

tion is attached (see Annex B), and I direct your attention especially to paragraph 1 thereof, which suggests that the four occupation powers should assume the responsibility of framing an electoral law under which all-German elections might be conducted.

My government would be prepared for me to share in the responsibility of framing an electoral law under which all-German elections, pointing toward the formation of an all-German Government in conformity with the principles set forth in the attached statement of the Foreign Ministers, could be held.

Should your government declare its acceptance of these principles and be willing to share such responsibility, it is the belief of my government that any discussions on the subject should be conducted via the following principles:

1. Conversations would initially be undertaken at the level of the four Commissioners for the limited purpose of drafting an electoral law to implement the Federal Republic's proposal of free all-German elections for a National Constituent Assembly. The proposal to limit discussions to the framing of an electoral law proceeds from a belief that it is unrealistic to discuss or arrange the desired peace settlement until it is established that a unified German Government, freely elected, can be brought into being.

2. If agreement is reached on an electoral law, the way would be clear for the drafting by the elected representatives of the German people of a constitution for all Germany, within the framework of the principles set forth in the attached statement of the Foreign Ministers, and for the emergency of an all-German Government.

3. A basis would thus be laid for the establishment of a four power commission which should exercise its reserved powers in such a way as to permit the German Government to function effectively.

I would welcome your views on this subject.

In view of the vital interest of the German people in the unification of their country, I feel it appropriate to make a copy of this letter available to the press and will do so after it has reached you.

Letter from the American High Commissioner (McCloy) to the Chairman of the Soviet Control Commission (Chuikov), on Free Elections, October 10, 1950¹

1. In my letter of May 25, 1950, I requested you to transmit to your government the proposals agreed on by the Foreign Ministers of the United States, Great Britain and France for a procedure which would permit the holding of free democratic and secret elections throughout Germany and would lead to the establishment of a freely elected and democratic government for all of Germany. I have not yet received an answer to this letter.

2. I enclose the text of a letter addressed to the Allied High Commission by the Federal Chancellor, inviting attention to a resolution,

¹ Office of the United States High Commissioner for Germany, *Documents on German Unity*, vol. I, p. 157. The Soviet Chairman never replied to this letter.

adopted in the Bundestag on 14th September and now endorsed by the Federal Government. This resolution requests the occupying powers to arrange for the holding, in all four zones of occupation, of elections to an all-German parliament.

3. The resolution should be considered in conjunction with the statement made on the same day in the Bundestag by the Chancellor in the name of the Federal Government, the text of which I also enclose. You will observe that the Federal Chancellor there repeats the suggestion, originally made by him on 22nd March, for the holding of free all-German elections on a democratic basis.

4. The Federal Government is a government freely elected by the people and is recognized by my government as entitled to speak for Germany. The documents transmitted to you with this letter reflect the predominant will of the German people. I, therefore, commend them to your attention and to your government as pronouncements of the German people in respect of grave matters affecting their future and that of their country.

5. As regards the elections to be held in the Soviet Zone on 15th October, the communique published on 19th September, 1950, in New York by the three Foreign Ministers of the United States, Great Britain and France shows that my government shares the opinion of the Federal Government. The single list elections will deny to East Germany democratic parliamentary government and those democratic processes under which German unification can become a reality. The Soviet Union is committed under the Potsdam and other international agreements to the establishment of democratic government in Germany and to German unification and must bear full responsibility for obstructing the accomplishment of these objectives. The procedures under which these "elections" will be held are in direct contrast with the traditional requisites of free democratic elections. For this reason neither my government, nor the Federal Republic, nor the German people can recognize them as capable of conferring on the East German regime either legitimacy or any claim to represent the German people now living in East Germany.

6. On account of the great public interest shown in the subject matter of this communication, I shall make a copy of it available to the press following its receipt by you.

***Draft Election Law of the Volkskammer of the German
Democratic Republic, January 9, 1952¹***

PREAMBLE

In accordance with the desire of all patriotic Germans to overcome the disastrous division of Germany, it is necessary to bring about an understanding between the representatives of Eastern and Western Germany. We must jointly solve the great task of restoring the unity of Germany, of guaranteeing to our nation a quiet, peaceful life, and of giving other nations the assurance that their peaceful work will

¹ *Ibid.*, vol. II, pp. 31-37.