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question, enter into explanation as to why your response in this regard was theoretical, and did not indicate any intention of considering departure from long established policy. When I sought constructive thought as to substance, they were unproductive.

They anticipate shortly violent campaign against govt based on assumption U.S. ready to consider alternative to free elections, including assent negotiations between FedRep and Pankow.

If it be practicable and advisable to try to comply with Chancellor's request, suggest you might consider some such language as follows:

"There are various theoretical possibilities for bringing about reunification of divided portions of a formerly united country. But, in the case of Germany, since Soviets have invariably denied citizens of so-called GDR right to express their wishes in a democratic manner, no negotiations could satisfactorily result unless they had as a premise the acceptance of free election procedures in both parts of Germany."

Chancellor said he was more concerned than ever about outcome conversions with Mikoyan. Any communiqué following them should be drafted with utmost clarity so that Mikoyan and Khrushchev could not distort contents to serve their own purposes.

I am following this immediately with another telegram for limited distribution, expressing certain general thoughts on German problems.²

Bruce

²Telegram 1486 from Bonn, January 14, commented on Adenauer's impact on the German political scene. (*Ibid.*, Central Files, 762.00/1-1459)

131. Memorandum on the Substance of Discussion at a Department of State-Joint Chiefs of Staff Meeting

Washington, January 14, 1959, 11 a.m.

[Here follows a list of participants.]

1. Berlin

Mr. Murphy opened the meeting by referring to the tripartite talks which had been held with the British and French on the question of Paragraph D of the paper on Berlin contingency planning. He quoted Paragraph D of the U.S. aide-mémoire of December 11, 1958, as follows:

Source: Department of State, State-JCS Meetings: Lot 61 D417. Top Secret. A note on the source text indicates it was drafted in the Department of State and not cleared with the Department of Defense. The meeting was held at the Pentagon.

“At this stage of developments [i.e., when Allied surface traffic between Berlin and West Germany are not allowed to transit the Soviet Zone without dealing with East German personnel]¹ and before considering resort to an airlift, an attempt to reopen access through the use of limited military force should be made in order to demonstrate our determination to maintain surface access. In any case, the Soviets and East Germans should not be allowed to entertain doubts as to our determination to do so if need be. Even if force is not resorted to at once we should continue to assert our rights to resume interrupted traffic and our intention to do so by force.”

He mentioned that Mr. Irwin and General Johnson had been participating in the talks and that he assumed the JCS was currently informed.

Mr. Murphy discussed the British position which appeared to be to evade the essential point of making a determination whether or not to respond with military force in the event of denial of allied land access rights to Berlin. The U.S. position is that the principle should be decided upon and agreed by the three powers before detailed military planning is entered into. The British wish a joint planning operation which will examine all of the military aspects of the problem—apparently before the decision is rendered on the basic principle. He said that the purpose of the meeting was to arrive at a coordinated U.S. point of view and to assure that the military judgment of the JCS was in consonance with the political judgment of the Department on this matter.

General Twining indicated that the Joint Chiefs had approved on January 13 a planning paper on the military preparations for action in the Berlin situation as required by Paragraph D.² The paper is now before the Secretary of Defense, who has expressed his desire to give it further consideration and perhaps to make some amendments but it represents the basic JCS thinking on the matter. The paper is for U.S. use only (copies of the draft JCS paper were provided to Mr. Murphy for the Department's study and information on the understanding that it would not be considered a final document until cleared by the Secretary of Defense). General Twining went on to describe the paper as the Joint Chiefs idea of all the steps that must be taken to prepare for possible action in the Berlin situation. He felt that it was important the Department understand what the military requirements of the situation are.

General White then intervened to inquire if the Department had taken a firm political decision to press for the action envisioned in Paragraph D. Mr. Murphy replied that the decision was taken in principle by the Department to take all possible measures to secure our right of land access to Berlin and at the same time to make sure that a posture which

¹ Brackets in the source text.

² See footnote 8, Document 122.

indicated that we were contemplating an airlift solution be avoided. He felt that if the USSR could be sure that the allies plan to react by instituting an airlift they would know we were "walking away" from Berlin. This evidence of weakness would be extremely important to the Soviets in planning their subsequent moves. He referred in passing to the parallel situation in 1948 and his belief that a firm response on the ground at that time to the blockade would have been successful and would have had a basic influence on subsequent Russian tests of our intentions as in Korea. In response to a further question from General White asking clarification of our policy, Mr. Murphy stated specifically that the Department was supporting the language of Paragraph D. Paragraph D must, of course, be considered in the context of the entire paper on contingency planning, including the later section which discusses the possibility of an airlift. He then quoted the last paragraph, Section E, as follows:

"As concomitant to the above course of action, we should consider whether the Three Powers should not take some additional step to guarantee their unrestricted air access to Berlin, which would be essential to maintaining the status and security of the city. The Three Powers might, for example, reformulate and restate their Berlin guarantee, modifying it to add that they will regard any interference with their right and practice of unrestricted access to Berlin by air, including operation of their civil air carriers, as an attack upon their forces and upon themselves. Here the issue of flight in the corridors over 10,000 feet might be solved by a simple Three Power agreement to fly at an altitude appropriate to efficient operation of individual aircraft. Communist harassment of our air access, which would be possible only through patent application of force, would be clear evidence of provocative intent. If it occurred, we could then take such military/political/economic counteraction as necessary to maintain Berlin with assurance that such action would have the support of American, French, British and German public opinion."

He pointed out that we were not excluding the possibility of an airlift or indeed any other possibility but that we felt that the psychological effect of the action proposed under Section D was essential.

Admiral Burke indicated his full concurrence with the Department's position. He pointed out that the decision involved not only planning but the taking of many preparatory steps ahead of the time of action. If we sent an armed force into East Germany, we must be prepared to follow through. It should only be a matter of minutes before reinforcements were sent in if the probing force were halted. General White then asked again if the State Department was prepared to support the statement in Paragraph D. Mr. Murphy answered yes but pointed out the purpose of the meeting was to be sure that "he whose ox may be gored" is also in agreement.

There was a general discussion of the JCS paper in which it was pointed out that the planners had attempted to take every possibility

into consideration. General Twining pointed out that the concept was summarized in Appendix B of the paper and that this was the most sensitive part. Mr. Murphy asked if a part of the proposal involved notifying the USSR in advance of our intentions. General Taylor responded that such notification was implicit but that the JCS paper represented a "military scenario" and that a "political scenario" was needed as a companion piece. Mr. Murphy responded that we had recently been encouraged by evidence that the Russians desire to negotiate and that this would indicate the desirability of signalling our intentions in advance.

Mr. Murphy then asked if his assumption is correct that the JCS did not wish at this point to engage in joint military planning with the British and French. The consensus of response appeared to be that detailed planning should be conducted in Europe instead of the U.S. and that General Norstad should be in overall charge. In response to Mr. Murphy's question General Taylor indicated that General Norstad's views had already been requested and would be incorporated in the final revision of plans which would be transmitted to Norstad after approval at the governmental level.

Mr. Murphy then commented on the French point of view. [*less than 1 line of source text not declassified*] Ambassador Alphand attempted to provide new language for Paragraph D which would bridge the gap between U.S. and UK thinking but without success. Mr. Murphy pointed out that recent reports from Paris indicate that General DeGaulle has been highly critical of U.S. policies and actions except as regards Berlin but this support of our firm stand in Berlin does not appear to be reflected in Ambassador Alphand's attitude here.

With regard to the British position, Ambassador Caccia has rigid instructions. Ambassador Whitney has recently reported³ [*less than 1 line of source text not declassified*] the British attitude which he thinks may stem from the influence of Lord Mountbatten, who has been reported as saying that Britain cannot afford the risk of annihilation over the Berlin issue. Admiral Burke suggested that he might write Mountbatten on the matter and Mr. Murphy agreed it would be useful if Admiral Burke could point out the U.S. view that if every test of strength with the Russians is viewed in terms of the risk of total destruction, there can be no agreement on a firm response in any situation.⁴

³ Not further identified.

⁴ On January 14 Admiral Burke wrote Admiral Mountbatten, apparently along the lines taken by the discussion at this meeting. No copy of his letter has been found, but it is referred to in Mountbatten's reply, dated January 23, in which he agreed on the necessity for taking a firm decision on Berlin. Mountbatten stressed, however, the need to take NATO along with the three Western Allies, and the British believed this could not be done until every possibility of negotiation had been exhausted. (Department of State, Central Files, 762.00/1-2659)

Mr. Murphy then discussed the West German attitude and indicated that this must be explored further. One of the problems is Adenauer's detachment as a result of his illness last month. He has just sent Herr Dittmann of the Foreign Office to the U.S. to discuss matters with the Department and we are in active consultation with Ambassador Grewe to whom we have put several leading questions designed to stimulate German thinking on possible solutions to the Berlin and German problems. We do not yet know the German reaction on such questions as those posed by the proposals for the U.S. response to closure of ground access to Berlin. How far would West Germany like to see us go in our response to the closing off of access to Berlin? The German attitude has been that the U.S. should stand firm. The question is what will they do in support of such a stand and what risks will they be willing to take. Will they furnish West German troops if this is considered desirable?

General Twining asked if there were any State Department objections to placing General Norstad in charge. Mr. Murphy asked if Norstad's role involved both planning and command of actual operations. He indicated that he could not respond to the question without further study since larger issues were involved but that his initial reaction was that there were no other operational commanders who could be assigned to the job. General Taylor indicated that General Hodes (USAREUR) could be given command but that in principle it should be Norstad. It was agreed that the Department would express its views on this matter. Mr. Reinhardt added that the lack of enthusiasm in NATO would create a lot of problems and Mr. Murphy added that it might be best to have planning conducted on a strictly U.S. basis under Norstad's direction as CINCEUR.

General Twining commented on the conversation with the President on January 13⁵ at which the President had expressed doubts as to our legal status in Berlin as the basis for military action to reopen ground access. The President mentioned that General Clay was not fully satisfied with the arrangements he was able to make on this matter while in Berlin. Mr. Murphy referred to the Department's recent publication on this point which makes a good case.⁶ He pointed out that our legal rights are based not only on the Clay-Zhukov talks but on the European Advisory Commission agreements in London in 1944 and on the Paris communiqué of 1949⁷ following the end of the Berlin airlift. He added that our primary rights are those of conquest and stem as well from the quid

⁵ No record of this conversation has been found.

⁶ For text of the memorandum on the legal aspects of the Berlin situation, December 19, 1958, see Department of State *Bulletin*, January 5, 1959, pp. 5-13.

⁷ For text, see *Foreign Relations, 1949*, vol. III, pp. 1062-1065.

pro quo established by U.S. withdrawal from the area which became the Soviet zone in exchange for our position in Berlin.

General Twining requested the Department's views on how we should react if the Soviet authorities pulled out of East Germany and turned over their responsibilities to GDR officials, i.e., documentation, travel control, etc. Mr. Murphy indicated that we proposed to refuse to deal with the GDR officials. He felt that the GDR authorities might continue to let us have access to Berlin without recognition of their authority. If they did not do so they would be faced with the difficult decision of attacking us or establishing a blockade. He then discussed the "agency theory" to which Mr. Dulles had earlier referred⁸ and which elicited a violent negative reaction from West Germany which the Secretary thought was unjustified. The West Germans are now dealing on a de facto basis with the East Germans in many activities. Despite this they refuse to consider the possibility that we might deal with the East Germans as "agents" of the USSR. Mr. Kohler added that the Secretary's public mention of the "agency theory" was based on the earlier contingency plan for Berlin and that the situation today makes it clear that the USSR has rejected the agency concept but instead proposes to substitute East German for Soviet personnel.

General Taylor then stressed the necessity for "domestic education" to prepare the American public for our proposed Berlin plans. Mr. Murphy felt that there has been to date a good emotional reaction in the U.S. as evidenced by the bi-partisan applause in Congress at the mention of Berlin in the State of the Union message.⁹ He agreed, however, that the actual issues have not been explained so that there would be clear public understanding and that further education will indeed be necessary. General Twining commented that it would be more difficult if we "go it alone" without support of our allies. Mr. Murphy agreed and pointed out that this was what was so disappointing about the British attitude. He felt that the President would have to intercede with Prime Minister Macmillan if we are unable to make progress at the lower levels. Reference was made to Prime Minister Macmillan's recent letter to Secretary Dulles on this subject and to the Secretary's response which was planned for despatch today.¹⁰

⁸ Regarding the "agency theory," see Document 68.

⁹ For text of the State of the Union message, January 9, see *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1959*, pp. 5–18.

¹⁰ Macmillan's letter, transmitted under cover of a note from Hood to Dulles, January 8, suggested that the Western Allies should study the implications of all military plans regarding Berlin without necessarily deciding on any of them and recommended that the United States and the United Kingdom seek to achieve a Soviet retreat on Berlin and force the Soviets to accept responsibility for Western access even if they turned over their obligations to the East Germans. (Department of State, Presidential Correspondence: Lot 66 D 204, Macmillan Correspondence)

Mr. Murphy indicated in response to General Twining's question that the Mikoyan discussion with the Secretary on Friday will bear heavily on the problem of Berlin. Mr. Murphy pointed out that Secretary Dulles feels strongly that we must be prepared to meet the Russian challenge.

The discussion on Berlin closed with a strong expression of the JCS view by General Twining that an airlift will not settle the Berlin issue and should be avoided if at all possible.

[Here follows discussion of unrelated matters.]

132. Editorial Note

In hearings before the Senate Foreign Relations Committee on January 14 and 16, Secretary of State Dulles and Chairman of the Joint Chiefs of Staff Twining discussed the Berlin situation. The Secretary of State described to the Committee the discussions with the British, French, and West Germans on contingency planning and outlined the U.S. view on reunification of Germany. At the end of the sessions he approved the text of a bipartisan resolution that fully endorsed the position of the United States on Berlin as set forth in the NATO declaration of December 16, 1958 (see footnote 6, Document 122). For text of the bipartisan resolution and Dulles' testimony to the Committee, see *Executive Sessions of the Senate Foreign Relations Committee*, volume XI, Washington, 1982, pages 5-14.

In brief testimony on the military aspects of the Berlin situation Twining stated that the United States felt it "must hold Berlin at all costs, even to general war," and informed the Committee that the Joint Chiefs were at that very moment working on plans regarding Berlin. For text of his testimony, see *ibid.*, page 41.