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## GERMANY: 58 Years of U.S. Occupation \*PIC\*

Posted By: Christopher Bollyn [[Send E-Mail](#)]

Date: Friday, 9-May-2003 03:15:26

### GERMANY: 58 YEARS OF U.S. OCCUPATION

By Christopher Bollyn

Fifty-eight years after the end of World War II, the German state still lacks a constitution and a peace treaty. Germany remains an occupied colony of the United States, according to the provisional government of the Second German Reich, which seeks to restore German sovereignty based on international law.

POTSDAM, Germany – The Allied occupation of Germany began 58 years ago this month and in the eyes of many Germans has not yet ended. Foreign armies are still based on German soil and Europe's largest and most prosperous "democracy" still lacks a constitution and a peace treaty putting a formal end to the Second World War.

For Germany, World War II, like the conflicts in Iraq and Afghanistan, lacks formal legal closure because a peace treaty has never been signed between the Allies and Germany.

The stated goal of the Anglo-American forces in Iraq is to liberate the Iraqi people and establish democracy. However, if the U.S. and British occupation of Iraq follows the pattern set by the Allied occupation of Germany, a sovereign democracy in Iraq is not likely to appear in the near future.

Although President George W. Bush's much ballyhooed victory speech from the deck of an aircraft carrier was meant to look like the end of the Iraq conflict, it was not, and if the German model is repeated in Iraq, there may never be a formal end to the war in Iraq.

While the partly reunified German nation is considered a modern European democracy, it has no constitution other than the temporary Basic Law (Grundgesetz) originally written in 1948 under the guidance of the U.S. military occupation forces and originally meant only to apply to the western parts of Germany under U.S. control. One of the Basic Law's final articles says it is to be replaced when Germany obtains a constitution.

Article 23 defining the legal jurisdiction of the Basic Law was removed at the request of former Secretary of State James Baker at a Paris conference of the Allied powers and the two former German states on July 17, 1990. The two German states were legally abolished at this conference and their foreign ministers were only informed of the changes after it had been done. As a result of these changes, the Basic Law does not legally apply to the reunified German state, according to some legal experts.

In any case, the Basic Law is incomplete and contradictory and, therefore, cannot serve as a proper constitution. For example, Article 139 states that "legal provisions" concerning Nazism and German militarism are "not affected" by the Basic Law. This article indicates that the numerous Allied

occupation laws and proclamations remain in effect in spite of the Basic Law.

“Article 139 is a little contradictory,” Christian Tomuschat, professor of German constitutional law at Berlin’s Humboldt University, told American Free Press. Despite the obvious problems with the temporary Basic Law, which has never been ratified by a vote of the people, Tomuschat says it is a valid German constitution in his opinion. “The Grundgesetz is the constitution – it just has a different name,” he said.

There is no movement in Germany towards creating a constitution, according to Tomuschat, who says a proper constitution is not as important as the unemployment problem: “Jobs are now more important than a constitution,” Tomuschat told AFP.

The fact that the flawed and temporary Basic Law serves as Germany’s de facto constitution is unacceptable to Wolfgang Gerhard Günter Ebel, Germany’s provisional Reichskanzler. Ebel heads the provisional government that claims to be the legal successor to the Second German Reich, which was replaced by Adolf Hitler’s illegal Third Reich (1933-45).

“Germany rests on the 2nd Reich” and on the constitution of the Weimar Republic created on August 11, 1919, Ebel told AFP.

In 1987, the Allies requested that Ebel submit a copy of the 1919 original Weimar constitution of the German Reich, which he did. This is the only legal constitution for Germany, according to Ebel, until a peace treaty is signed.

The Allies recognized the legal boundaries of the German Reich from December 31, 1937. These borders include the occupied German lands of East Prussia, Pomerania, and Silesia, the final status of which was meant to be determined in a peace settlement.

This peace settlement never happened. The so-called Final Settlement of Sept. 12, 1990 called for the existing border between Poland and Germany to be confirmed and for Germany to relinquish any territorial claims in the future. The status of East Prussia and the capital city of Königsberg, which was occupied and renamed by the Soviet Union in 1945, is not mentioned in the Final Settlement.

According to the provisional government, the Final Settlement is not valid because it was negotiated and signed by the foreign ministers of the two German states, the BRD and the DDR, both of which legally ceased to exist after the Paris conference of July 17, 1990.

“The German government is illegal,” Ebel told AFP, “and what they do has no basis in law.” Asked how it could be that the German people are unaware of this situation, Ebel said: “The German media is still under the control of the Allies. The entire media is controlled.

“The Second World War has not ended, because a peace treaty has not been signed between Germany and the Allies,” Ebel says, “The peace contract is the most important thing that we need and want.”

Because there is no formal peace treaty between Germany and the Allies, headed by the United States, German sovereignty is compromised. “Until we have a peace treaty, Germany is a colony of the United States,” John Kornblum of the U.S. State Dept. told Ebel on Oct. 20, 1985. Kornblum is now employed by Lazar Bank in Berlin, according to Ebel.

Some 80,000 U.S. military personnel are permanently based in Germany and Britain also continues to base troops and military equipment in the western German zone they formerly occupied. It is not uncommon to see British tanks on the streets of the area near Münster in Westphalia.

U.S. occupation laws handed down by the Supreme Headquarter Allied Expeditionary Force (SHAEF) are still in effect, Ebel said. The first law, Proclamation No. 1, making General Dwight D. Eisenhower supreme authority in the areas under U.S. control was signed on Feb. 13, 1944. Allied authorities have informed Ebel that these SHAEF laws will remain in effect for 60 years from the date of signing and apply to all of Europe.

Calls to the U.S. State Department in Washington and the U.S. Embassy in Berlin concerning the validity of SHAEF laws and U.S. occupation proclamations in Germany were not returned.

“When there is a peace treaty – when the wound is healed – many things will change,” Ebel says, “not only for Germany, but for the whole world.

“The United Nations is also provisional – if there is a peace treaty between Germany and the Allies [primarily the United States] – the UN will cease to exist as we know it,” Ebel said. The UN organization was founded in 1945 and originated with the 26 nations that had joined the anti-Nazi coalition in 1942. By 1944 the coalition had grown to include 47 nations.

The UN Charter contains “enemy state clauses” [Articles 53 and 107], which were established because of Germany and name it as the “enemy state.”

“The Bundesrepublik Deutschland (the former West German state) is not the legal successor or inheritor of the Second German Reich,” according to Ebel. For this reason a legal peace treaty cannot be signed by the current German government in Berlin, he said.

“Until the real government is established and voted by the people,” Ebel said, the provisional government is necessary to “fulfill the role of the legal German government.”

The Allies have authorized Ebel to serve as head of the provisional government, he says. A civil servant with the German railroad, Ebel was born in Berlin in 1939 and is a citizen of the German Reich, having never held citizenship of either German state that resulted from the Second World War. Berlin was a separate zone and “has never been part of the BRD or DDR,” Ebel said.

Ebel was first appointed by the U.S. Military Court in Berlin to serve as Rechtskonsulent for Prussia on Sept. 23, 1980.

On Jan. 9, 1984, the U.S. State Department in Berlin appointed Ebel to serve as the head of the German railroad (Reichsbahn) in West Berlin. Exactly forty years after the German military (Wehrmacht) surrendered, on May 8, 1985, Ebel was appointed as Transportation Minister for the German Reich by the U.S. High Commissioner in Germany, who he says was then U.S. Ambassador to West Germany (BRD) Richard Burt.

Finally, on Sept. 27, 2000, Ebel was appointed chancellor of the German Reich (Reichskanzler) by Ernst Matscheko, a representative of the U.S. Dept. of Justice. Matscheko reportedly asked Ebel to name a Reichspräsident and a special ambassador to the United Nations.

The U.S. Embassy in Berlin will neither confirm nor deny the claims made by Ebel, for which he presents documents as evidence. A spokesman at the U.S. Embassy told AFP: “We are not

responsible for what they [the Reich's government] claim.”

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### Articles In This Thread

**GERMANY: 58 Years of U.S. Occupation \*PIC\*** (views: 1757)

ChristopherBollyn -- Friday, 9-May-2003 03:15:26

[Re: GERMANY: 58 Years of U.S. Occupation](#) (views: 501)

BeCeDo -- Friday, 9-May-2003 15:18:51

[PEACE WOULD ABOLISH THE UN](#) (views: 414)

BeCeDo -- Saturday, 10-May-2003 02:12:53

[Re: GERMANY: 58 Years of U.S. Occupation](#) (views: 501)

BeCeDo -- Friday, 9-May-2003 15:18:51

### Re: GERMANY: 58 Years of U.S. Occupation

**Posted By: BeCeDo**

**Date: Friday, 9-May-2003 15:18:51**

**In Response To: [GERMANY: 58 Years of U.S. Occupation \\*PIC\\*](#) (ChristopherBollyn)**

As it is is there is no basis for introducing the Euro as the alternative to the D-Mark. Should the Euro not perform towards the interests of the US-Government, it is conceivable that the existing regulations of occupation will be claimed...

Es besteht somit keine tragfähige Grundlage für die Einführung des Euro als Ersatz für die D-Mark. Sollte der Euro sich nicht im Interesse der US-Regierung auswirken, so besteht Anlaß zu der Annahme, daß die gegebenen und gültigen Vorschriften des Besatzungsrechts eingefordert werden.

Kein Anlaß besteht hingegen zu der Annahme, daß die Siegermacht USA es hinnehmen werde, wenn die de facto und de jure abhängige Regierung des besatzungsrechtlichen Verwaltungsgebildes «BRD» die ihr im 4+2 Vertrag eingeräumte Gestaltungsfreiheit gegen deren Interessen wendet.

**Re: GERMANY: 58 Years of U.S. Occupation** (views: 501)  
BeCeDo -- Friday, 9-May-2003 15:18:51

## **PEACE WOULD ABOLISH THE UN**

**Posted By: BeCeDo**

**Date: Saturday, 10-May-2003 02:12:53**

***In Response To: GERMANY: 58 Years of U.S. Occupation \*PIC\* (ChristopherBollyn)***

Interestingly enough Ebel points out on his website that should peace be declared between the allies and Germany this would lead to the cessation of the UN in its current form AND occupation, since it had been established as a consequence of the war.

***Germany Still In Juridicial Limbo***

***By Christopher Bollyn 12-15-5.***

<http://rense.com/general69/germany.htm>