

## Heinz Braun, The Saar's European vocation

**Caption:** In December 1950, in the journal Notre Europe, Heinz Braun, Justice Minister of the Saar Government and Delegate to the Consultative Assembly of the Council of Europe, makes a case for the Saar's European role.

**Source:** Notre Europe. Revue européenne. dir. de publ. Ray, Marcel. Décembre 1950, n° 1. Strasbourg: Société européenne d'éditions et de publications. "Vocation européenne de la Sarre", auteur: Braun, Heinz, p. 43-45.

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## The Saar's European vocation

by **Heinz Braun, Justice Minister of the Saar Government and Delegate to the Consultative Assembly of the Council of Europe**

The 20th century has now reached its mid-point, and during that time the problem of the Saar has arisen twice. Happily, fate has decided that the same men who, in 1935, were present at the resolution of the first Saar phase will now, ten years later, be called upon to find a solution to the second phase.

Contrary to all the principles of democracy, and in particular without allowing the people to participate in their own government and legislation, the Treaty of Versailles had imposed on the Saar a government created by the League of Nations. Hundreds of millions of 'goldmarks' from across the Rhine flooded into what was known as the 'Saar Territory' in order to maintain and exacerbate the national and nationalistic feelings of the 'oppressed and terrorised' inhabitants of the Saar. Their systematic enmity towards France — the temporary owner of the Saar's mines — was again stirred up, and the politically based great miners' strike of 1923, followed by mass expulsions, poisoned the atmosphere between France and Germany to such an extent that Hitler was able to reap the harvest of this unrest in the disastrous plebiscite of 1935.

The Saar's return to the bosom of Germany was followed by the introduction of general conscription and the occupation of the Rhineland. Then came the annexation of Austria, the Sudetenland and Czechoslovakia, until finally, following the conflict with Poland, the Second World War began.

All of this is still too recent and too clear in people's minds for the Saar to be able to forget it. In 1945–46 the relevant authorities resolved to make it impossible for the Saar to experience any repetition of the nationalist and chauvinist conflict. France's legitimate rights to reparations and security had to be recognised. The joint efforts of the Saar, Alsace and Lorraine, which were perfectly natural from an economic perspective, and which had lasted for 80 years, could not be ignored. Moreover, it was absolutely impossible not to take into account the German nature of the Saar. The Saar region's cultural links with Germany were close and very much alive. Politicians in the Saar were convinced that they would not be neglecting any of these aspects by seeking a friendly *entente* with France, which would be sincere, open and long-lasting, and which would cover economic, political and cultural matters. An economic union with France, accompanied by political autonomy, appeared to be the natural solution. Political annexation by France would have been contrary to the ethnic nature of the region, whereas allowing the Saar to remain within the German State would have put at risk the rights of France.

Fortunately, there were men in France who were determined to commit themselves to that course of action at the same time as the people of the Saar. During the second half of 1947, France, which up until then had exercised sovereignty in the Saar in its capacity as an occupying power, granted autonomy to the region, and this provided a framework for the Constitution of 15 December 1947. Bilateral undertakings set out in the preamble to the Constitution gave responsibility for the defence of the territory, foreign policy and, for the most part, the economy to the competent French authorities. The Saar, which did not have any tradition of constitutional law, was all the more ready to leave in French hands certain sovereign rights because it was hoping to see, in the very near future, the creation of a European union. Since the defence of the territory, foreign policy and the economy were, by their very nature, likely to give rise to political problems, sacrificing in advance some of their sovereign rights to their larger neighbour did not seem excessive to the inhabitants of the Saar, because France would be handing over those rights, together with its own sovereign rights, to a federal Europe. Even before the *de facto* and *de jure* problems which this would give rise to became clear, the practical work began. At the end of February 1950, after two years of intensive and productive work, France and the Saar set about defining the legal basis for their newly established relationship, thanks to a number of conventions. The French Parliament ratified those conventions, but debates in the General Assembly had already proved that things would not stop there, and that it would not be long before autonomy would be transformed into sovereignty.

Such developments were to be welcomed, since they made it possible not only to avoid misunderstandings both within and outside the Saar, but also to establish between the two states, at the level of constitutional

law, a relationship which was in line with the requirements of the time: we must remember that all this was before the creation of a united Europe.

Five years after the end of the Second World War, the people of the Saar were able to stand back and take a good look at their position. What they saw was the absence of any political strikes, any oppression, any mistakes. Nor was there any question of the old spirit of hatred against a supposed 'traditional enemy'. On the contrary, what they found was that a hard-working population had formed a sincere friendship with neighbouring France, and that both sides were committed to a common agreement which seemed certain to lead towards reconstruction. Admittedly, the people of the Saar had not succeeded in allaying France's fears regarding its German neighbour. Time had not yet been able to complete its healing work, and many open wounds continued to bleed, but the peace and tranquillity which the Saar was enjoying enabled France and Germany to sit around the same table and discuss, with courtesy and with the desire to understand one another, not only the Schuman Plan but also the work of the Council of Europe. No one could deny that *entente* between these two great European countries was the primary condition for the peace and prosperity of the continent. Faced with this fact, the few nationalist arguments which might be put forward against the solution applied to the Saar problem, seen from today's viewpoint, no longer have any weight. The people of the Saar have never wanted to go it alone: they have sought, and managed to find, this solution in the interests of both populations, thereby demonstrating to the European States by their example how it is possible, in the general interest, to transcend national scruples.

It is precisely here that the European vocation of the Saar is to be found.