TO: The Personnel of Military Government

7 January 1947

The New Year brings to Military Government a new phase in its control in Germany.

The functions of government which properly belong to the Land are now handed over to governments elected by and responsible to the German people. Hereafter, we shall intervene in Land legislation and administration only if necessary to prevent measures which are inconsistent with our objectives in Germany. This is in accord with our stated policy to encourage the revival of Germany as a democratic and peace-loving nation through the removal of obstacles to democracy while concurrently taking measures which will prevent its emergence as an aggressive power.

In approving the Land constitutions, Military Government has reserved the responsibility for uniform legislation pending the establishment of some form of national government. While the rights of the Laender are defined clearly in their constitutions which provide also for future ceding of requisite powers to national government, the exact powers to be thus ceded have not and cannot be formulated until the final form of national government has been determined. Hence, in matters in which uniformity is desirable throughout Germany, if possible, and throughout the United States Zone of Occupation in any event, Military Government must continue as the authority for legislation.

It will be the policy of Military Government to maintain a high degree of local responsibility and to hold national legislation to the essential minimum. However, some uniform legislation will be necessary and will continue to be issued for Germany as a whole by ruling of the Allied Control Council, or, if applicable to the US Zone only, through the Laenderrat.

The central administrative agencies contemplated in the Potsdam Protocol for Germany as a whole have not materialized. However, as a result of economic fusion of the US and UK Zones, these agencies have been established in the area which includes the two zones, for communications, transportation, finance, industry, trade and commerce, and food and agriculture.

The responsible German governments in the US Zone will be represented on these bizonal German agencies. It is expected that the Ministers-President in the US Zone will implement the decisions of the bizonal agencies with the
full authority of Military Government.

It is apparent that these changes in over-all governmental responsibility will require some readjustment in our own relationships to German Land governments. We must not interfere with German assumption of responsibility. We must support Land constitutions with utmost sincerity. Within the field of bizonal fusion, we must recognize that executive responsibility has now been given to the German bizonal administrations and that we must refrain from taking action which would interfere with their control of the matters for which they are responsible.

It will continue to be our duty to inspect, to assist when assistance is requested, and to report the results of our observations through appropriate channels either to Military Government Headquarters in Berlin for Land activities, or to the United States-United Kingdom Control staffs for bizonal activities.

Some of you who have labored hard and efficiently to produce order in Germany will feel, perhaps, that you have lost some of the authority which you previously exercised. I believe that on sober thought you will understand that the willingness to relinquish authority is the test of our own sincerity of effort to restore democracy to Germany. You will also soon find that the exercise of influence for good government without the authority to order calls for an even higher standard of conduct and character.

In looking back over the past year, you have every reason to be proud that through your efforts German administrations have evolved under democratic procedures which now appear capable of undertaking Land governmental responsibility.

Your work to this end during the past years has been in an uncharted field. There have been few precedents founded in experience to serve as a guide. Obviously, under these conditions many of us have differed in detail as to what should be done and as to what has been done. Some have had different views from others with respect to the timing of various actions. Nevertheless, all of us recognize that our primary mission is the development of a democratic Germany which no longer will desire to wage aggressive war and the maintenance of adequate controls until the desire is completely eradicated.

With high purpose in mind, each of us should become increasingly proud during the coming year of belonging to United States Military Government. No Americans ever had greater opportunity to participate in a constructive effort of such great import to the peace of the world than those of us who serve in Military Government.

Therefore, in true humility, let us resolve to give our best to the task ahead in a spirit of service with confidence in each other and with tolerance for honest differences of opinion. Working in this spirit, we shall be loyal to each other, to the organization to which we belong, and to the American people who have entrusted this vital task to our hands. If we do not fail each other, we cannot fail in our task.

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