MOROCCO

PROTEST AGAINST THE DETENTION OF AMERICAN DIPLOMATIC COURIERS BY SPANISH CUSTOMS OFFICIALS IN THE SPANISH ZONE OF MOROCCO

121.67/8579: Telegram

The Chargé at Tangier (Elbrick) to the Secretary of State

TANGIER, May 21, 1943—noon.
[Received 12:55 p.m.]

722. Couriers Owen and Chatfield were detained for 9 hours yesterday by the Spanish customs authorities at Arbaoua en route to Rabat from Tangier. They were unable to communicate with Tangier but informed Rabat by telephone and the Consulate there then notified the Legation by telegram which arrived shortly after 8 o'clock last night. It appears that the customs officials demanded to examine their luggage and that both couriers refused to allow their brief cases to be opened for which reason they were detained. Rabat also reported their persons and their other luggage had been searched. I immediately communicated with Castillo 1 protesting this offensive behavior and demanding that the couriers be released at once to proceed to Rabat and approximately one hour later Castillo informed me that they would be permitted to proceed on their way. He added however that they seemed to be carrying seven diplomatic pouches instead of the five noted in their courier letter and that this was the reason for their detention. I told Castillo that our records did not show this and that in any event it was beside the point since the least the Spanish officials could have done was to permit the couriers to return to Tangier which Mayer 2 at Rabat had informed me they were not allowed to do. I told Castillo that I would communicate with him further on the subject today when I was in possession of the facts and that if his understanding proved correct I would comply with the formality of issuing a corrected courier letter for the customs record.

I have just talked with Mayer at Rabat by telephone and he informs me that the couriers were detained at Arbaoua from 2:30 p.m. until 11:40 p.m., that the Spanish officials insisted on a customs examina-

---

1 Cristobal del Castillo, Spanish Consul General at Tangier.
2 Ernest de W. Mayer, Consul at Rabat.
tion; that the couriers refused to allow their two personal brief cases to be examined; that the customs authorities declared that only the authorities at Tetuan could authorize their release; that their luggage was searched and they were forced to undress partially to permit the search of their persons. Later their automobile was inspected minutely; all bags and seats being removed and the couriers were forced to replace them. Their money was taken from them and their attempts to effect its return were fruitless.

I am presenting a formal written protest to Castillo today but in view of the gravity of this affair and since former protests to the Spanish authorities concerning similar but lesser offenses have apparently had no effect, I strongly urge that the Embassy at Madrid be authorized to take this matter up immediately with the Spanish Foreign Office.

I have already informed Castillo that this outrageous incident will have a most unfortunate effect in Washington. I shall report further after I have seen him today.

Repeated to Algiers, Casablanca for General Clark ³ and Madrid.

ELBRICK

121.67/3588 : Telegram

The Chargé at Tangier (Elbrick) to the Secretary of State

TANGIER, May 22, 1943—9 p. m.
[Received May 22—7:10 p. m.]

732. Legation's telegram No. 722, May 21, noon. I was unable to see Castillo yesterday but sent the formal protest mentioned in the telegram under reference and arranged to see him this afternoon. He thought the responsibility for the incident at the frontier fell upon the two couriers who would not permit their brief cases which were not part of the diplomatic mail to be searched. I said that as he was well aware the American Legation does not admit the right of the authorities to subject American diplomatic and consular officers to customs examinations in Spanish Morocco and that in any case this would not explain the discourteous treatment accorded the couriers by the customs officers. He agreed that it was an unfortunate affair and that the least the customs officials could have done was to telephone him or the authorities at Tetuan in order to clarify the situa-

³ Lt. Gen. Mark W. Clark, Commanding General of the Fifth Army.
tion. He said further that inasmuch as I had referred the case to the Department he felt he would have to send a copy of my note to the F.O. in Madrid. I said that I hoped this procedure would clarify matters once and for all since it was just as annoying to this Legation to have to make periodic and unavailing protests to him regarding such incidents as it was for him to receive them.

He told me that in the near future diplomatic identity cards will be issued to the officers of the various countries represented in Tangier and that definite instructions would be given to custom authorities to permit all baggage of such individuals to pass without examination. A full report will go forward by the next airmail pouch.

Sent to the Department; repeated to Madrid, Algiers, Casablanca for General Clark.

ELBRICK

121.67/3585: Telegram

The Consul General at Algiers (Wiley) to the Secretary of State

ALGIERS, May 23, 1943—2 p.m.
[Received 10:35 p.m.]

948. From Murphy. Tangier’s 722, May 21, noon. The Consulate in Rabat has submitted a similar report regarding detention of Owen and Chatfield.

In view of this arbitrary action on the part of the Spanish customs officials I recommend that a strong protest be lodged with the Spanish Government at Madrid and that retaliatory measures be taken against Spanish official couriers leaving the United States unless prompt satisfaction is obtained. I believe the matter should be discussed between the Spanish and American Governments and do not propose to recommend retaliatory measures here unless the Department so instructs me. The headquarters of the Fifth Army is being informed of this message but is prepared to take whatever course of action is judged most suitable.

To Department, repeated to Tangier, Madrid and Rabat for General Clark. [Murphy.]

WILEY

*Robert D. Murphy, Special Representative of the President in French North Africa.*
The Chargé at Tangier (Childs) to the Secretary of State

Tangier, May 24, 1943—6 p. m.

[Received 10:10 p.m.]

739. Algiers 948, May 23. I was in Madrid when Tangier's 722, May 21 was received and discussed situation with Embassy. It was agreed that it would be preferable to endeavor to clear up the incident locally in Tangier and only in the event satisfaction could not be obtained here should resort be had to representations in Madrid.

I saw Castillo this morning and he was very apologetic. He at first endeavored to place the initial blame on the discrepancy between the courier letter and the number of pieces of baggage carried by the couriers. I said he seemed to overlook the principle of international comity involved and that no justification could be adduced for the disgraceful manner in which two members of the staff of the Legation formally notified to him as members of our staff had been treated. I added I did not wish to enter into a discussion of the violation of our treaty rights which was also involved as our complaint was sufficiently well grounded on the basis of international comity.

Castillo assured me that he was drafting instructions to all frontier officials enjoining them from any interference in the future with official couriers. I said that this was the ninth instance of such interference each one more aggravated than the last and I wished to be assured that there would be no repetition. (The British and French have also experienced difficulties but nothing comparable to this last incident). He assured me that there would be none. I remarked also that he was doubtless aware of the extremely bad press his Government already had in the United States and that if such an incident found its way into the American press it would be difficult to judge the consequences. Both he and I were well aware that the Axis was doing everything possible to disturb the relations between our two countries and to create incidents which would disturb those relations. I said that he and the Spanish authorities had fully as much interest as we in preventing Spanish officials from playing this German game. Castillo expressed himself as in full accord (as, however, he usually does).

I consider the situation has been admirably handled by Elbrick and unless the Department instructs otherwise I propose to take no further action in the light of Castillo's firm assurances. Should the least difficulty be experienced by any courier in the future I propose to seek an interview at once with Orgaz and then to refer the situation.

Gen. Luis Orgaz, High Commissioner in the Spanish Zone of Morocco.
to Madrid in the event I am unable to obtain satisfaction from the High Commissioner.

In response to an inquiry from Rabat I have asked that the couriers be instructed to decline firmly but courteously to submit to any inspection of their persons or baggage but to declare if called upon any personal funds in their possession when crossing the frontier.

Sent to the Department; repeated to Madrid, Algiers, and Casablanca for General Clark and Rabat.

CHILDs

121.67/3532: Telegram

*The Chargé at Tangier (Childs) to the Secretary of State*

TANGIER, May 27, 1943—7 p.m.

[Received 8: 05 p.m.]

754. Our telegram 739, May 24, 6 p.m. Our couriers Valenza and Owen arrived yesterday from Casablanca without incident. They brought a report by Chatfield and Owen on last week’s incident at Quedadra (Arbaoua) (see enclosure to Rabat’s despatch 35 [55] of May 22 *) which places the behavior of the Spanish customs officials in a more flagrant aspect than did the incomplete preliminary reports received here. These customs officials were studiously insulting towards these couriers with no slightest provocation and treatment accorded them tend [tended?] to humiliate them before the French authorities and public at the frontier.

I am furnishing excerpts of the above mentioned report to Castillo with the following conclusion: “I feel confident that you and His Excellency, General Orgaz, after having been acquainted with the foregoing facts will recognize the appropriateness of a prompt investigation and the taking of such disciplinary action with reference to the offending Spanish officials as is indicated. If the present instance were an isolated one the Legation would be more disposed to consider the possibility of mitigating circumstances. However, the fact that the present incident follows repeated instances of complaints of the conduct of Spanish customs officials at Quedadra toward members of the Legation staff obliges me to reserve fully the right of my Government to judge the adequacy of such explanations and reparation as

*Not printed.*
may be offered for the studiedly offensive and grossly insulting con-
duct of the Spanish officials in the present instance as reported by
more than one witness."

It is recommended that if after the lapse of a reasonable time say
10 days no reply has been received I be authorized to inquire of my
Spanish colleague when a reply may be expected and to inform him
that an early reply would be appreciated as my Government is con-
sidering the publication of the correspondence. Full text of note is
going forward on May 29 by airmail.7

Repeated to Madrid, Algiers, Casablanca for General Clark and
Rabat.

CHILDs

121.67/3595: Telegram

The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, May 28, 1943—11 p. m.
[Received May 29—8:37 a. m.]

767. My 754, May 27. Called on Castillo about other matters
and he took the initiative in referring to my note.8 He said I would
have a reply in a few days as soon as the authorities could obtain the
version of the Spanish customs officials.

I said there were numerous witnesses of the account given by the
American couriers substantiating the account I had sent him.

He said the Spanish customs officials are of a quite different social
station from the Americans and that the behavior of the Spaniards
was inexcusable and that I could be certain very severe sanctions would
be taken against Pizzarro, chief Spanish customs official.

Castillo had evidently been greatly impressed by the account given
him in my note of the shockingly discourteous treatment shown our
couriers and there was no effort on his part to extenuate the affair.
He assured me that the most stringent instructions were being issued
which would prevent any restitution [repetition] and that he would
let me have copies of the instructions.

Repeated to Madrid, Algiers, Casablanca for General Clark and
Rabat.

CHILDs

7 Despatch No. 1474, dated May 25, 1943, not printed.
8 Not printed; the substance is given in the Chargé's telegram No. 754, supra.
The Secretary of State to the Chargé at Tangier (Childs)

WASHINGTON, June 1, 1943—9 p.m.

115. Your 722, May 21, noon, and 754, May 27, 7 p.m. Action taken with respect to interference with diplomatic couriers is approved, except that we do not want to suggest any publicity. Madrid is being asked to make appropriate representations.

For your strictly confidential background information you are advised that Department may encounter some difficulty because of unfortunate incident which occurred last October in New Orleans when Spanish diplomatic pouches were removed from the steamship *Magallanes* and opened by some of our authorities. The Department formally assured the Spanish Ambassador following that incident that the action had been unauthorized and the result of an error, and requested him to communicate to his Government this Government’s sincere regret and its apologies.

HULL

The Secretary of State to the Ambassador in Spain (Hayes)

WASHINGTON, June 2, 1943—10 a.m.

1251. Referring to Tangier’s 722, May 21, noon, and 754, May 27, 7 p.m., concerning detention and treatment of our couriers at Arbaoua, you are requested to bring this to the attention of the Spanish Government at once, stressing the fact that our urgent official communications were delayed and two duly documented diplomatic officers were subjected to detention and other indignities.

If in this connection reference should be made to the incident that occurred last October in New Orleans when Spanish diplomatic pouches were removed from steamship *Magallanes*, you may observe that in a formal note dated October 19 [20], 1942 the Department informed Ambassador Cárdenas that the removal and opening of the Spanish pouches had been unauthorized and the result of an error, and this Government expressed its sincere regret and asked the Ambassador to communicate to his Government this Government’s apologies.

It is thought that the present incident may afford you an opportunity to mention again the whole series of unpleasant incidents of

*Not printed.*
which a few examples are cited in the Department’s W-18 of May 15, and the continuing hostile tone of the Spanish press, and to mention that inasmuch as General Franco is the head of the Falange Party as well as the Chief of the Spanish State an inevitable impression is created that the attitude of party members and of a number of Spanish officials may reflect a policy of the Spanish Government toward the Government of the United States and its interests in Spain. In view of the fact that previous representations have already been addressed to Foreign Minister Jordana, and especially of the fact that he evidently encounters strong opposition in some quarters in Madrid, the Department suggests that you may wish to avoid placing an additional strain upon his position in the Cabinet by taking these matters directly to General Franco.

You should endeavor to get firm and formal assurances that our couriers will not be molested or delayed in any way in future and that measures will be taken appropriately to deal with the party members and Spanish officials responsible for the series of incidents above referred to, and, if possible, that the competent Spanish authorities will be directed to tone down the Spanish press in a manner more in harmony with the assurances we have already had from the Spanish Government respecting Spain’s neutrality.

Hull

121.67/3656

The Ambassador in Spain (Hayes) to the Secretary of State

No. 1026

Madrid, June 24, 1943.

[Received July 5.]

Sir: I have the honor to refer to my telegram No. 1495 of 2 p. m., June 5, 1943, in response to the Department’s telegram No. 1251, 10 a. m., June 2, regarding the detention on May 20 by Spanish customs officers at Arbaoua of two American couriers en route from Tangier to Rabat.

A copy of my Note of protest, No. 1014 dated June 4, to the Foreign Minister and a copy and translation of his reply dated June 16 are enclosed.

Respectfully yours,

Carlton J. H. Hayes

10 Not printed.
11 Gen. Francisco Franco, Chief of the Spanish State and Prime Minister.
12 Not printed (121.67/3611); it reported that representations had been made in accordance with the Department’s telegram No. 1251, June 2, supra.
The American Ambassador (Hayes) to the Spanish Minister for Foreign Affairs (Jordana)

No. 1014

MADRID, June 4, 1943.

EXCELLENCY: I have the honor to inform Your Excellency that on May 20, 1943, two United States diplomatic couriers, bearing diplomatic passports and properly documented, were detained by the Spanish customs authorities at Arbaoua, en route to Rabat from Tangier, from 2:30 p.m. until 11:40 p.m., during which time their clothing was partially removed from them and their persons searched, they were prevented from communicating with Tangier, and otherwise subjected to indignities in flagrant violation of the treatment which diplomatic couriers are entitled to receive from friendly governments. As a result of this offensive treatment, official urgent communications of the Government of the United States were delayed in transmission.

Under instructions from my Government, I protest against this unwarranted and unfriendly treatment of our diplomatic couriers, and request formal and firm assurances that, in the future, such couriers will be unmolested and will not be delayed in any way, and that measures will be taken to punish the officials or employees responsible for the incident referred to.

I avail myself [etc.]

CARLTON J. H. HAYES

[Enclosure 2—Translation]

The Spanish Minister for Foreign Affairs (Jordana) to the American Ambassador (Hayes)\(^\text{18}\)

No. 373

MADRID, June 16, 1943.

MR. AMBASSADOR: I have the honor to reply to Your Excellency’s Note No. 1014 of June 4, regarding the detention for several hours at the Arbaoua Customs of two American diplomatic couriers who, in company with their wives, were proceeding from Tangier to Rabat May 20.

The accounts received at this Ministry establish that the Spanish customs Authorities did in fact place difficulties in the way of the

\(^{18}\) Erroneously addressed to the previous Ambassador in Spain, Alexander W. Weddell.
aforesaid couriers. The reason for these difficulties was that the certificate prepared by the Legation of the United States at Tangier referred only to five pouches, which being official were at all times respected. However, the couriers also endeavored to cover as official material two large briefcases which were not closed and sealed by the Legation, nor included in the certificate covering the five pouches mentioned. When the Spanish customs officials attempted to explain this to the American couriers, they reacted warmly, beginning a forcible discussion which deprived the Spanish officials of the possibility of indulgence, for any exemption would then have appeared as being imposed by the strong attitude of the couriers. Unfortunately, the telephone connection between Arbaa and Tangier was interrupted, and the Customs were unable to talk with the Spanish Consulate General at Tangier. Instead, the Rabat Consulate General at once intervened with obvious good intention, taking the steps necessary to terminate the incident, as in fact took place.

For the reasons expressed, it is not a matter of having placed difficulties in the transmission of American official correspondence. The intention of the Spanish officials was to avoid abuse of immunity through packages which bore no guarantee whatever of their official status. The Embassy of the United States may rest assured that at all times there have been and will be respected official sacks duly sealed and included in the certification which is customarily delivered by the Representation of the United States at Tangier.

I seize this opportunity [etc.]

JORDANA

RELEASE OF UNITED STATES AIRMEN INTERNED IN THE SPANISH ZONE OF MOROCCO

740.00114A European War 1939/186: Telegram

The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, January 2, 1943—9 p. m.
[Received January 2—7:50 p. m.]

8. My 922, December 30. Major Bernadoni was informed today by the officer in Tetuán in charge of our internees that orders had

14 For previous correspondence relating to this subject, see Foreign Relations, 1942, vol. iv, pp. 512–522.
15 Not printed.
16 Maj. Bernard Bernadoni, Assistant Military Attaché at the Legation in Tangier.
been received for the sending of 17 of them to Madrid by a plane which had arrived for that purpose. It was added the 17 are to be turned over to our Embassy in Madrid for repatriation. The 17 include 9 officers at Melilla and the ranking officer at Xauen who will be the first to be sent to Madrid by the plane which can only carry 10 at a time. Departure will depend upon the weather.

Repeated to Madrid.

CHILDs

740.00115A European War (1939)/622: Telegram

The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, January 29, 1943—9 a.m.

[Received 10:35 a.m.]

157. Following telegram sent to the Embassy, Madrid, January 23, repeated for your information:

January 23, 11 a.m. British Consul,17 Melilla, reports he visited our internees Tauima 21st and that officer in charge informed him our men are getting out of control due recent harsher treatment by Spanish. They [are] stated to be confined to barracks and there have been cases of soldiers being threatened. Officer in charge fears incidents may occur in consequence.

On January 10 High Commissariat informed me that due to lack of proper behavior on part our internees in Tauima and incidents which had occurred following visit to neighboring town of Nador where High Commissariat had permitted them to go for distraction in accordance with our request authorities have been obliged to suspend authorization in order to avoid incidents of greater importance.

It is presumed reference to recent harsher treatment by Spanish refers to this suspension.

Major Bernadoni, Assistant Military Attaché, is flying to Melilla the 26th to investigate and to endeavor to calm the restive spirits of the men. I discussed the situation with my Spanish colleague yesterday and asked if the men were not to be sent to Spain shortly they be brought near Tangier where we could keep a better eye on them.

It would be helpful if the Embassy might urge upon the authorities in Madrid the desirability of transferring these men to Spain as soon as possible. The internees are so far removed from us that it is ex-

tremely difficult to maintain adequate contact with or control over
them and they are naturally restless from the absence of amenities
which would probably be more available to them in Spain than in
Morocco.

CHILDSD

740.00114A European War 1939/232 : Telegram

The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, January 29, 1943—10 a. m.
[Received January 29—8:32 a. m.]

158. Following telegram sent to the Embassy Madrid January 27,
repeated for your information:

January 27, 10 p. m. Major Bernadoni has informed me from
Melilla that he is concerned about our soldiers at Tauima. He states
that local feeling has suddenly become very unfriendly and that their
removal would obviate the occurrence of incidents which may have
serious consequences.

I discussed this matter again with Castillo 28 in the absence of the
High Commissioner today and he promised to recommend at once to
Jordana 29 that the men be sent at once to Spain and that if this were
not immediately possible they be sent near Tangier.

CHILDSD

881.00/2400 : Telegram

The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, January 30, 1943—9 p. m.
[Received January 31—8:10 a. m.]

173. Our 10, January 23 and 11, January 27 to Madrid (repeated
to Department as Tangier’s nos. 157, January 29, and 158, January 29)
and 168, January 29. 20

Major Bernadoni who has just returned from Melilla reports
Yague 21 returned there late on the 28th. General Orgaz 22 returned
to Tetuán yesterday.

Yague was most friendly when receiving Bernadoni and gave no
indication he was leaving. He telephoned Tetuán and requested per-
mission to remove the restrictions placed on our internees and to send
them to Tetuán preliminary to their despatch to Spain.

28 Cristobal del Castillo, Spanish Consul General at Tangier.
20 Commanding General at Melilla.
22 Lt. Gen. Luis Orgaz, Spanish High Commissioner in Morocco and Com-
mander of the Spanish Forces in the Spanish Zone of Morocco.
This afternoon the High Commissariat telephoned that beginning February 2 the 54 officers and men at Tauima will be flown in groups of 12 or 13 to Madrid in the personal plane of Orgaz which he has made available for this purpose. Meanwhile our 6 internees still at Xauen and the 4 British internees there will be flown from Tetuán to Madrid as soon as a special plane coming from Spain arrives which is expected imminently. Our 4 internees receiving medical treatment there and the 6 British here will be flown to Spain after those mentioned above have been evacuated.

Sent to the Department; repeated to Madrid.

---

740.00114A European War 1939/242: Telegram

The Ambassador in Spain (Hayes) to the Secretary of State

MADRID, February 4, 1943—midnight.
[Received February 5—9: 54 p.m.]

291. My 124, January 18, 6 p.m.23 Air Ministry has agreed to release all remaining American aviation personnel in Spain and Spanish Morocco, latter to be released to Gibraltar without necessity of coming to Madrid.

Repeated to Tangier.

---

740.00114A European War 1939/255: Telegram

The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, February 15, 1943—midnight.
[Received February 16—7 a.m.]


Sent to the Department; repeated to Madrid.

---

[The precedent established in this case was followed in several other incidents involving American airmen who landed in Spanish-controlled territory.

23 Not printed.
In telegram No. W-3, March 13, 1943, 9 p. m., the Ambassador in Spain reported that through the intermediary of the Spanish Foreign Office the Embassy had been able to secure the return intact and uncompromised of a secret bombsight from a bomber which had made a forced landing in the Spanish Zone of Morocco. The Ambassador requested that this cooperation of the Spanish Government be brought to the attention of President Roosevelt. (811.248/895)

REPRESENTATIONS TO THE SPANISH GOVERNMENT AGAINST THE PROPOSED SENDING OF VICHY FRENCH CONSULAR REPRESENTATIVES TO TANGIER

851R.00/148 : Telegram

The Secretary of State to the Ambassador in Spain (Hayes)

WASHINGTON, January 7, 1943—4 p. m.

32. Legation at Tangier reports that there may be a move on the part of the Vichy authorities to send consular representatives to Tangier in Spanish Morocco. For obvious reasons this would be undesirable and you are requested to mention to the Spanish Foreign Office that it would be inopportune at this time to recognize a Vichy Consul in Spanish North Africa.

Hull

851.01/941 : Telegram

The Ambassador in Spain (Hayes) to the Secretary of State

MADRID, January 14, 1943—midnight.
[Received January 15—3 a. m.]

101. In conversation with the Foreign Minister 24 this morning, I pointed out that the Vichy regime was no longer entitled in international law to continued recognition by any Government, and the only portion of the French state meeting the test of recognition was that portion voluntarily cooperating with the United Nations in pursuing the war against Germany following the latter's violation of the Franco-German armistice. I said that, despite the foregoing, my Government was not now suggesting that Spain withdraw recognition of the Vichy regime but that my Government did consider that continued recognition of that regime, as perfunctory as it might be, should not deter Spain from having at least informal relations

with that portion of the French state which is, in fact, entitled to recognition. I reminded the Minister that Colonel Malaise was acting as liaison between this Embassy and the High Commission in North Africa, and that Monsieur Pettit was negotiating a possible economic exchange between Spain and North Africa (my January 6, midnight). I said I was informed that Pietri had protested against the facilities being given by the Spanish authorities to these representatives of the North African regime, despite the fact that they are more entitled to receive facilities than is Pietri himself.

I requested assurance that at such time as the High Commission in North Africa or such other regime as might be constituted to administer that area, should appoint an agent, whether Colonel Malaise or some other person, the Spanish authorities, including officials of the Foreign Office, would treat such an agent. I suggested that such agent should have the right to (1) issue passports, (2) circulate freely in Spain in the same manner as other foreign representatives, and (3) visit the concentration camp at Miranda de Ebro and the Spanish prisons in order to interview and assist persons if of French nationality professing loyalty to the regime he represents. Meanwhile I requested assurances that Malaise and Pettit would not be disturbed in their present duties.

The Minister said he was informed concerning Malaise’s status and perfectly agreeable to it, and that Malaise would not be disturbed. He said that Pettit was negotiating with the Foreign Office with his approval, that Spain is interested in pursuing negotiations and wanted them to take place in Madrid and be coordinated with our own economic negotiations. The question of receiving an agent who might have the right to issue passports, etc., presented a problem which he would have to study. He expressed appreciation that I had not insisted on Spain’s withdrawing recognition of the Vichy regime, because such action would embarrass Spain’s relations with the Axis.

I then told him I had been informed that Pietri had suggested the establishment of a Vichy Consulate at Ceuta (Department’s No. 32, January 7, 4 a.m.), and said the fact that Vichy representation in Spain is at all tolerated furnished no reason, in international law or equity, for permitting the regime to extend its representation in Spanish territory. I pointed out further the possible disturbing effect on the Moors in North Africa, if both North African and Vichy regimes were represented by consuls pursuing opposing policies in North Africa. He said he quite appreciated the latter point and would take the matter under advisement.

---

25 Representing North Africa in commercial and other matters.
26 Not printed.
27 Vichy Ambassador in Spain.
28 For correspondence on negotiations regarding the reestablishment of trade between French North Africa and the Iberian Peninsula, see vol. 1, pp. 2 ff.
I left an aide-mémoire with the Foreign Minister. Our conversation was very friendly and he evidenced a sincere desire to arrive at a working basis for relations with the French North African regime. Repeated to Tangier and Algiers.

HAYES

702.5181/20a: Telegram

The Acting Secretary of State to the Chargé at Tangier (Childs)

WASHINGTON, February 27, 1943—midnight.

52. The following telegram has been sent to Madrid: 20

"Reference Tangier's recent telegrams regarding Vichy consular representatives Genty and Piretti.

The British believe that steps should be taken to point out to the Spanish Government that the establishment of these Vichy officials in Tangier would be highly embarrassing, especially in view of the support given by General Giraud 20 to the present French Consul General La Vastre. Unless you perceive objection, therefore, it is suggested that you discuss this matter informally with the Spanish authorities as soon as possible, asking them to refrain from according recognition to any French consular officers in Tangier except La Vastre and those serving under him. The British propose to take parallel action, and you should inform your British colleague of the action you take.

It is needless to mention to you that the presence of these Vichy agents would afford an excellent opportunity to the Axis for obtaining reports as to our operations in the North African area, and it therefore appears desirable to us to prevent them from taking up residence in Tangier."

You are authorized to consult with your British colleague, who is understood to be receiving instructions from his Government, and if you agree that a useful purpose would be served you may approach the local Spanish authorities along the above lines.

BERLE

702.5181/20: Telegram

The Ambassador in Spain (Hayes) to the Secretary of State

MADRID, March 2, 1943—noon.

[Received 6:30 p.m.]

480. I raised this matter with the Foreign Minister on February 22 along the lines of the aide-mémoire transmitted with my despatch number 573 of January 15. 21 Jordana said that after all Spain does

20 As telegram No. 456, same date.
21 Neither printed; see telegram No. 101, January 14, midnight, p. 733.
recognize the Vichy Government which had the right to get rid of Consuls disloyal to it. Without withdrawing from the position taken in my aide-mémoire, I pointed out that this was a practical matter and expressed the hope that the Government would discourage the supplanting of the present French Consuls and any disturbance to the status quo. Jordana said he would give consideration to my views but gave no assurances.

Your 456, February 27, midnight. 32 Repeated to Tangier and Algiers for R. Murphy. 33

HAYES

702.5181/24: Telegram

The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, March 8, 1943—10 p. m.
[Received March 9—4: 52 p. m.]

374. Department’s 52, February 28 [27], midnight. Not being able to see Orgaz 34 until tomorrow I left with Castillo 35 an aide-mémoire concerning Vichy representation a copy of which was enclosed with my despatch 1319, March 4, 1943. 36

Castillo who has just returned from Madrid said he had seen the account of Ambassador Hayes’ conversation with Jordana on this subject. He added that Genty had returned to Madrid and it was not known whether Vichy would pursue the matter of representation in Tangier. If the request were renewed he did not see how it could be refused as the Vichy Government whether a responsible one or not was still recognized by Madrid. However, La Vastre the present French Consul General would be left undisturbed in his official quarters. Castillo remarked that one could not say what the situation might be a month from now, leaving the impression that there might be a revision of Madrid’s recognition of Vichy. He recalled that both the Vichy and Algiers Governments had been born through force and it was in his opinion just as much reason for recognizing Algiers as Vichy. He also recalled the precedent established at the time of the Spanish Civil War when Franco and Republican Consulates functioned in Tangier.

Castillo recalled that the original juridical justification for the Spanish entrance into Tangier in 1940 had been to preserve its

32 See footnote 29, p. 735.
33 Robert D. Murphy, Special Representative of the President in French North Africa and U.S. Political Adviser on the Staff of the Supreme Commander, Allied Expeditionary Force in North Africa.
34 Gen. Luis Orgaz, Spanish High Commissioner in Morocco.
35 Cristobal del Castillo, Spanish Consul General at Tangier.
36 Not printed.
neutrality. He added that Spain, by way of personal explanation, had always coveted Tangier and that Spain's signature to the Tangier Statute "had been forced".

Article 10 of the Tangier Statute he recalled prohibits any agitation, propaganda or conspiracy in the Tangier zone against a foreign country.

With a view to achieving this object and preserving Tangier's neutrality he had returned charged with reducing foreign propaganda as far as possible. The taking over of the Sheriefian post office he justified as in the interest of Tangier's neutrality as the Sultan to whom the post office belonged was considered a quasi belligerent.

I said that if the Spanish wished to reduce propaganda to a minimum, I thought they were promoting rather than checking such propaganda by the admission of Vichy representatives.

He said Laval and Pietri had given Gentry strict orders not to identify themselves with the Axis but to "stand close by the Spanish representative."

I said it was absurd to think that the representatives of an authority in the minds [hands?] of the Germans would not serve as Axis instruments. In any case I said that the presence of Vichy representatives could not but tend to divide the French colony and was sure would in the long run be a source of as much trouble for the Spanish authorities as for us. He agreed that this might in fact be the case.

Sent to the Department; repeated to Madrid, Algiers and true reading to General Clark.

Childs

702.5181/20: Telegram

The Acting Secretary of State to the Ambassador in Spain (Hayes)

WASHINGTON, March 8, 1943—11 p. m.

530. Your 480, March 2, noon. You may find a suitable opportunity to raise this subject again with the Foreign Minister. Please keep in touch with your British colleague and inform the Department of any developments.

Welles

37 For correspondence relating to the reservation of U.S. treaty rights in Tangier following the Spanish occupation, see Foreign Relations, 1940, vol. iii, pp. 783 ff.
39 Pierre Laval, Prime Minister, Foreign Minister, and Minister of the Interior in the Vichy Government.
The Chargé at Tangier (Childs) to the Secretary of State

TANGIER, March 20, 1943—9 p. m.  
[Received March 20—8:20 p. m.]

427. My 374, March 8, and 382, March 9. My French colleague has been informed by Algiers that the French North African representative in Madrid has learned that Pietri, Vichy Ambassador there, has been informed by Count Jordana that the Spanish Government considers the sending to Tangier of Genty as inopportune.

The French Consul General came in to thank me for the representations of our Government on this subject which he considers had been responsible for the Spanish Government’s decision.

Sent to the Department; repeated to Madrid, to Algiers, Casablanca.

Childs

DESIRE OF THE SHEREFIAN GOVERNMENT OF MOROCCO FOR CLOSER RELATIONS WITH THE UNITED STATES

WASHINGTON, May 5, 1943—1 p. m.

127. The British Embassy has furnished us with the substance of a telegram of January 29 from the British Consul at Casablanca reporting a conversation with El Glaoui, in which the latter asserted that the Sultan regarded the Protectorate Treaty with France as having lapsed because the French were no longer in a position to act as the protecting power to Morocco. The Sultan was reported to have stated that since Morocco was not yet ripe for complete independence he would be glad to see his country receive the joint protection of the United States, Great Britain, France, and possibly Spain. He was also said to have expressed a desire for the appointment of diplomatic representatives who would have direct access to him.

El Glaoui stated that the Sultan had asked him to serve as an intermediary with the Americans and the British, adding that he had discussed with you some time ago the subject of direct diplomatic representation. It was further stated by the Glaoui that you had reported on this matter to the Department and had subsequently informed him to the effect that the idea had been favorably received here.

Latter not printed.

Hadj Thami al Glaoui, Pasha of Marrakesh.

We have informed the British that the alleged request of the Sultan for diplomatic representation has not previously come to our attention and that without talking with the French we would not regard with favor any change in the present situation. In this connection the British Embassy has furnished us with the observations of the British Consul General at Rabat, who in a telegram dated February 20 expressed the strong opinion that it would be both impracticable and impolitic to support any such policies or ambitions as ascribed to the Sultan. The Consul General felt that any move by the Allies to modify the political status of Morocco would arouse the resentment of all Frenchmen, and that to appoint diplomatic representatives as the Sultan apparently contemplated could only be regarded by the French as the first step to destroy their position and undermine their prestige in Morocco. We have been told by the British that these remarks reflect the attitude of the British Foreign Office.

There is no objection to your conferring with your British colleague regarding his conversation with El Glaoui.

Repeat to Rabat and Tangier.

Hull

881.00/2537: Telegram

The Consul General at Casablanca (Russell) to the Secretary of State

Casablanca, May 6, 1943—4 p.m.
[Received 6:55 p.m.]

166. Department's 127, May 5, 1 p.m. I have had only two interviews with Glaoui on political matters: The first was reported to Department in my 892, December 10, noon, last, the other, which is probably the basis of the report, to Mr. Murphy by my 12, January 9, noon. By some clerical oversight this telegram was not repeated to Department as I have just verified. This telegram reads as follows:

"I had another interview with Hadj Thami el-Glaoui, Pasha of Marrakech. Following matters were conveyed to me from the Sultan by him.

(1) Sultan again emphasized his total interest and sympathy with United Nations' cause.

(2) Sultan also emphasized that a constant barrage of anti-American propaganda is directed against him by the Residency. Lemaire the successor of Marchal as Shereefian Counsellor is worst offender in this respect constantly bringing to Sultan stories of alleged American outrages against natives. Sultan does not believe these and 2 days ago told Lemaire not to come to see him any more except on strict business.

"Not printed.

"Robert D. Murphy, Special Representative of the President in French North Africa.
(3) Sultan urges establishment of high ranking American diplomatic officer at Rabat as he wants more contact with American Government and greater contact between nationals of both countries as ground for future collaboration after war. (Naturally I did not tell Glaoui how difficult would be establishment of such officer at Rabat in view of present political set up. I simply mention what the Sultan said as interesting sidelight on his political ideas.)

(4) Sultan said he had sometime ago raised question of inviting American officers to a banquet, but that Residency had not yet replied. He stated his intention of raising question again shortly.

(5) Sultan was rather hurt that the condolences of General Patton regarding native victims of Casablanca bombing of December 31 were addressed to Pasha here rather than to His Majesty whose subjects they were. He indicated that it was still not too late for an American official delegation to visit him to express condolences which would give him opportunity to extend banquet invitation to American officers even if Residency officials were present at interview. He added that even such sad occasions could be made opportunities for contacts between him and American representatives. (I simply repeat without comment the message as received.)

(6) Sultan who is very jealous of sovereign status of Morocco as compared with Algeria spoke with dislike of recent action of French High Commission in naming Troncas Director for Finances of the two countries which seemed to disregard and derogate from the special status of Morocco as protectorate."

It was my full intention to have this repeated as I fully realized that the material therein would be interesting to Department.

At the time of the interview I told Glaoui this would be repeated to appropriate American authorities. Since that interview I have only met him socially and have discussed no political matters. Therefore, his statement that I informed him subsequently of favorable reception in Washington of Sultan’s proposals is absolutely untrue. I have been too long in the service to commit such an error and, furthermore, my telegram shows my reaction to the proposals at the time. Furthermore, I fully agree with the Department’s disfavor of any change and with the attitude of the British Foreign Office.

Unfortunately the British Consul General who originally reported the conversation with Glaoui has been transferred recently to Cairo so that it is impossible to confer with him. I shall, however, see his successor and emphasize the lack of truth in the Glaoui’s statement that I reported a favorable reception at Washington of the Sultan’s proposals.

Repeated to Rabat and Tangier.

RUSSELL

740.0011 European War 1939/29614 : Telegram

The Consul General at Algiers (Wiley) to the Secretary of State

Algiers, May 28, 1943—noon.
[Received 5:10 P.M.]

986. For the Secretary from Murphy. During the past months several hints have been made that the Sultan of Morocco would be inclined to declare war against Germany and Italy. The latest indication comes through an Arab personality named Cherif Benzidan of Meknes. He states that in a conversation with the Sultan on May 14th the latter stated his readiness to declare war on the Axis Powers and would do so officially and openly in the form of a public address before an American high ranking official. This statement of course is subject to verification.

I should be grateful for your views. Would you welcome such a declaration of war? Would it complicate our Spanish policy? The declaration as proposed would only relate to French Morocco.
[Murphy.]

WILEY

740.0011 European War 1939/29614 : Telegram

The Secretary of State to the Consul General at Algiers (Wiley)

Washington, June 4, 1943—6 P.M.

1070. Your 986, May 28, noon. For Murphy. It is difficult to perceive what we would gain by a formal declaration of war on the part of the Sultan of Morocco. Various declaration and acts of the Sultan in 1939 gave unreserved support to France and are considered to have had the effect of including French Morocco among the belligerents. French Moroccan troops of course have been associated with the Allies in the fighting in North Africa.

Unless you have some specific views to the contrary, we are furthermore inclined to believe that the possible complications in Tangier and Spanish Morocco of a war declaration by the Sultan would outweigh any advantages to be derived from such a move.

HULL

“For correspondence relating to the reservation of American treaty rights as affected by emergency war measures in the French Zone of Morocco, see Foreign Relations, 1939, vol. iv, pp. 684 ff.”
The Special Representative of President Roosevelt in French North Africa (Murphy) to the Secretary of State

Algiers, June 26, 1943—4 p.m.

[Received July 20—4:30 p.m.]

A-50. At the invitation of Lieutenant General Mark W. Clark, a I proceeded to Oudjda, French Morocco, on June 24th for the purpose of participating in the ceremonies organized incident to the visit to that place of the Sultan of Morocco.

During the course of this visit the Sultan was the guest of General Clark at a reception and a military demonstration offered by American forces. General Clark also presented the Sultan with an automobile as a token of American esteem and provided him with a squadron of airplanes for his return to Rabat.

The ceremonies, which were attended by French officials and Moroccan pachas and caids from the principal points in Morocco, were marked by a great cordiality and good will. They left little doubt regarding the present enthusiasm shown by the Arab population for the American military forces in French Morocco and great credit is due to the skill and tact displayed by General Clark in the conduct of his relations with the Moroccans.

During the course of a conversation I had with the Sultan he dwelt at great length on the value which he and his people attached to liberty. He repeatedly expressed the desire to cooperate actively and enthusiastically with the American authorities in the war effort and, of course, added many references to the hope of the Moroccan population for the support of the United States in the future.

The Sultan has also sent me word, through Si Mammeri, his official interpreter and protocol officer, that he desires to speak to me confidentially as soon as may be convenient.

There is no doubt in my mind that, as a result of the friendly treatment given by the American military authorities to the Moroccan Arabs, we may count on their friendship. At the same time there is also little doubt of their growing hope that the United States may intervene in their behalf to relieve them from the French Protectorate. The American military authorities, of course, are interested in attaining their objective, namely the wholehearted cooperation of the Arab population during the coming critical months, for purely military reasons. It is a situation which calls for considerable tact to avoid a campaign on the part of the Arabs for our support in obtaining a political adjustment at some future date. I do not believe that the Cherifian authorities hope for such an adjustment prior to the termi-

a Commanding General, Fifth Army.
nation of hostilities, but it is apparent that they are constructing a plan looking to that ultimate result.

I have been careful to avoid several suggestions emanating from Rabat for a "confidential" discussion with the Sultan, as I feel that this is a matter in which the Department would desire the greatest prudence exercised.

I have also had several conversations with the new Resident General in Rabat, Gabriel Puaux. I find him extremely helpful and friendly and I am confident that we shall obtain the maximum cooperation from him. He has selected as his Chief of Cabinet Mr. François de Rose, who is well and favorably known to the Department as a friend of the United States. It seems to me that the new administration organized under Resident General Puaux augurs well for future Franco-American relations in French Morocco.

MURPHY

881.001/83

The Chargé at Tangier (Childs) to the Secretary of State

No. 1719

TANGIER, October 2, 1943.

[Received October 16.]

Sir: I have the honor to refer to the Legation's despatch no. 1715 of October 1, concerning the visit to Tangier of Moulay el Larbi, Khalifa of the Pasha of Marrakesh. More recently Hadj Thami el-Glaoui, the Pasha of Marrakesh, has himself visited Tangier for the purpose of effecting the settlement of the affairs of the late Sultan Abdul Aziz in conformity with the wishes of the present reigning Sultan of Morocco. However, according to the Legation's information the Glaoui has been equally unsuccessful in that effort and has departed with empty hands. Moulay el Larbi has returned with el-Glaoui to Marrakesh but, it is reported, will return to Tangier shortly to continue the negotiations.

The Glaoui is known to the Department as a strong Moroccan Nationalist. During a recent exchange of visits between him and Mr. Elbrick, who was then in charge of the Legation, the future status of Morocco was discussed. A memorandum of the Glaoui's observations regarding this matter is enclosed as of interest to the Department.

Respectfully yours,

J. RIVES CHILDS

*Not printed.

* C. Burke Elbrick, Second Secretary of Legation at Tangier.
Memorandum by the Chargé at Tangier (Elbrick)

When I called upon el-Glaoui to return his call I brought up the question of the future status of Morocco and asked him just what he envisaged for the future of this country. El-Glaoui began by saying that he looked forward to the elimination of protectorates or zones of influence and the creation of a unified Moroccan state. He said that the Spanish had done little or nothing for the inhabitants in the Spanish zone of Morocco and that every Moroccan in both the French and Spanish zones dislikes them for this reason. He cited the facts that there are few, if any, good roads, no instruction, and a very low standard of living amongst the population of the Spanish Zone. He went on to say that the French had treated the Moroccans little better in the French Protectorate, his chief complaint being that the French refused to grant educational facilities to the inhabitants, who are kept in a state of constant penury. He said that he and all Moroccan Nationalists are hopeful that the United States will aid them in the restoration of a Moroccan State in accordance with “President Roosevelt’s declaration”. He later explained that by this “declaration” he meant the Atlantic Charter. 81

I said that I could not speak for my Government on this matter, but that I was sure that the authorities of the American Government would be interested in hearing his views. I asked him what kind of aid he desired from the United States, if such aid could be forthcoming, and he replied “Political, social and economic aid,” which is somewhat all-embracing. He said that he had been authorized by the Sultan to speak to any and all American officials in this manner, since the Sultan himself was not able to do so. It appears that the Sultan complains that he is not able to see American officers except in the presence of French officials, and that consequently he is unable to express his views frankly. He said that he, el-Glaoui, had spoken in this vein to several officers of the United States Government in French Morocco and that he was very hopeful that these talks will bear fruit in the future.

Later, upon leaving, Moulay Larbi, who was present at the interview, stated that henceforth he felt that the United States would have a very great interest in Morocco from the point of view of air communication with Europe and Africa and also, more importantly, from the point of view of hemispherical defense. He said that he believes that England and the United States henceforth will have to maintain bases from Narvik to the Cape of Good Hope and that it will be impossible for Morocco to be ignored under such conditions.

81 Joint statement by President Roosevelt and Prime Minister Churchill, August 14, 1941, Foreign Relations, 1941, vol. i, p. 367.
He went on to say that as an intermediate step Morocco after the war should be placed under an Inter-allied Mandate, in which the United States should play the principal role, and that experts and technicians of various kinds, and representing the various Allied Nations, should be sent to Morocco to exploit and build up the country. At the end of a period of years, he said, Morocco would then be in a position to assume her full sovereignty and independence.

C. B[URKE] E[LLBRICK]

TANGIER, September 30, 1943.

---

881.001/53

The Chief of the Division of Near Eastern Affairs (Alling) to the Chargé at Tangier (Childs)

WASHINGTON, November 19, 1943.

Dear Rives: Your strictly confidential despatch number 1719 of October 2, 1943, on the subject of the visit of Hadj el-Glaoui and his observations on the future status of Morocco, has created considerable interest in the Department. For your information, in case you may have any doubts as to the propriety of discussing the future of the Protectorate with el-Glaoui, I wish to inform you that there is no object on the part of the Department to your maintaining direct contact with el-Glaoui for this purpose.

Sincerely yours,

P[aul] H. A[LLING]

---

881.00/2724a

The Secretary of State to the Consul General at Casablanca (Russell)

WASHINGTON, December 1, 1943.

Sir: Reports have reached the Department that in certain parts of North Africa the attitude of the French authorities toward the native population is a source of friction and complaint. In view of the interest of this Government in the broad principles of the Atlantic Charter and the Four Freedoms, and in view of the close relation of the native question in North Africa to Arab problems elsewhere, you are requested to report fully on all political and social developments in your territory which affect the welfare of the native population.

The Department desires to be kept currently and completely informed concerning all phases of the local French administration,

---

22 Contained in President Roosevelt's message to Congress on the State of the Union, January 6, 1941, Congressional Record, vol. 87, pt. 1, pp. 44-47.

489-066-04-48
with particular reference to the treatment of the natives. While you should be careful to refrain from public criticism or active interference in French internal affairs, you may indicate in your contacts with French officials that the Government and the people of the United States have a natural interest in the native situation in French North Africa and that this interest may be expected to increase in the future.

Very truly yours,

For the Secretary of State:

Edward R. Stettinius, Jr.