Map shows the area that will be included in the Southwest State. The division between the US and French Zones is indicated by the broken line across the area between Karlsruhe and Ulm. To the north is the US Zone state of Wuerttemberg-Baden. To the south are the two French Zone states of South Baden and Wuerttemberg-Hohenzollern. The Bavarian county of Lindau (not shown), touching on the eastern tip of Lake Constance, had been attached during the occupation period to Wuerttemberg-Hohenzollern to permit the French occupation authorities direct contact between their zones in Germany and Austria. Lindau County has been returned to the jurisdiction of the state of Bavaria.
The Southwest State

By CHESTER B. LEWIS and ROBERT D. KING
Political Affairs Division, OLC Wurtemberg-Baden

The term "SOUTHWEST STATE" has for five or more years been alternately the symbol of hope and the political whipping boy for South German politicians. To some the idea offered promise of an economically and politically stronger area; for others the new state has seemed to threaten loss of independence and tradition.

The climax was reached on Dec. 9, 1951 when voters in the area went to the polls in a special plebiscite to decide whether a new state would be created or the prewar states of Wurtemberg and Baden would be restored. The results, a victory for the proponents of the new state, set in motion the complicated process of establishing an entirely new government and the eventual dissolution of the existing three state governments and boundaries created under the occupation.

Geographically, the new state, equal in area and population to the New England states of Connecticut, Rhode Island and Massachusetts, will comprise the prewar states of Wurtemberg and of Baden, and the small former Prussian province of Hohenzollern which under Hitler was administratively attached to Wurtemberg. It will embrace an area of 13,800 square miles containing approximately 7,000,000 persons, exclusive of the refugee population, and will extend from the Rhine on the west to Bavaria on the east. It will touch the Main River and the Palatinate on the north, and Lake Constance and Switzerland on the south.

Beginning of Occupation

In the final phases of World War II French forces were the first to enter both Karlsruhe and Stuttgart and were thus in control of the capitals of Wurtemberg and Baden. Later, on July 7, 1945, in deference to American demands, the French withdrew from both cities to positions south of the east-west line from Ulm to Karlsruhe. In this way, vital US rail, waterway and particularly highway communication lines from Frankfurt to Munich, Salzburg and Vienna by way of Karlsruhe and Stuttgart were kept intact under American control, but at the same time both Wurtemberg and Baden were split into two parts.

Following World War II the area was divided into the present American occupied state of Wurtemberg-Baden, made up of the northern parts of Wurtemberg and Baden, and the French-occupied states of South Baden and Wurtemberg-Hohenzollern, comprising the southern part of Wurtemberg including Hohenzollern.

Creation of the new state of Wurtemberg-Baden was proclaimed officially on Sept. 19, 1945, with the issuance of Military Proclamation No. 2. At approximately the same time the new states of Wurtemberg-Hohenzollern and South Baden were formally announced by the French.

Despite the amalgamation and creation of the new states, it became apparent within the next few months that neither the French nor American governments necessarily regarded the new boundaries as permanent. In a statement issued at the Moscow Conference on May 24, 1947, concerning the future political structure of Germany, US Secretary of State George C. Marshall said: "In the final settlement of Laender (state) boundaries the historic, economic and cultural aspects must be taken into account."

The French Government in a memorandum dated Jan. 17, 1947, concerning the constitutional reorganization of Germany submitted to the Council of Foreign Ministers made the following statement: "The plan of territorial structure must, therefore, to a certain extent take into consideration the existing status quo and the essential economic facts as well as historical tradition."

Early History

The people of Wurtemberg and Baden are proud of their history, which may be traced back to the Roman

How the People Voted on Dec. 9, 1951

<table>
<thead>
<tr>
<th>Voting Districts</th>
<th>Eligible Voters</th>
<th>Participation</th>
<th>For Southwest State (Percent)</th>
<th>For Restoration (Percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>District I:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Baden</td>
<td>866,387</td>
<td>70.5</td>
<td>37.8</td>
<td>62.2</td>
</tr>
<tr>
<td>North Baden</td>
<td>995,251</td>
<td>67.2</td>
<td>57.1</td>
<td>42.9</td>
</tr>
<tr>
<td><strong>District III:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wurtemberg-Hohenzollern</td>
<td>771,836</td>
<td>52.3</td>
<td>91.4</td>
<td>8.6</td>
</tr>
<tr>
<td><strong>District IV:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Wurtemberg</td>
<td>1,632,317</td>
<td>50.7</td>
<td>93.5</td>
<td>6.5</td>
</tr>
<tr>
<td><strong>Totals:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Voting Districts I &amp; II, Prewar Baden</td>
<td>1,863,638</td>
<td>68.6</td>
<td>47.8</td>
<td>52.2</td>
</tr>
<tr>
<td>Voting Districts III &amp; IV, Prewar Wurtemberg, including Hohenzollern</td>
<td>2,404,153</td>
<td>50.9</td>
<td>92.8</td>
<td>7.2</td>
</tr>
<tr>
<td><strong>Total Vote for Southwest State Area</strong></td>
<td>4,267,791</td>
<td>58.7</td>
<td>69.7</td>
<td>30.3</td>
</tr>
</tbody>
</table>
emperors. More than three centuries of Roman domination left its mark. Vestiges of Roman architecture, protective walls and roads are evident throughout the area.

As early as the first century after Christ the Sueve tribe flooded over this part of Germany. Later joined by the Alamans and other tribes, the district took the name of Alamannia by which it continued to be known until around the 11th century when the name Swabia began to prevail. In 496 A.D. the Alamans were defeated by Clovis and surrendered the northern part of the area occupied by them to the Franks. Dukes under Frankish kings became the governing forces.

The 12th century saw the beginning of Baden as a distinct administrative, if not geographical area. The date and event generally regarded as marking the beginning of Baden is 1112 when Hermann, grandson of Berthold, Duke of Cornwallia, took the title of Margrave of Baden. With the fall of the Hohenstaufen dynasty in 1268, the last great ruling house of the Duchy of Swabia, Baden went its separate dynastic way.

Yet, in spite of these conflicting interests, many smaller sovereign areas in the vicinity were administratively combined under aegis of the Holy Roman Empire in the latter part of the 15th century to form, until 1806, the territory now occupied by Wurttemberg and Baden.

In 1806 Napoleon made the Duchy of Wurttemberg a kingdom and gave it certain additional surrounding territory. At the same time he unified the Grand Duchy of Baden, also bringing into it a number of small, sovereign counties and feudal estates lying to the north. The two states, together with the Hohenzollern province, all later confirmed by the Congress of Vienna in 1815, thereafter remained intact for nearly 140 years until 1945 when they were, like ancient Gaul, divided into three parts.

Constitutional Democracies

Local politicians are fond of saying, not altogether facetiously, that Wurttemberg and Baden were democracies before Columbus discovered America. There is little doubt that the governments and constitutions of peoples in the area have been among the most liberal, and progressive in Germany. Charles James Fox, Whig leader and prime minister of England, once said that of the constitutions in Europe only those of England and Wurttemberg were worthy of the name.

Beginning in the 11th century a series of Swabian city leagues were in existence until 1534. The fourth and last, called the Great Swabian League, organized in 1488 by Frederick III, included 22 Swabian cities and had a formal constitution, a federal council and a federal court. Under the treaty of Muenzingen in 1482 the area which became the Duchy of Wurttemberg 13 years later was declared "indivisible" forever thereafter. In the treaty of Tuebingen drawn in 1514 "the rights of the people of Wurttemberg" were written into a formal constitution which continued in existence for almost 300 years.

A Baden constitution in 1818, followed closely by a new Wurttemberg constitution in 1819, incorporated many of the ideals of the American and French Revolutions, further limited the power of the crown and provided for popular assemblies. Both of these constitutions survived the Bismark era to be supplanted in 1919 after World War I by new constitutions proclaiming that the "power of government emanates from the people."

Until 1871 the Duchy of Baden and Kingdom of Wuerttemberg retained their sovereignty and remained outside the direct control of the Prussian Emperors. It was Bismarck, the "Iron Chancellor," who promoted the idea that France had designs against the Germans, resulting in the Franco-Prussian war in 1871 which propelled the two states into the integrated German Empire.

Model for Unification

Although talk of a Southwest State had been heard for years in the area, it was not until around 1947 that the desire to create a Southwest State developed among political leaders. The impetus came directly out of Wuerttemberg-Baden's experience in successfully operating a government combining two geographical areas under a single constitution and with the cooperation of parliamentary representatives from both areas.

The Bonn Basic Law for the Federal Republic includes two articles pertinent to boundary revision and the Southwest State problem. Article 29 on general territorial reorganization makes boundary revisions subject to federal law and provides for popular referendum by plebiscite. Article 118 specifically permits reorganization of Wuerttemberg-Baden, South Baden and Wuerttemberg-Hohenzollern by agreement among the three states, contrary to the provisions of Article 29, but provides finally that "failing agreement, the reorganization shall be regulated by federal legislation which must provide for a referendum."

The authors of this article, because of their positions in OLCWB's Political Affairs Division, have been the principal American observers of the German progress toward the formation of the Southwest State. Mr. Lewis, former city manager of Enid and Mangum, Oklahoma, arrived in Stuttgart April 29, 1945, with the US Mission to the French occupation of the city. Eight days later, when control of the city was turned over to the American military authorities, he was named head of civil administration, continuing as division chief until HICOG replaced Military Government in October 1949. Since then he has been chief of the Political Affairs Division.

Mr. King a former aeronautics consultant with a New York law firm, came to Germany in July 1946 as deputy prosecutor to Charles M. LeFollette in the Justice Case at Nuremberg. After completion of the case, he was a commercial law adviser in the Legal Division, OMGUS, in Berlin, before going to Stuttgart in May 1948 with the Legal Division, OMGWB. On the advent of HICOG in October 1949 he became legislative adviser to the Political Affairs Division.
Subsequent to its passage, the Basic Law was formally approved by the military governors of the three Western zones. In a letter dated May 12, 1949, as one of the reservations of approval, they wrote that the powers set forth in Articles 29 and 118 "shall not be exercised and the boundaries of all the states excepting Wuerttemberg-Baden and Hohenzollern shall remain as now fixed until the time of a peace treaty." The following August, with the first postwar parliament and government in office in Bonn, the struggle over the reorganization began in earnest in southwest Germany.

On the surface it has been a political battle centering around three strong personalities, each of whom heads one of the three states involved. These men — Dr. Reinhold Maier, minister-president of Wuerttemberg-Baden, Dr. Gebhard Mueller, state president of Wuerttemberg-Hohenzollern, and Dr. Leo Wohleb, state president of South Baden — have not only been responsive to public opinion in their own states but they have also helped to shape that opinion.

A little beneath the shouting and the tumult of the campaign the basic issues were well understood by the people. Slowly but surely these issues emerged until they dominated the political overtones and finally determined the outcome. Their names are "economics" and "tradition."

**Economic Factors**

Economically, Wuerttemberg-Baden is one of the wealthiest states in Germany. It has been since 1948 one of the four states assessed under the Federal Financial Adjust-
Poster appeals were part of campaign. The one at left reads "United Europe? The First Step—Southwest State." Right, "Two under... (one hat) Southwest State. That is good!" Under hat are coats of arms of Baden and Wurttemberg.

when the North Badeners voted by a comfortable majority for the Southwest State.

The basis of South Baden's opposition has never been entirely clear. The argument most frequently heard was that a stronger reunited Wurttemberg would dominate its weaker partner in the new state and its heritage of tradition and culture be absorbed and finally lost.

South Baden's strong Roman Catholic majority also felt that the church in a larger state with a Protestant majority would not fare so well. Many priests openly opposed the new state from their pulpits, urging their parishioners to vote against the new state and for a reunited Baden.

Results of Plebiscite

The plebiscite on Dec. 9 offered voters a choice between "union of the three states—Baden, Wurttemberg-Baden and Wurttemberg-Hohenzollern—into one federal state" or restoration as separate states of Baden and Wurttemberg including Hohenzollern on their prewar boundaries. For administrative purposes four election districts were established by federal law, namely:

- District I—the present state of South Baden.
- District II—the Baden portion of the state of Wurttemberg-Baden.
- District III—all of the state of Wurttemberg-Hohenzollern.
- District IV—the Wurttemberg part of Wurttemberg-Baden.

With 58.7 percent of the 4,267,791 eligible voters in the entire area turn-}

ing out, 69.7 percent favored "union of the three states," to use formal language of the ballot. Equally important was the vote in the individual election districts. According to the Second Federal Reorganization Law under which the plebiscite was conducted, a majority for the "union" in at least three of the voting districts as well as a majority in the whole territory was necessary for the establishment of the new state.

Votes in Districts II, III and IV returned majorities for the Southwest State of 57.1 percent, 91.4 percent and 93.5 percent, respectively. Only in District I did the "union" fail to carry. There the "Old Badeners" under the leadership of State President Wohleb voted for the restoration of the state of Baden by a majority of 62.2 percent.

Victory for the Southwest State forces had been indicated in an earlier and entirely informational plebiscite held Sept. 24, 1950. There, as in the later vote, only South Baden voted against the Southwest State with a majority of 59.6 percent. North Wurttemberg, South Wurttemberg (including Hohenzollern) and North Baden returned majorities for the new state of 93.5 percent, 92.5 percent and 57.3 percent, respectively. In the intervening time of more than one year between the two plebiscites, South Baden, under State President Wohleb's leadership, campaigned vigorously in behalf of its position.

When it became apparent that the states could not agree on a plan for forming a new state, the Federal Government, acting pursuant to Article 118 of the Basic Law,
stepped into the picture and passed on May 4, 1951, two
laws designed to insure that a final plebiscite would be
held. The first of these laws, popularly called the Blitz-
gesetz, extended the terms of the Wuerttemberg-Hohen-
zollern and Baden state legislatures, while the other,
called the Second Reorganization Law for the Southwest
State, established the conditions under which the plebi-
sicte would be held and set up a timetable for forming
a new Southwest State Government if the issue carried
in the election.

The date of the plebiscite was set for Sept. 16, 1951.
That was the situation in July 1951 when State President
Wohleb, in a last minute attempt to hold off or prevent
a showdown, challenged the constitutionality of both laws
before the newly established Federal Constitutional Court
in Karlsruhe.

Just one week before the scheduled election, the court
issued on Sept. 9, 1951, an interim injunction postponing
the plebiscite until it could rule on the constitutionality
of the challenged laws. The court's decision on Oct. 23,
upheld the law in the main, although it declared the
Blitzgesetz unconstitutional. The way was now clear for
the plebiscite on Dec. 9.

Completion of Unification

Under the law which now has the blessing of the Con-
stitutional Court, the process of creating a new Southwest
State government is to be completed not later than May 9,
1952. The three state governments, their legislatures and
c constitutions will go out of existence simultaneously with
establishment of the new government.

The process began within three weeks after the plebi-
sicte with formation of the Council of Ministers, a body
of eight members representing the three states, which will
Supervise election of the Constitutional Assembly and
make all necessary decisions until the provisional govern-
ment comes into being.

The date for the Constitutional Assembly election has
been set for March 9, 1952, with the new body scheduled
for its first meeting not later than March 25. A minimum
of 120 members will be elected under the applicable pro-
visions of the first federal parliament's election law. The
Assembly's first duty will be to adopt a constitution for
the new state. This will be followed by election of a
minister-president on or before April 25. Thereafter, not
later than May 9, a provisional government will officially
launch the new state.

What of the future? The German political leaders who
have forged the new state and the people who voted for
it have faith that it will bring added prosperity and soli-
darity to Southwest Germany. Coming at a time when
the whole Federal Republic of Germany is about to regain
sovereignty, they have no doubt that the new state will
develop the liberal and progressive character of its ante-
cedents.

They feel, along with former Secretary Marshall, that
the "economic and cultural aspects" have been taken
into account.

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Opinion Research Specialists Confer

A plan to coordinate public-opinion research efforts
has been made in Germany, a country where for a long
time public opinion was officially ignored as immature
or immaterial.

Under the sponsorship of the German Institute of Public
Affairs of Frankfurt, more than 100 prominent German
public-opinion research specialists, sociologists, civic and
industrial leaders as well as experts from other European
countries and the United States, met in Weinheim,
northern Wuerttemberg-Baden, Dec. 14-16 to discuss
their work, establish contacts and plan for the future.

Public-opinion research, first introduced by US Military
Government as early as 1946*, is now being carried on
by some 20 independent or university-affiliated institutes
in all parts of the Federal Republic. Some of them have
won fame for recording the German people's feelings
about such decisive problems as trade liberalization,
European integration and German defense contribution.

The meeting featured a thorough discussion of all
fields of opinion research, from polling on political
problems of day-to-day interest to market analysis and
management surveys of employee and customer opinions.
A comparative study of the various research and polling

* See "What Do You Think?" in Information Bulletin, April 1950.