

Comparison of the situation of Freistaat Danzig and Saarland under the auspices of the League of Nations

Renáta SOMOGYI

Abstract

Administration and supervision of crisis zones is a frequently discussed topic these days. This study focuses on a specific segment of this issue rooted in the specificities of international transitory administration. By presenting and analysing the legal standing of Saarland and the situation of the Freistaat Danzig between the two World Wars, the reader may gain an insight into the first wing beats of the international community aimed at crisis management. The study looks in detail into legal legitimacy, the credibility of efficiency and control functions through the work of the two bodies temporarily appointed by the League of Nations. The presentation of the administration of Saarland, so important for Germany, could significantly contribute to deepening Hungarian-German economic and political relations, and to an accurate determination of the deficiencies of current crisis management.

Keywords

international transitory administration, League of Nations, legal legitimacy, Danzig, Saarland, Governing Commission, efficiency

Introduction or new dimensions in crisis management

The establishment of the League of Nations set up as a consequence of World War I may be referred to as a milestone in international relations which strongly influenced international administration and most probably opened up new dimensions in the history thereof. In many cases antecedents and experiences could constitute an adequate basis for verifying the legitimacy of an organisation, or even a given major power, or quite to the contrary, for questioning it. Naturally, every region struggles with different problems and has different characteristics even with regard to crises; yet, lessons drawn from practice, and the failures and achievements of earlier administrative actions could contribute to the success and efficiency of future crisis management. In the 1990s, international communities consisting of

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states gained new roles restricted to the administration of various crises. Back then, several regions of the world struggled with severe problems, as a result of which and perhaps as the best solution available at the time, they were temporarily made subject to international administration.¹ The need for such international crisis management administrative actions have only rarely been questioned, or not at all in general. The greatest and most frequently occurring problem relates to the instruments applied by the international community consisting of states and in some cases by the representations of international organisations and their efficiency and their legal legitimacy.

The League of Nations

The League of Nations², or La Société des Nations in French, was established by signing the Covenant³ in January 1919. This was the first intergovernmental organisation, whose primary objective was to maintain international peace and security. World War I tragically proved that the systems of alliances set up earlier by the Great Powers (Concert of Europe, Triple Alliance, Entente Cordiale) were unable to build up an efficient and lasting security system. There was a need for an organisation capable of preventing the outbreak of another war over the longer term. The first initiative is tied primarily to the name of Woodrow Wilson, who already then foresaw permanent and just peace as the basis of international cooperation in his famous Fourteen Points⁴. Naturally, in addition to the American initiatives and ideas, the British and the French also presented their views, of which several elements were transferred later to the Covenant, which entered into force in January 1920. As part of the Paris Peace Conference, the Covenant became an integral part of the Treaty of Versailles, calling for the maintenance of international peace and security.⁵ The most important provisions of the Covenant included guaranteeing territorial integrity and political independence, protection for minorities, the establishment of the system of mandates, disarmament and regional agreements.⁶ Neither the elaboration, nor the implementation of these decisions and the various provisions was a simple processes. Despite this, however, the organisation can be commended for a number of achievements, such as this being the first serious attempt at establishing a collective security system, or the recognition of the fact that international security cannot be separated from general international cooperation. Without the Covenant, it would not have been possible to adopt the Geneva Protocol of 1924⁷, nor the Briand-Kellogg Pact. Yet, the negative features should not be disregarded, as they cast a shadow on the results achieved by the organisation. First and foremost, no

1 HALÁSZ, Iván: Nemzetközi igazgatás a válságövezetben – adalékok a nemzetközi igazgatás történetéhez és jelenlegi dilemmáihoz [International administration in the crisis zone – Addenda to the history and current dilemmas of international administration], in: *Külügyi szemle*, 4, 2005, 1–2, 248.

2 The League of Nations is established (online: <http://mult-kor.hu/cikk.php?id=3449>).

3 A négyhatalmi szerződés [Four Power Pact], online: <http://www.grotius.hu/publ/displ.asp?id=HNHDDJ>.

4 Woodrow Wilson's Fourteen Points, online: http://www.historylearningsite.co.uk/woodrow_wilson1.htm.

5 BLAHÓ, András – PRANDLER, Árpád: *Nemzetközi szervezetek és intézmények [International organisations and institutions]*, Budapest 2005.

6 Ibidem.

7 The Protocol adopted in Geneva in 1924 aimed at the peaceful settlement of international disputes.

deliberate, coherent policy came into being, envisaging long-term cooperation, and this was only aggravated by the internal contradictions of the "Versailles-Washington peace system". The lack of efficient and collective work manifested itself as a sign of weakness; several of the major powers withdrew from the activities of the organisation.⁸ We could list a number of institutional and organisational problems which prevented the success of the League of Nations; these, however, are irrelevant from the viewpoint of this study. As far as the subject matter of this study is concerned, the work of the organisation in the two regions studied is of interest.

Freistaat Danzig under the rule of the League of Nations

As a result of the decision of the major powers victorious in World War I, Danzig became an independent city-state governed by the High Commissioner appointed by the League of Nations.⁹ In terms of the history of the city, this scheme was not unknown since Napoleon had created the independent state of Danzig already in 1807 in the course of his Eastern expansion. Naturally, little similarity is shown by the examination of the administration of the two states apart from the city's legal status.¹⁰

Until 1920, Danzig was the capital of the province of Westpreussen¹¹, whose position was substantially altered by World War I. During the war, Point 13 of President Wilson of the USA called for the establishment of an independent Polish state¹², which he envisaged with access to the sea. Several arguments were put forward in favour of this, primarily ethnic and economic interests. As to the ethnic aspect, the official explanation was that there were more Poles living in this region than Germans.¹³ As later revealed by research, this argument was somewhat on the wrong side as the Kashubs were counted as if they were Poles¹⁴. Naturally, the Germans did not accept the data of the census, and even the Poles had their doubts about the number of the German population. The other argument was the economic one, according to which *"one of the guarantees of Polish independence is access to the sea, thus Polish exports would not be at the mercy of the German port cities"*.¹⁵

8 BLAHÓ – PRANDLER, 57–58.

9 Danzig und seine Vergangenheit 1793–1997 [Danzig and its past 1793–1997], online: https://perspectivia.net/publikationen/ev-warschau/loew_danzig.

10 Under section 19 of the Prussian-French peace treaty of Tilsit, Danzig became an independent republic subject to the protectorate of the Saxon king. Effective power, however, was in the hands of the French governor. Later, Danzig had an important role to play in the war against Russia, primarily as a military base. The first independent Danzig state, i.e. Republic, lived no more than seven years (1807–1814), from the peace of Tilsit to the Vienna Congress, when it was again made part of Westpreussen. "From 1814, it began to develop as part of Germany over 104 years, and grew into a significant industrial and port city in just over a century. Its population exceeded 170,000 in 1910." (Online: <http://pangea.hu/2014/11/02/danzig>).

11 Danzig und seine Vergangenheit 1793–1997...

12 Woodrow Wilson's Fourteen Points...

13 528,000 Poles against 385,000 Germans (online: <http://pangea.hu/2014/11/02/danzig>).

14 "This ethnic group has its own identity and derives its language from the Pomeranian. Poland does not recognise them as an independent ethnic group; during the years of socialism Poland was expressly hostile against them, questioning their loyalty to the socialist state. The German, the Polish and the Kashub population were not sharply separated at around 1920; most of West Prussia had mixed population." (Online: <http://pangea.hu/2014/11/02/danzig>).

15 Ibidem.

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Without dividing the German areas, it would not have been possible to provide access to the sea and because of that West Prussia was split into four separate parts in 1919.¹⁶ The eastern part with its centre in Marienwerder was left under German rule, but it was integrated into East Prussia for the purposes of administration. The central part of West Prussia with the Hel Peninsula and the seashore became part of Poland; this area is often referred to as the Polish corridor. Finally, which is of importance for the subject matter of this study, the Free City of Danzig (Freistaat Danzig) was established.¹⁷ The victorious states got into a very difficult position strategically because they were aware that they could not annex the city to Poland as 95 % of the city's residents were German speakers¹⁸, yet the city could not remain part of Germany because of its excessive strategic and economic significance.

In February 1920, Danzig was subject to British occupation, indirectly guaranteeing the protection of the League of Nations over the new state. Poland continued not to recognise the separation of the city and did not give up its claims in relation to it. In this respect, Poland could rely on the support of the French, for whom the reinforcement of Poland with a port city constituted a major issue of national security.¹⁹ These endeavours, however, failed in part and they managed to achieve little by way of results. On 15 November 1920, the League of Nations officially recognised Freistaat Danzig as a new European state, and the organisation of the government and administration of the city began under the auspices of the international organisation.²⁰

Poland continued to deal with Danzig's foreign affairs and, in addition, it had direction over the railway and telecommunications network, as well as the supervision of the port. It was the Polish postal service that continued to operate in the city and the Poles were responsible for the land defence of the city. In 1922, a mandatory customs union was established between the two states which gave Poland even more elbow room "in exercising power" over the free city. An elected leader, the High Commissioner was the head of the "state" appointed by the League of Nations. The High Commissioner had the right to approve the constitution of the city state and to take action in disputes arising between the city and Poland.²¹ As far as the League of Nations was concerned, it was understandable to appoint a "foreign" leader, as the goal was to create an efficient and smoothly running state focusing on international interests. If, however, the local population and the interests of the city are considered, an "outsider" official might not be the best choice. Naturally, lack of knowledge of local relationships and political parties and the absence of the "personal" interests of the city could give rise to substantial disadvantages both for the new leadership and for the population. The League of Nations ordained the Volkstag (the assembly), elected by the locals, to be subject to the British, the Italians, the Swiss and the Danes, which resulted

16 NÉMETH, István: Németország a weimari köztársaság időszakában (1919–1933) [Germany during the period of the Weimar Republic (1919–1933)], online: http://www.grotius.hu/doc/pub/WNAWSU/2013-01-29_nemeth_istvan_grotius-e-konyvtar-57.pdf.

17 Online: <http://pangea.hu/2014/11/02/danzig>.

18 HALÁSZ, 250.

19 NÉMETH, István: Németország története [History of Germany], Budapest 2003.

20 Danzig und seine Vergangenheit 1793–1997...

21 RUHNAU, Rüdiger: Die Freie Stadt Danzig 1919–1939, Berg am See 1988.

in the restriction of "local forces" and their substantial loss on power.²² The goal of the League of Nations was to develop a secure medium, which would prevent the outbreak of yet another conflict or war. But irrespective of all this, the League of Nations enabled the new state to allow every German political party to run at the local elections, respecting the desires and interests of the population. Thus, the most influential parties, such as the German National Democratic Party (DNVP), the Social Democrats and the German Centre Party all got mandates. The members of the Senate consisted of representatives elected by them; they were responsible for the appropriate operation of the executive power.²³ At first, this system operated smoothly, it seemed that the international supervision and the interests of the German population could coexist. At the time, the League of Nations was still taking its first steps in learning about how to guarantee international peace and security, and it seemed it was able to control matters and the state could function efficiently under the supervision of the organisation. Unfortunately, it did not last long and the NSDAP came to power in 1933²⁴, which radically altered power relations in this German speaking city. Despite the supervision of the League of Nations, this party achieved the slow liquidation of all the other democratic parties and took over full governance of the city. They were so much in control that they managed to have the Race Laws of Nuremberg adopted in a state, which was in principle governed by the League of Nations.²⁵ Naturally, this is an excellent illustration of the fact that the League of Nations whose mandate was to guarantee international peace and security allowed the implementation of laws, which subsequently led to an ethnic catastrophe. Of course, administration by the League of Nations and its lack of success cannot be deducted exclusively from the deficiencies of the organisation. In addition to administrative problems and deficiencies, other reasons also had a role in the failure of the League of Nations. One such reason was the intensification of animosity between the Germans and the Poles in the city which also had a serious role to play in the outbreak of World War II.²⁶

On the eve of World War II, Germany also claimed the return of the city of Danzig, which was fully opposed by the League of Nations in general and the Poles in particular, and the Polish soldiers did not leave their posts. World War II broke out. The rest of the story of course is already known: the last moment came in 1945 when the Free City of Danzig finally disappeared as a state.

The specific situation of the territory of the Saar Basin in the light of the League of Nations supervision

The establishment of the League of Nations – which opened new doors in the history of international administration – was of major significance not only for the Free City of Danzig,

22 Ibidem.

23 Érisz almája Poroszországban [The apple of Eris in Prussia]: Freistaat Danzig, online: <http://pangea.hu/2014/11/02/danzig>.

24 Die Nationalsozialistische Deutsche Arbeiterpartei, online: <https://www.dhm.de/lemo/kapitel/weimarer-republik/innenpolitik/nsdap.html>.

25 Érisz almája Poroszországban...

26 NÉMETH, *Németország története*, 250–255.

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but also for the Saar Basin. The Saar Territory operated in subordination to a five-member governing commission appointed by the League of Nations. A study of this area may reveal the initial steps of international administration, the legal background to legitimatisation, and most importantly, their practical implementation. The Saar Basin was not a state taken in the modern sense as it was subject to transitory administration by an external agency, the League of Nations. An organisation oversaw the agencies of public powers, such as the legislation, public administration and the administration of justice. At the same time, the League of Nations had no control, it had no official controlling body. State efficiency cannot at all be measured here on the basis of economic policy, as it is not possible to determine how “cheap” the given state was relative to its size.

Under the Versailles Peace Treaty, the Saar Basin was subject to rule by the League of Nations in 1920; the international community regarded this as a transitory situation as they called for a referendum with respect to where the area should belong to for 1935.²⁷ This area, rich in coal and subject to the rule of the League of Nations for 15 years, can be regarded as a highly specific case of international administration because while the international organisation safeguarded the territory, France obtained the right to economically exploit it where the majority of the population was German speaking.²⁸

Power in the Saar Territory was exercised by a five-member Governing Commission, whose members were selected by the Council of the League of Nations, of which one position was held by France and another one by a permanent local resident. The remaining three positions were given to citizens of other countries. This body was responsible for all the administrative powers, including the right to create elected bodies.²⁹ The Governing Commission had to consult with the elected body representing the local population about introducing new taxes or amending legal regulations formerly in force in the area. Later, a ministry-like agency was set up, which governed the Saar Basin in five central areas, such as foreign and home affairs, economics and finance, labour, welfare and agricultural affairs, and religion and education.³⁰ The League of Nations endeavoured to cover virtually all the administrative aspects of the life of the population; even the administration of justice was headed by a Swiss lawyer, whose work was assisted by judges and officials from various countries until the referendum in 1935, when Germany annexed the Saar Basin.³¹ The population made its own decision about where they would like to belong to and ultimately the citizens of the city voted for Germany.

The League of Nations ran a much better prepared administration based on much more stable institutions in the case of the Saar Basin than in Danzig. A primary reason for this can be attributed to France, which had both economic and political interests in the maximal supervision of the area. France could not afford to let administration slip out of its hands, that is why they tried to bring every single administrative area of the Saar Basin

27 HALÁSZ, 250.

28 ZENNER, Maria: *Parteien und Politik im Saargebiet unter dem Völkerbundsregime, 1920–1935* [Parties and Politics in the Saar Basin under the League of Nations regime, 1920–1935], Saarbrücken 1966.

29 LINSMAYER, Ludwig: *Politische Kultur im Saargebiet 1920–1932*, St. Ingbert 1992.

30 ZENNER, 363–375.

31 LINSMAYER, Ludwig (ed.): *Der 13. Januar. Die Saar im Brennpunkt der Geschichte* [The 13th January. The Saar Basin in the focus of history], Saarbrücken 2005.

under international governance. Here, the work of the League of Nations was not for an indeterminate period as in the case of the Freistaat Danzig, but was linked to a specific date and event, the referendum of 1935. From this point of view, the comparison and the study of organisational efficiency is very difficult because it does make a difference whether a state or area under study is aware of being subject to transitory international administration or whether that administration was final. The common element in the two cases is unambiguously the fact that the international administration "was forced" onto a German speaking population in spite of their will.

Summary, conclusions

International intervention is a fairly sensitive area to this day and not only with regard to legitimatisation but also to implementation itself. These events were the first wing beats of guaranteeing international peace and security. Administration and supervision could perhaps been operated better, had these regions been governed by a better prepared organisation, having a more stable backing and adequate experience. The body controlling the work of the agencies appointed by the League of Nations (Governing Commission and High Commissioner) was also missing. This frequently happens under current international relations, which creates the basis for abuse of power. Deliberate control is one of the key elements of transitory administration. In addition, it is important to underline the ethnic fragmentation of the organisation conducting administration. The two regions were excellent examples of foreign interests, that is, French and Polish interests had the upper hand and they did achieve their objectives causing damage to the true interests of the regions.

A further study of organisational structures and control unambiguously reveals that the administrative regime of the Saar Basin was much more complex. Although there was "transparency" in both cases, power was concentrated in the hands of a single person in the case of Freistaat Danzig, it was held by a five-member commission in the case of the Saar Basin and hence this regime was much more "interoperable" and controllable. It is very difficult to determine to what extent the League of Nations as the body responsible for the transitory administration of an area fulfilled the hopes pinned on it by the major powers. From the viewpoint of public administration, the designated agencies carried out their tasks and the administration of these territories functioned for long years. The referendum and World War II prevented the League of Nations from continuing the supervision and administration of these regions. The Freistaat Danzig and the Saar Territory were the first and the last regions in the history of the League of Nations over which it ruled.

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Author

Renáta Somogyi

Közigazgatás-tudományi Doktori Iskola, Nemzeti Közzszolgálati Egyetem

Doctoral School of Public Administration, National University of Public Service

Üllői út 82, 1083 Budapest, Hungary

somogyirenate@gmail.com