

LEGISLATION CONCERNING GERMAN NATIONALS
IN CZECHOSLOVAKIA AND IN OTHER EUROPEAN
COUNTRIES, 1938-1948

Jiří Pešek/Oldřich Tůma

The present article reports on a Czech-German editorial project which aims at documenting and comparatively evaluating wartime and early postwar legislation concerning German minorities in the liberated countries which belonged to the anti-Hitler coalition. The work thus described began with a comparison of the provisional "anti-German" legislation in Czechoslovakia, which took the form of decrees by the President, with both preliminary and definitive legislation in Poland, Hungary, Yugoslavia, Italy, France, Belgium and Denmark. Occupational legislation in various regions having been under German occupation was also looked at. The authors of the article deal with arguments that arose when the project was under way, concerning mainly issues of assessing the passing and the application of relevant legislation, and of placing them in an appropriate context. They emphasize that radical plans for punishing, expropriating, and expelling German (but also Hungarian and Italian) minorities may be observed in all countries that had been occupied by Nazi Germany. Forced transfer of large groups of German nationals abroad and considerable territorial reallocations, however, took place only in Eastern Europe. The authors take issue with interpretations stressing the role of alleged continuities between pre-war conditions in the countries concerned and the expulsion of German nationals, emphasizing instead the connection between forced migration and wartime plans of the allied nations (mainly Great Britain), plans which were negotiated and repeatedly confirmed at those nations' conferences between 1941 and 1945. To what extent such schemes were put into practice after the war in the nations concerned, however, depends upon whether they were situated east of west of the "Iron Curtain."