letters stating that the necessary steps "to achieve membership of the United Nations Organization" would be initiated by each state separately.¹²⁹ On the following day the Four Powers issued a declaration expressing support for the applications and affirming

that this membership shall in no way affect the rights and responsibilities of the Four Powers and

¹²⁸ New York Times 5 July 1973: 2.

¹²⁹ Documents 1212.

the corresponding related Quadripartite agreements, decisions, and practices.¹³⁰

The GDR had for a long time tried to attain membership in the United Nations, or at least one of its suborganizations. But these attempts failed for the same reason as the efforts to establish diplomatic relations with other states. Article 4 of the United Nations Charter deals with the admission of new members. It requires that the Security Council recommend their admission to the General Assembly. The five permanent Security Council members (United States, United Kingdom, France, Soviet Union, and China) have to approve unanimously each application for membership. The provision gives these states a veto power over each application. The arrangement had in the past prevented the unilateral admission of the GDR because the Three Western powers objected to it. (This was also the reason why the GDR application of March 1966 was not even on the agenda of the Security Council: it was without any prospects.) Similarly, the Soviet Union would have objected to a separate West German application.¹³¹ Because of this situation, the two German states were de-

¹³⁰ Documents 1213.

¹³¹ The FRG actually did not eagerly pursue the U.N. membership because West German officials were afraid that it might represent another spectacular demonstration of the German division. Zündorf 286.

scribed as "siamese twins" (v. Münch). They could either simultaneously enter the U.N. or not at all.

The Four Power declaration insured unanimous approval of the German applications in the Security Council.¹³² Immediately after the declaration was issued, the FRG actively supported the GDR's admission to UNESCO. This admission entitled the GDR to apply for observer status at the U.N. headquarters in New York, and Secretary General Kurt Waldheim approved in late November 1972 East Germany's application.¹³³

The GDR submitted its request for U.N. membership on June 12, 1973. One day later the FRG application was received, and on June 16 the Four Powers repeated their common support for the German applications in separate letters to the Secretary General.¹³⁴ The Security Council adopted the applications on June 21 and recommended in one resolution to the General Assembly to approve them.

¹³² A Chinese veto was not considered probably because the GDR had diplomatic relations with the People's Republic of China and the FRG enjoyed growing Chinese sympathies in the early 1970s.

¹³³ Helwig 1238.

¹³⁴ A separate West German letter included a provision that the FRG would also represent the interests of Berlin (West) in the U.N. The Western powers had approved to this provision and the Soviet Union objected only formally.

In a statement before the Security Council a U.S. representative welcomed the applications and emphasized that his delegation was "pleased" that the two German states had submitted their applications. Although he did not mention the GDR when he praised the cooperation with the Soviet Union, the FRG, and the Western Allies in "the present case", he added, "We . . . welcome the declared intention of the German Democratic Republic to work unreservedly in fulfilling the United Nations mission of peace."¹³⁵

Thus, the admission procedure in the Security Council took place very smoothly, and no obstacles were expected in the General Assembly, because U.N. procedures required only a simple majority for final approval of the applications.

At the beginning of the 28th Session of the United Nations General Assembly on September 18, 1973, the Security Council resolution was taken up. The representative of Israel opened the discussion and voiced the strong objections of his government against the admission of the GDR.¹³⁶ "For the Jewish people," he said, "the question

¹³⁵ Documents 1245-1246.

¹³⁶ Official Records of the General Assembly, Twenty-Eighth Session, Plenary Meetings. (New York: United Nations, 1983) 9-10.

before the General Assembly is overcast by dark shadows." He reminded his audience that during the Holocaust six million Jews had been systematically annihilated and added:

The Jewish people will not forget. The United Nations must not forget. By history, by law and by morality Germany as a whole bears responsibility for the holocaust.

After referring to the efforts of the Federal Republic to "make amends, if at all possible," he went on:

At the same time, however, Israel notes with regret and repugnance that the other German state has ignored and continues to ignore Germany's historical responsibility for the holocaust and the moral obligations arising from it. . . . It cannot . . . pass in silence over the policy of the German Democratic Republic, which for more than 20 years has been aiming to relegate to oblivion the holocaust.

The representative of Israel stated his governments's support for West Germany's application. But "Israel . . . desires to place on record its opposition to the admission of the German Democratic Republic." He regretted that because of the special circumstances a separate vote was impossible. "Had it taken place, Israel would have voted against the admission of the German Democratic Republic."

At this point, Israel could not bring about an East German acknowledgment of its responsibility for Nazi

crimes, but the issue would come up again in another forum.

The General Assembly accepted the Security Council's resolution by acclamation and the two delegations were formally escorted into the General Assembly Hall.

In a welcome speech the U.S. Delegate described the historic nature of the moment.

The entry of the two German states is the culmination of a generation of diplomacy, . . . a process in which all parties have come to recognize the realities of today's world. It has been a process in which step by step the world has recognized that neither ideological conflicts, bitter memories nor war-bred jealousies can be allowed to obstruct the building of a better future.¹³⁷

He mentioned the Quadripartite Agreement as a "corner-stone" of the process leading up to the admission of the two Germanys and in addition expressed the

particular hope of the United States that the German Democratic Republic, which occupies part of the territory of the former German Reich will also recognize the just claims of those who suffered as a result of the actions of the Nazi Government.¹³⁸

This statement points at the major U.S. goal that would be pursued during the upcoming bilateral talks with the GDR. The first moves, however, were made by East Germany.

¹³⁷ Official Records 16. Emphasis added.

¹³⁸ Official Records 17.

IV. BILATERAL NEGOTIATIONS BETWEEN THE U.S. AND THE GDR

1. Overtures in the Trade Area

In mid-November 1972, less than a week after the conclusion of the Basic Treaty, the Undersecretary in the East German Ministry of Foreign Relations, Gerhard Beil, visited the United States. He was invited by the Management Development Association and thus far the highest ranking East German official to come to the U.S.¹³⁹ Beil visited eleven states and met with several top executives in industry and banking, among them the President of the Chase Manhattan Bank, David Rockefeller. He spoke before a conference on East-West trade and cited difficulties in obtaining visas, the requirements to label East German goods as "Made in Soviet-Occupied Zone", and the U.S. customs rates, about 100% higher for East German products than for those of other countries, as reasons for the insignificant trade relations between the two countries.¹⁴⁰ A journalist observed during Beil's appearances before

¹³⁹ New York Times 17 November 1972: 67,71. Beil had also been the first GDR politician to visit Great Britain in 1969--at the invitation of the London Chamber of Commerce. David Childs, "East German Foreign Policy: The Search for Recognition and Stability," International Journal 32 (1977): 348.

¹⁴⁰ New York Times 17 November 1972: 67,71.

several business groups that "his remarks seemed directed as much to Washington as to his audience."¹⁴¹ Beil was also received by Senators Mike Mansfield and Edward Brooke but had no contacts with administration officials.¹⁴²

A few months later, in early April 1973, a delegation of U.S. businessmen and bankers visited East Germany to resume talks with the East German Ministry of Foreign Economic Relations.¹⁴³ Several high-level representatives from well-known companies attended the meetings, among them the presidents of the Lockheed Aircraft Corporation and Union Oil of California. The U.S. mission in West Berlin had completed a preparatory research report of trade prospects in East Germany, and its findings were "moderately optimistic."¹⁴⁴ The East Germans were very interested in a widening of trade relations, under the condition that longterm credits at low interest rates would be available. The U.S. delegation reacted favorably to this approach and in addition offered industrial cooperation in joint enterprises, as had been done satisfactorily with Poland and Romania.

¹⁴¹ New York Times 1 December 1972: 55.

¹⁴² Hans Lindemann, "Ost-Berlins Reisediplomatie," Deutschland-Archiv 6 (1973): 619.

¹⁴³ New York Times 7 April 1973: 43.

¹⁴⁴ Christian Science Monitor 10 April 1973: 1.

With regard to the successful meetings, the author of an article on the legal aspects of American trade relations with East Germany argued that it

seems incontrovertible . . . that there is major interest on the East German side in a quantum expansion of U.S.-East German trade. In American business circles as well there seems to be growing interest in East Germany as a trading partner.¹⁴⁵

2. Official Contacts

During Beil's visit to the U.S., an interview with General Secretary Honecker appeared in the New York Times.¹⁴⁶ He commented on the situation in Germany, describing it as "an advantage to the world to see two sovereign states on German soil." Honecker expressed his readiness to "extend economic and cultural relations and also to establish diplomatic relations" with the U.S. But the Nixon administration apparently was not yet prepared for such a move, because one day later a State Department

¹⁴⁵ Charles J. McClain, Jr., "American Trade with East Germany: A Legal Frame of Reference," Texas International Law Journal 10.1 (1975): 2.

¹⁴⁶ New York Times 22 November 1972: 1,14. The interview was the first given by Honecker to a Western journalist, one and a half years after he had taken office. The complete interview is reprinted in Deutschland Archiv 6 (1973) 90-98.

official said that diplomatic recognition of East Germany was "not a live issue at this time."¹⁴⁷

The GDR, however, did everything to make it an issue. Early in 1973, on January 4, just fourteen days after the signing of the Basic Treaty, the moment when the FRG had given its Western partners a green light to take up negotiations with the GDR, the East German observer at the United Nations, Grunert, made a courtesy call on George Bush, the U.S. delegate.¹⁴⁸ The meeting marked the first official contact between U.S. and East German representatives. At this time, Bush indicated that talks could be arranged in Washington if the GDR wanted to open negotiations on the issue of diplomatic relations.

But again it took only a day before the U.S. retreated from this statement, saying that it would wait until the Basic Treaty was ratified before the opening of an embassy in the East German capital could be considered.¹⁴⁹

Therefore, another eight months elapsed before the Assistant Secretary of State, Walter J. Stoessel, Jr. sent an official invitation to open formal discussions in Washington to the East German U.N. observer mission on August

¹⁴⁷ New York Times 23 November 1972: 14.

¹⁴⁸ New York Times 5 January 1973: 1.

¹⁴⁹ New York Times 6 January 1973: 10.

3, 1973. U.S. officials contended by that time that the U.S. had already recognized East Germany as a separate state by approving its bid for the U.N. membership. Therefore, the U.S. was not in a hurry since the GDR could become a U.N. member even if ambassadors had not yet been exchanged between the U.S. and East Germany.¹⁵⁰

The first round of negotiations took place on August 9, 1973, when the East German Counselor, Huckle, and his deputy met with Stoessel. At this meeting the visit of a State Department team to the East German capital was planned. It would deal with administrative and logistic matters regarding the establishment of an embassy. An East German team would at the same time visit Washington.¹⁵¹

When the U.S. delegation crossed the Berlin Wall at Checkpoint Charlie on August 27, 1973, American officials described the event as a direct result of the Berlin Agreement and a "cornerstone in accepting the status quo in Europe as it developed after World War II."¹⁵² A spokesman in Washington again emphasized that the group would not conduct negotiations for diplomatic recognition.

¹⁵⁰ New York Times 4 August 1973: 8.

¹⁵¹ New York Times 10 August 1973: 3.

¹⁵² New York Times 27 August 1973: 5.

"Primarily they are seeking suitable quarters for a chancellery and housing for a staff."¹⁵³

The same remarks were heard a week later, when the East German team arrived in Washington. The question of recognition would not be discussed. Instead the talks were purely technical.¹⁵⁴

These technical questions complicated the negotiations between the two states, and it took more than half a year before another State Department team was dispatched to the GDR in March 1974. Until now, officials argued, they were shown only "clearly unacceptable" real estate.¹⁵⁵

However, the talks seemed to be moving ahead. In the following month it became known in Washington that President Nixon was considering nominating John Sherman Cooper, the former Republican Senator from Kentucky, to be the first U.S. Ambassador to the GDR. U.S. officials referred to the choice as a compliment to East Germany, "meant to get relations off to a good start." Later a career diplo-

¹⁵³ New York Times 28 August 1973: 2.

¹⁵⁴ New York Times 5 September 1973: 4.

¹⁵⁵ New York Times 28 March 1974: 26. The search for appropriate housing for the U.S. Embassy in East Berlin was further complicated by the fact that the U.S. still owned its former embassy at Pariser Platz. It had been administered by the GDR and was returned to the U.S. on September 4, 1974.

mat would be sent to the GDR. At that time, a new interpretation of relations with East Germany was expressed by U.S. officials. Diplomatic recognition had already been accorded to the GDR by concluding the Quadripartite Agreement on Berlin.¹⁵⁶ Three months later official negotiations began.

3. The Talks on the Establishment of Diplomatic Relations

In July 1974, a delegation of East German officials, led by Herbert Süß of the East German Foreign Ministry, arrived in Washington. The talks began on July 15 and U.S. officials expected them to last for a week or ten days. The U.S. negotiating team was formally headed by the Assistant Secretary of State for European Affairs, Arthur A. Hartman, but the negotiations were actually carried out by Scott George, Director of the Office of Central European Affairs.¹⁵⁷

¹⁵⁶ New York Times 17 April 1974: 3. A State Department official argued that the appointment might have been misleading for the GDR. Although Cooper had been a prominent Senator, the U.S. did not really intend to give its policy toward the GDR any special importance. Interview on April 28, 1987.

¹⁵⁷ Parts of the following account are based on an interview with a State Department official in Washington, D.C. on 28 April 1987.

There were a number of outstanding American claims that the U.S. delegation wanted to settle before signing an agreement with the GDR. Among them were compensation claims of American citizens whose property had been nationalized in East Germany since the end of World War II,¹⁵⁸ and claims on behalf of former German Jews who had to flee Germany under the Third Reich.

Kissinger had ordered the U.S. delegation not to conduct the negotiations in a hurry and to take its time in discussing these claims. The East German delegation agreed to enter into negotiations for the settlement of financial and property questions on behalf of American businesses nationalized in East Germany, but balked at the issue of claims related to actions by the Nazi Government. Since the dispute over this question overshadowed most of the negotiating sessions, the positions of the two parties will be outlined in greater detail.

The GDR took the position that it had unmistakably broken with Fascism. In accordance with the Yalta and Potsdam Agreements, it had thoroughly purged itself of Nazis and considered itself a totally new state rather than a successor to the Third Reich. However, since Bonn

¹⁵⁸ According to some reports, Washington had potential claims against East Germany in excess of \$50 million. Washington Post 14 January 1973: B2; also: Frankfurter Allgemeine Zeitung 15 July 1974: 2.

had advocated the sole representation claim, it also had to bear all responsibility for crimes committed during the Third Reich. Besides, the Potsdam Protocol had included a provision that the Eastern Zone of Germany should pay reparations to the Soviet Union and the Western Zones to the Western Allies. The GDR argued that it had paid extensive sums not only to the Soviet Union but also to other countries of Eastern Europe. It refused to assume any further responsibility.¹⁵⁹

The U.S. maintained that the conclusion of the Basic Treaty and the admission of two German states to the U.N. implied the existence of two successor states to the Third Reich. The end of East Germany's isolation in the international community of states had its price and the GDR would have to accept the duties arising from its new status. It could no longer evade its historical responsibility.

The U.S. position was strongly supported in public opinion, as can be inferred from several newspaper editorials and columns. The New York Times wrote that

East Germany . . . is now legally recognized as one of the two successor states to the Nazi Germany ruled by Adolf Hitler. As such it shares a good part of the responsibility for the crimes and damage inflicted by

¹⁵⁹ See for U.S. support on this opinion: W. Christoph Schmauch, Philip Oke, letter, New York Times 26 July 1973: 36.

the Nazis upon their victims, among whom the Jews of Europe were tragically prominent.¹⁶⁰

Therefore, the U.S. delegation took its time and brought up the issue of Jewish claims "over and over at the beginning of every session" with the GDR officials and refused to go any further without East German acknowledgment of this point. Finally, the GDR delegation gave in and accepted a carefully worded statement in which it agreed to discuss the issue of claims relating to Nazi Germany in subsequent negotiations.

At this time the two delegations were ready to sign the agreement, and on July 26, 1974, U.S. officials said that they were preparing to establish relations with East Germany at the embassy level soon.¹⁶¹ But subsequently, however, an incident happened in Germany that imperiled the whole agreement.

Struggle over the Federal Environmental Agency in West Berlin

The GDR had once again threatened to interfere with the traffic on the Berlin highways and to bar a number of travellers from using the transit routes. The reason for these threats was the struggle over a new Federal Environ-

¹⁶⁰ New York Times 11 July 1973: 40.

¹⁶¹ New York Times 27 July 1974: 6.

mental Agency that Bonn intended to open in West Berlin. On June 19, 1974, the West German Bundestag had passed a law for the "founding of a Federal authority for environmental protection" in West Berlin.¹⁶² The Allied (Western) Kommandatura Berlin had previously issued a statement raising no objections as long as the agency "will operate in Berlin subject to the reserved rights and responsibilities of the Allies."¹⁶³

After the Upper House of the West German Parliament also approved the bill, the Soviet Union and the GDR raised strong objections against it. The Soviet Union argued that since the proposed agency would be directly subordinated to the FRG Ministry of the Interior, its creation "would violate the main provision of the Four-Power Agreement of September 3, 1971" (i.e. that the Western Sectors are not a constituent part of the FRG.) Should the agency nevertheless be installed, it would become

necessary to take suitable measures in order to counteract the attempts at violations of the Four Power Agreement and to protect the legitimate interests of the Soviet Union and its ally, the German Democratic Republic.¹⁶⁴

¹⁶² Frankfurter Allgemeine Zeitung 20 June 1974: 1.

¹⁶³ Documents 1269.

¹⁶⁴ Documents 1270.

The East German statement went one step further in saying that the strict observance of the Four Power Agreement

is the indispensable basis for guaranteeing unimpeded travel to and from West Berlin on the GDR's transit routes. . . .

.
The transit of staff from this FRG Federal Office and the conveyance of the relevant property and the relevant documents along the GDR communications will be regarded as unlawful.¹⁶⁵

The Three Western Powers issued a second statement on July 24, 1974, referring to the provision of the Quadripartite Agreement that ties between the FRG and the Western Sectors of Berlin shall be maintained and developed. Therefore, the establishment of the agency would not contravene the Berlin Accord. "The Soviet Government is responsible for ensuring that transit traffic . . . remains unimpeded."¹⁶⁶

But on July 26, the very same day when the negotiations in Washington were concluded, the first traffic impediments occurred on the Berlin highways. The GDR did not slow down the procedure at the control points but refused

¹⁶⁵ Documents 1272.

¹⁶⁶ Documents 1272.

to allow officials of the agency transit through East Germany.¹⁶⁷

These incidents received careful attention in Bonn and Washington. Officials in both capitals called it a breach of the recently concluded agreements, especially the Berlin Accord. One day later, the U.S. decided to delay the exchange of ambassadors with the GDR because of the problems on the Berlin highways. At that time, the West German Foreign Minister, Hans-Dietrich Genscher, was in the U.S. and met with President Nixon and the new Secretary of State, Kissinger. Apparently the decision to postpone the signing of the agreement with the GDR was made at this meeting.¹⁶⁸ A State Department official later recalled that "we were literally going to sign this thing," when the decision was made.¹⁶⁹

At the end of July, when the GDR had not ceased to prevent agency officials from using the transitways, the U.S. advised the GDR delegation that "this is not the time to inaugurate relations between the two countries." Although the agreement was ready, the decision on diplomatic relations had to be "held in abeyance." A State Department

¹⁶⁷ Frankfurter Allgemeine Zeitung 27 July 1974: 1.

¹⁶⁸ New York Times 28 July 1974: 14.

¹⁶⁹ Interview on April 28, 1987.

spokesman, however, indicated that the process would be resumed at a more appropriate time and that it would be a mere formality to open diplomatic ties.¹⁷⁰ On the same day, the East German delegation left for home.

The U.S. position was again supported in influential newspapers. A New York Times editorial, titled "How Good Is Detente", pointed out that the Soviet Union was responsible for this clear violation of the Quadripartite Agreements and asked

whether it is sound to make agreements with Communist countries that enable them to pocket Western concessions while leaving them in position to repudiate their own. . . . The question raised now is how good is Moscow's word?¹⁷¹

Finally: The Agreement

In August 1974, however, the struggle over the Environmental Agency was settled and it opened in West Berlin. After the Berlin traffic again ran smoothly, the East German delegation returned to Washington in early September. Since the text had already been worked out, further negotiations were not necessary and on September 4, 1974, the agreement to establish diplomatic relations

¹⁷⁰ New York Times 1 August 1974: 6.

¹⁷¹ New York Times 2 August 1974: 26.

between the United States and the German Democratic Republic was signed by Arthur A. Hartman and Herbert Süss.¹⁷²

The agreement refers to the Vienna Convention on Diplomatic Relations and spells out the usual procedures for establishing embassies and facilitating the performance of consular functions. The provision on the claims settlement reads as follows:

Following the establishment of diplomatic relations and the opening of Embassies, upon the request of either side, the two Governments will enter into negotiations for the settlement of claims and other financial and property questions which remain unresolved, each Government being entitled to raise during these negotiations the questions it wishes to have dealt with. Included on the Agenda will be property and other questions which arose prior to or since 1945 which have not otherwise been settled, including losses by victims of Nazism.

The U.S. claims were to be established by the Federal Trade Commission but later handled by the Conference on Jewish Material Claims Against Germany, which had already concluded agreements with West Germany.¹⁷³

¹⁷² New York Times 5 September 1974: 3. For the text of the agreement see: Documents 1273 - 1276.

¹⁷³ In November 1976, the GDR offered \$1 million in compensation for Jewish victims of Nazi persecution now living in the U.S. Nahum Goldmann, the President of the Conference, rejected the offer, saying it was "not to be taken seriously" in view of the \$25 billion that had been paid by West Germany. New York Times 24 November 1976: 3.

John Sherman Cooper was named first U.S. Ambassador to the GDR, and East Germany appointed Rolf Sieber, a professor of economics, as its envoy to Washington.¹⁷⁴

In addition to the Jewish claims against the GDR, the status of East Berlin was also of special importance to the U.S. The Agreed Minute did not include any reference to the place where the embassies would operate. But a State Department spokesman declared at the beginning of a press briefing that

in establishing relations the United States Government proceeds on the basis that the location and functioning of an American Embassy in East Berlin, where it will be convenient to the government offices with which it will deal, will not affect the special legal status of the Berlin area.¹⁷⁵

With this statement the U.S. underscored the position it had taken during the negotiations on the Quadripartite Agreement, that Berlin as a whole was still subject to Four-Power responsibility.

¹⁷⁴ A State Department Official remarked that this was the only time when the U.S. was in a hurry to come to a conclusion with the GDR: Mrs. Cooper was very eager to become the Ambassador's wife. The GDR had preferred to wait some more time before naming its ambassador. Interview, 28 April 1987.

¹⁷⁵ Documents 1274.

The public response to the U.S. decision was generally favorable, and recognition of the GDR was approved in several newspaper editorials.¹⁷⁶

Most of the columnists pointed out that the U.S. had been able to get a major concession from the GDR, acceptance of responsibility for the victims of the Nazi tyranny.

[W]hat matters, and matters greatly, is that the Germans living east on the Elbe at last are acknowledging, if indirectly, that they share part of the historical burden that they have long tried to dump on the citizens of West Germany.¹⁷⁷

Other editorials emphasized that the U.S. had merely accepted post-war reality:

Communist East Germany exists. German reunification is a fantasy. The G.D.R. is a major force in Europe--the second largest industrial economy, after the Soviet Union, in the socialist bloc. Clearly there was no logic in seeking to normalize relations with the Russians while withholding from their major client even perfunctory recognition.¹⁷⁸

Referring to the previous steps taken by the Federal Republic toward the GDR, the Chattanooga Times argued:

¹⁷⁶ Editorials on File 5 (1974): 1195-1198.

¹⁷⁷ The Sun 5 September 1974. Rpt. in Editorials 1196.

¹⁷⁸ Kansas City Star 6 September 1974. Rpt. in Editorials 1196.

In effect, the actions by Bonn and Washington recognize a political reality: East Germany is here to stay and there is no reason to assume that the two Germanys will ever be united.¹⁷⁹

Finally it was stressed that "American recognition of East Berlin is part of the larger picture of detente with the Communist World."¹⁸⁰

In the following week the Senate unanimously confirmed Cooper as U.S. Ambassador to the GDR, and in late October an advance contingent of American diplomats arrived in East Germany. To avoid creating a precedent with regard to the Berlin status, the American party did not fly into East Berlin but to East Germany from where it proceeded by car.¹⁸¹

On December 20, 1974, Cooper visited Willi Stoph, the East German head of state, and Sieber was received by President Ford.¹⁸² At that time the formal letters of appointment were exchanged, thus completing the recognition process.

¹⁷⁹ Chattanooga Times 6 September 1974. Rpt. in Editorials 1196.

¹⁸⁰ Hartford Conrant 8 September 1974. Rpt. in Editorials 1196.

¹⁸¹ New York Times 21 October 1974: 16.

¹⁸² New York Times 21 December 1974: 13.

4. The GDR without Leverage

Almost two years of bilateral contacts were necessary before diplomatic ties between the U.S. and the GDR could be established. This period is characterized by one-sided East German approaches and a wait-and-see attitude adopted by the U.S.

The GDR had repeatedly shown its eagerness for diplomatic recognition from the West, and the skillful timing of the Beil visit and the Honecker interview shortly after the conclusion of the Basic Treaty underscored East German interest in speedy recognition from the U.S.

But the U.S. did not expect any particular advantage from an establishment of diplomatic relations. Although in some trade areas the question of exports to the GDR played an important role--East Germany was already a buyer of American grain and was expected to expand its imports--in comparison to the total trade volume of the U.S., exports to the GDR were rather insignificant. This situation enabled the U.S. to conduct the negotiations without haste and to wait until the GDR would meet its demands.

These demands were considered critical by the U.S., and some kind of East German acceptance of its responsi-

bility for Nazi crimes was an explicit condition for the signing of the agreement.¹⁸³

There are no indications that the U.S. was forced to take this position. The demands were in line with public opinion, Israel's viewpoint, and claims of other Western countries.¹⁸⁴ The Conference on Jewish Material Claims Against Germany was satisfied when it realized that the U.S. government had adopted its position.

The influence of public opinion, mainly newspapers that supported the position of the Conference, is of a generally positive nature. Although "[p]ublic opinion frequently places constraints on foreign policy innovation,"¹⁸⁵ in this case the governmental position was supported. Cohen calls this situation a "positive nonconstraint," the major effect of which is "to encourage State Department officials to persist in their chosen policies and even to give them a boost in that direction."¹⁸⁶

¹⁸³ Interview on 28 April 1987.

¹⁸⁴ See for the claims of other countries: Manfred Rexin, "Anerkannt - und zur Kasse gebeten," Deutschland-Archiv 6 (1973): 134-39; Hans Lindemann, "Ost-Berlin und die Wiedergutmachung an Israel," Deutschland-Archiv 6 (1973): 808-9.

¹⁸⁵ Charles W. Kegley, Jr., Eugene R. Wittkopf, American Foreign Policy: Pattern and Process (New York: St. Martin's P, 1982.) 288.

¹⁸⁶ Bernhard C. Cohen, The Public's Impact on Foreign Policy (Boston: Little, 1973) 139

Therefore, the U.S. could represent its claims without endangering its own position in the talks. The East Germans wanted recognition from the U.S., and since they wanted it badly, the U.S. simply had to wait and repeat its demands. To keep the East Germans waiting was intended as a signal that the U.S. held all the trumps for the upcoming talks. And State Department officials

were quietly boasting that by delaying our recognition move until "we" had benefited from the experiences of the French and British, . . . the United States was in the position to begin relations with the East Germans on an informed note.¹⁸⁷

The history of the talks shows in two ways that the U.S. was still subordinating its GDR policy to its relations with Bonn. The date on which the first official invitation was sent to the GDR is remarkable, August 3, 1973. Four days earlier the West German Supreme Court (Bundesverfassungsgericht) had pronounced a far-reaching decision on the Basic Treaty. The CDU/CSU opposition in Bonn had objected to the treaty, arguing that it was incompatible with the preamble of the Basic Law, which calls on the "entire German people . . . to achieve by free self-determination the unity and freedom of Germany." The CSU government of the State of Bavaria had challenged the

¹⁸⁷ Starrels 17.

constitutionality of the Basic Treaty, but their viewpoint was rejected. Although the court very narrowly interpreted the treaty and put a heavy restraint on the government in its further negotiations with the GDR, it nevertheless denoted the final and irrevocable consent to the limited recognition of the GDR by the Federal Republic through the Basic Treaty.

Most NATO states delayed establishment of diplomatic ties with East Germany until the Basic Treaty was initialed. Bonn had asked Washington to wait until the ratification procedure was completed in the Bundestag. But Washington waited until the last obstacle on the way toward a new definition of the relations between East and West Germany was removed, before it opened talks with the GDR.

The struggle over the Federal Environmental Agency also indicated U.S. support for the West German position, although it should be noted that the U.S. had its own interests at stake. The East German traffic impediments--carried out with open support by the Soviet Union--were regarded in Bonn and Washington as a serious violation of the Quadripartite Agreement. The agreement was barely two years in force and the U.S. did not want to "establish a precedent for nonfulfillment" of the accord. To sever the talks with the GDR was regarded as the appropriate way to

"communicate" this position to East Germany and to the Soviet Union.¹⁸⁸ The decision to suggest to the GDR that it should leave Washington was apparently made a few days later, after the talks with Genscher and after East Germany had failed to respond to the first warnings. The GDR obviously understood the signal and the matter was settled during the following month.¹⁸⁹

Since then, the Quadripartite Agreement has worked very well. Travellers are occasionally rejected at the East German control points, but neither Bonn nor Washington consider these incidents a major reason for concern. A State Department official who is directly involved in this matter regards the Berlin Accord as the "smoothest agreement between East and West."¹⁹⁰

The East German admission to be partly responsible for crimes committed by the Nazi regime represented a major reversal of previously advocated positions. Although its significance for current policy matters is rather limited, it is nevertheless a public setback for those who

¹⁸⁸ Interview with Wayne E. Merry, Officer-in-Charge, Berlin, GDR and East West Relations at the State Department, 28 April 1987.

¹⁸⁹ The FRG, however, tried to play down the issue and quietly advised higher officials at the agency to use the plane on their way to Berlin for some time. Frankfurter Allgemeine Zeitung 31 July 1974: 1.

¹⁹⁰ Interview with W.E. Merry, 28 April 1987.

declare the GDR to be the heir of the progressive elements of German history and the FRG as a reservoir of reactionary and imperialist groups.

V. CONCLUSION

As this study has shown, the U.S. decision to recognize the GDR was determined to a large degree by external factors. Pre-eminent in exerting influence on U.S. policy toward the GDR were the Federal Republic and the Soviet Union. Whereas the FRG had been in an influential position since its foundation, the Soviet Union gained leverage in the late 1960s.

Between 1949 and 1969 West Germany swayed the U.S. against recognition of the GDR, despite growing U.S. discontent with Bonn's interests from the late 1950s onward.¹⁹¹ However, Washington ultimately valued the cohesion of NATO higher than the doubtful merits of an opening toward the GDR.

A few years later the FRG abandoned the Hallstein-Doctrine, thereby releasing Washington from its pledge not to recognize the GDR. Soon thereafter Bonn concluded treaties with Moscow and Warsaw and began to pursue a goal contrary to its previous position. It now advocated acceptance of the GDR's existence in order to arrive at a favorable Berlin Agreement, badly needed by the Brandt government. This became necessary because the Soviet Union

¹⁹¹ Schlesinger 375.

demanded Western confirmation of the postwar status quo, of which recognition of the GDR was the most important element during the Quadripartite Talks.¹⁹² The fact that Bonn wanted the agreement and Moscow demanded recognition of East Germany put Washington's GDR policy again under pressure, at this time from two sides.

Bonn used its leverage as the most important U.S. ally in Europe and the network of consultation lines established during the Quadripartite Talks in the attempt to influence the U.S. position. Moscow relied upon the direct channel between Kissinger and Dobrynin and was rather successful because the U.S. considered a positive outcome of the Berlin negotiations as vital for its own policy as well. Great Britain and France were also prepared to accept the GDR's existence and tried to win over the U.S.

A coalition of the participating actors in the Berlin Talks plus West Germany emerged, favoring a recognition of the GDR. Everyone stood to gain from such a move, either by removing a major obstacle on the way toward a successful agreement or by gaining acceptance of the status quo in postwar Europe. The interests of the participating states converged at this particular point in the bargain-

¹⁹² There was "no reason to believe that the Soviet Union had signed the Quadripartite Agreement without recognition of the GDR." Interview with Mr. Merry, 28 April 1987.

ing process, and West Germany's demands were in line with those from Paris, London, and remarkably, Moscow.

The GDR itself was getting increasingly nervous over the prospects of détente and tried to thwart the agreement that would bring about fulfillment of its greatest desire, international recognition. With the exception of the use of traffic harassment however, the GDR had no further means to exert any pressure and was unable to act against the common interests of the Four Powers.

The inter-allied coalition of actors favoring recognition of the GDR did not extend beyond this issue. The access question is just one point in which the interests of Bonn and Moscow ceased to converge. Here, as in other aspects of the Quadripartite Negotiations, the influence of the FRG prevailed in Washington. This is shown by the fact that the U.S. made West German interests, regarding the ties to Berlin (West), part of its own demands. According to a former foreign service officer, "both before and after establishing relations with the GDR, . . . the United States has generally followed the lead of the FRG on matters specifically relating to the GDR."¹⁹³

During the Berlin Talks, the U.S. was able to use the recognition issue as a political tool to elicit further

¹⁹³ Raymond L. Garthoff, "Eastern Europe in the Context of U.S.-Soviet Relations," Terry 323.

concessions from the Soviet Union, especially with regard to its main demand of a Soviet access guarantee to West Berlin. The U.S. acted also on the behalf of the FRG when it employed this strategy because Bonn would gain the most from an improvement of the situation around Berlin.

Although the interests of Bonn and Moscow regarding recognition of the GDR went in the same direction, the way Washington fulfilled this task shows that intra-alliance influence clearly prevailed in affecting the U.S. The Quadripartite Agreement denoted a "tangible benefit for the U.S."¹⁹⁴ and "contributed to the emerging American-Soviet détente."¹⁹⁵ Kissinger's policy "linked" the Berlin agreement to the SALT talks and to further achievements of détente.

The outcome of the Quadripartite Agreement served all participants, including West Germany. The reason may be best described with a quote from Henry Kissinger: "Any successful negotiations must be made on a balance of mutual concessions."¹⁹⁶ The Berlin Agreement is an excellent example for this principle.

¹⁹⁴ Interview with W.E. Merry, 28 April 1987.

¹⁹⁵ Garthoff, Détente 121.

¹⁹⁶ Kissinger 803.

When, three years later a dispute over the interpretation of the agreement arose, the U.S. used the recognition issue for a second time to enforce its demands by intimating that it would not sign an agreement with the GDR as long as the traffic impediments continued. With Genscher's visit, West German influence was again visible, when the U.S. decided to send the GDR delegation home.

The U.S. could use the recognition issue also to get several concessions from East Germany for a number of reasons. The relationship with the GDR would always be a "function of other relations",¹⁹⁷ especially those with Bonn and Moscow, which are considerably more important. There is no such thing as a domestic interest group, as in the case of Poland, that would defend East German interests in Washington. Public opinion was rather hostile toward the GDR, and East Germany's image was very negative.

Although it is not possible to give satisfactory evidence of the widespread antipathy in the public, some assumptions can be made. East Germany is regarded as an "especially backward 'stalinist satellite of Moscow', not

¹⁹⁷ Interview with W.E. Merry, 28 April 1987.

worth to be engaged with."¹⁹⁸ The dilemma was that it would serve U.S. foreign policy interests to deal with the GDR. Kissinger eloquently describes this perception:

The German nation had been divided into two states for two decades. A brutal assertion of Soviet power had imposed a Communist regime on the eastern third of the country against the will of the population - the so-called German Democratic Republic. It was preposterous, of course, that in the center of Europe, where nationalism had originated, the world community should acquiesce in, if not positively endorse, the acceptance of a regime artificially imposed by foreign troops, a regime which could never have won a free election. Such "imperialism" in Asia or Africa would have produced outraged outcries and demonstrations; in Central Europe acceptance of the status quo became the test of reasonableness.¹⁹⁹

East German acceptance of Nazi crimes was the minimum that could be expected from this regime, and public support for the unyielding position of the U.S. during the bilateral talks with the GDR is therefore understandable. By taking its time in talks with the GDR, the U.S. also publicly indicated that there was no reason at all to rush toward recognition of a regime like this.

Although the relations between the U.S. and East Germany remained relatively cool during the subsequent years, the decision to establish diplomatic relations with the

¹⁹⁸ Peter Christian Ludz, "DDR-Forschung und vergleichende Deutschlandforschung in den USA," Deutschland-Archiv 3 (1970) 115.

¹⁹⁹ Kissinger 409.

GDR had some important consequences for U.S. policy on Germany as a whole. With the recognition of the GDR "the United States had abandoned its three-decades old policy of seeking a reunited Germany."²⁰⁰ As Kohler had foreseen more than ten years earlier, it amounted to the "overt acceptance of the division of Germany."

Kissinger argues similarly but tries to downplay the U.S. role in this process when he refers to the repeated Soviet attempts to move ahead with the European Security Conference of the early 1970s:

We could not . . . let the Soviets focus on recognition of the status quo in Europe until the results of Bonn's Ostpolitik were clearer; Bonn, not we, should assume the responsibility for accepting the division of Europe.²⁰¹

Kissinger again emphasizes West Germany's influence over Washington's policy, not only as it relates to the GDR, but on matters of an all-German character. Apparently the U.S. is waiting for the next move undertaken by Bonn:

Should some future government of the Federal Republic express its willingness to treat the GDR as a foreign state, presumably in return for significant East Ger-

²⁰⁰ Ambrose 240-1.

²⁰¹ Kissinger 415-416. Hersh, however, quotes a German diplomat who noted that West Germany's Ostpolitik came at the initiative of the U.S. and the West. Seymour M. Hersh, The Price of Power: Kissinger in the Nixon White House (New York: Summit Books, 1983) 416.

man concessions, the United States probably would have little reason to object.²⁰²

²⁰² United States, Cong., House, Subcommittee on Europe and the Middle East of the Committee on Foreign Affairs. The German Question Forty Years After Yalta. 99th Cong., 1st sess.: 26.

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