Title: 'Managing under duress' – Civilian administration, ethical choice and leadership during the German occupation of the British Channel Islands 1940-1945

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Author: Paul Sanders PhD (Cantab), FRHistS

Affiliation: Associate Professor, École Supérieure de Commerce Bourgogne Dijon Paris, 29 rue Sambin, F-21000 Dijon

Contact: paul.sanders@escdijon.eu

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Author biography

Paul Sanders studied history and business administration in Regensburg, Berlin, Lyons, Paris and Helsinki. He obtained his doctorate at Cambridge University, with a thesis on the black market in Nazi-occupied Western Europe, subsequently published as *Histoire du marché noir 1940-1946* (Perrin, Paris, 2001). In 2000-02 he was an OSI lecturer at several universities in the former Soviet Union and an academic advisor to the OSCE AMG in Minsk, Belarus. In 2005 he completed an official research commission, resulting in the publication of his third research monograph, *The British Channel Islands under German Occupation 1940-1945* (Jersey Heritage Trust). Since 2006 he is an associate professor at the Ecole Supérieure de Commerce Bourgogne in Dijon, France. His current research focuses on international business ethics and EU-Russia relations.

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Abstract

This historical case study is based on data obtained in connection with the research project for a new official history of the Channel Islands Occupation 1940-1945. It deals with a particular aspect of the period under scrutiny: the ethical position and choices of the civilian authorities of the British Channel Islands during their occupation by Nazi Germany in World War Two. The article counters an argument according to which the doctrine of collective responsibility and the reprisal policy enacted by Nazi Germany in its dealings with the occupied nations of Europe left no margin that local authorities or governments could have exploited. However, in reality this argument needs to be heavily nuanced. The objective of this article is, firstly, to evaluate the effective margins of local officials in the occupied British Channel Islands as well as their resultant ethical choices, and secondly, to distinguish those variables and processes which had a determining impact on their reasoning and action. The third part of the article is dedicated to a comparative study of the situation in the two main islands of Jersey and Guernsey and the isolation of further factors, an approach deepening the significance and import of the research. The case highlights both the applicative interest a historical case study can have to business ethics as well as the utility and density of information contained in empirical material gathered via historical research methods.

Key Words

Crisis management – public administration – ethical choice – collaboration - leadership – corporate culture - Channel Islands - Second World War

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It is an often overlooked historical fact that Britain was, indeed, invaded by the Nazi war machine in World War Two. A part of it at least: the Channel Islands of Jersey, Guernsey, Sark and Alderney. Following the fall of France in June 1940, the British government demilitarized the islands. German forces landed in the islands on 1 July 1940. Equally frequent as the overlooked Channel Islands occupation is the assumption that there is not much one can do when faced with a ruthless occupier willing to use force; and especially not an occupier who has pledged allegiance to the embodiment of evil, Nazism. Historian Rab Bennett described the issue in his book *Under the Shadow of the Swastika* (Bennett, 1999), claiming that the Nazi doctrine of collective responsibility left virtually no space for any form of self-affirmation. Any manifestation of opposition was swiftly and severely punished: when two German soldiers were killed by criminals in the Warsaw suburb of Wawer, in December 1939, the Germans rounded up 106 men in the vicinity, sometimes demanding of women to choose between their male relatives, and had them executed. Bennett is correct to state that armed resistance across Europe caused more harm than good, as it often ended in German reprisals. On the other hand the historical evidence does not always support his claim according to which the choices of wartime officials throughout Europe invariably amounted to 'devilish choices', along the lines of those forced upon the residents of Wawer or upon the tragic heroine in William Styron's novel *Sophie's choice*.[1] As French historian Jacques Semelin demonstrates in his *Unarmed against Hitler. Civilian Resistance in Europe 1939-1943* (Semelin, 1989), a civilian resistance strategy pursuing genuinely civilian targets, such as preserving the independence of a country's institutions, can sometimes work, even in the face of an occupier determined to use reprisals and hostage-taking. According to Semelin's theoretical framework the societies where civilian resistance obtained the best results in resisting the Nazis were those with a high degree of social cohesion, leaders that had steered clear of the Germans and, of course, with a relatively benign status in the Nazi racial hierarchy.[2] Especially in occupied Western and Northern Europe civilian resistance achieved more in real terms than guerrilla warfare, a fact recognized by many military historians (Lidell Hart, 1967). Semelin's framework also holds for the occupied Channel Islands. The choices in the islands did not resemble 'devilish choices'. They had a margin which the local authorities had a duty to exploit. The aim of this article is to assess what could or should have been done and thus evaluate the margins of local officials and ethical choice in situations under duress.

Before we proceed any further we need to take a closer look at the specifics of the British Channel Islands. These crown dependencies are located in the bay of St Malo, in close proximity to France. By contrast, distances to England are much longer. On an indicative basis Alderney is 60 miles from the English port of Weymouth, but only 10 miles from the northern tip of Normandy. The Channel islands are small territories - the largest, Jersey, measures a mere 45 square miles - and population density is very high. Historically, the islands are what remains of the former duchy of Normandy. After the Norman conquest of Anglo-Saxon England in 1066, the kings of England retained the duchy of Normandy in personal union, on a similar basis as the personal union between the German principality

(later kingdom) of Hanover and the British Crown in the 18th and 19th centuries. When the English lost Normandy to the king of France in the 13th century, the Channel Islands continued their allegiance to the Crown of England. The islands are not the norm, for they retain their distinct culture. Norman French was the official language of the islands until the 19th century and it continues to be practiced to this day. No surprise then that Victor Hugo retired to the Channel Islands when he exiled himself from France between 1852 and 1870. The two bailiwicks of Jersey and Guernsey resemble microstates (such as Monaco or the Vatican), as they are politically independent from the United Kingdom[3], as well as from each other. Each bailiwick has its parliament, government, legal system and administration, with the sole areas of defense, citizenship and foreign affairs delegated to the UK government. Similar to the status of Commonwealth countries such as Canada or Australia, the constitutional link with Britain does not pass via Whitehall or Westminster, but solely through the Crown. The monarch remains the head of state in the islands, and is referred to as 'duke of Normandy'. If much of British legislation is passed into the law of the islands, then characteristically the institutional mechanism for doing so is the Privy Council, and not the UK parliament. At the same time the islands are not members of the EU. Such is the intensity of the link with the Crown that was Britain ever to become a republic – a step that would sever the link - the islands would probably opt for full independence rather than territorial incorporation into Britain.

Prior to the German occupation in 1940 both islands had taken steps to streamline their highly decentralized executive to prepare for the type of swift decision making necessary in times of crisis, through the creation of a Superior Council (Jersey) and a Controlling Committee (Guernsey). About one fourth of the population evacuated to Britain before the arrival of the German forces, in June 1940. After the German arrival the Channel Islands authorities enacted the advice of the UK government to 'continue the administration of the islands'. The local authorities gave their own interpretation to this advice through their pursuit of a policy of 'correct relations' designed to avoid friction. The relationship between occupied and occupiers was put through its first serious test in autumn 1940, when the British started sending reconnaissance parties to Guernsey. In a situation where Britain was under threat of invasion, these missions did have military value. Yet the way in which they were conducted jeopardised the safety of the population, making their position ever more precarious. One of these missions failed to return two agents reconnoitering in Guernsey, Hubert Nicolle and James Symes, who were then hidden by the population for six weeks until they gave themselves up to the Germans. Despite assurances from one high-ranking German officer in the islands, the episode led to the arrest of over a dozen Guernsey civilians – among them Ambrose Sherwill, the Attorney General, in October 1940. They were transported to Paris for interrogation, where one of them – Symes's father - committed suicide in his prison cell. The remainder of the group returned to the island in December, but the outcome of this affair created a debt towards the German occupiers, for the relatively lenient way in which it had come to a conclusion, including the fact that Nicolle and Symes were treated as PoWs and not as spies. The episode had far-reaching consequences as it bolstered the camp advocating the view that anything likely to damage the relationship with the Germans should be avoided. In addition, it reinforced the idea that islanders were better off forming an understanding with the enlightened elements within the German army and it handed the Germans the perfect pretext to

claim that the islands were swamped by British agents and saboteurs. Had this early commando action displayed more professionalism, a greater number of islanders may have been prepared to defy the recommendations of their own island authorities. If, subsequently, Guernsey travelled somewhat further down the slippery slope of collaboration, then some of the responsibility must also fall on the improvised plans of the British military. However, the great watershed of the Channel Islands occupation was 1941. While the occupation had started out with a small garrison, from mid-1941 the troops of the 319th infantry division started pouring into the islands. With the signing of a personal order by Hitler on 20 October, fortification work started in earnest, under the joint authority of the armed forces and the Organisation Todt. Over the following two years the Germans were to turn these islands into the most heavily fortified section of the entire 'Atlantic Wall'. One side effect of the crash building programme was a clear radicalization and tightening of the occupation regime. Together with the thousands of troops, the islands now also played host to thousands of foreign workers - some voluntary, but the majority forced. Food shortages, restriction of movements and security alerts combined to increase the pressure on the civilian population of the Channel Islands. The Germans sought to ease population pressure by singling out individual groups – such as Channel Islanders born in Britain – and deporting them to civilian internment camps in Germany. The largest of these deportations – a reprisal measure decided by Hitler - took place in September 1942, when 2,000 islanders were sent off the islands. Earlier, in June 1942 the Germans had gone ahead with a radio confiscation and the outlawing of radio reception - on the grounds of security and troop morale. This sparked a movement of defiance. A minority of islanders also took to sheltering foreign fugitives escaping the harsh conditions on the fortification worksites. This passive resistance led to repression, as a result of which a significant number of islanders were sent to penal prisons and concentration camps in continental Europe. Fortification work ended in late 1943 and the islands were cut off from France in August 1944, following the Normandy landings. However, the German garrison refused to surrender. Thereafter followed the final period of the occupation, 'the siege', a winter characterized by hunger, but also an unprecedented Red Cross relief operation bringing supplies to the islands that will save the population from starvation. The Channel Islands were the last territory to be liberated from German occupation, on 9 May 1945.

What made the Channel Islands Occupation unique?

While reprisal policy did operate and violations did take place in the islands, the doctrine of collective responsibility was not extended to the same extent as on the Continent. Two examples of reprisal measures were the 1942-43 deportations of islanders to civilian internment camps, and the lowering of civilian rations in the islands in summer 1943.[4] The special status of the islands is similarly visible in the fact that no death sentence was passed on an islander. This is not to say that atrocities were not committed on other populations such as forced or slave labourers nor that the treatment of local islanders transported to prisons and concentrations camps on the Continent was lenient. Canon Cohu, a prominent Jersey clergyman sentenced to imprisonment in 1943 for having defied the Germans, was

'worked to death' in a camp under SS authority near Halle (Germany), in 1944. The island of Alderney even hosted a subsidiary of the SS concentration camp Neuengamme. François Scornet, a Frenchman on his way to England having mistaken Jersey for the Isle of Wight was tried and executed after landing there in 1941. Foreign residents were also a notable exception from the rule. Thus two French artists residing in Jersey, Suzanne Malherbe and Lucie Schwob were sentenced to death in late 1944 for resistance activities. Significantly this death sentence was commuted into a prison sentence following representations by the Bailiff of Jersey, Alexander Coutanche, who pointed to the island's legal traditions, arguing that no death sentence against women had been executed for time immemorial and that this was likely to upset the local population.

One reason for the uniqueness of the Channel Islands occupation was the fact that islanders could avail themselves of the prestige of the unconquered British belligerent. Acting on the advice of the British government 'to maintain administration', the Channel Islands authorities could try to bring the link with Britain to bear on their dealings with the Germans, if they played their cards right. This could provide something of a virtual screen against certain types of abuse. On the psychological level one should place trust in the observations of John Leale, the top Guernsey official, who commented after the war that German sabre-rattling and militarisation merely compensated for a profound inferiority complex, an opinion echoed in the sociological work of Norbert Elias. Leale sees this complex at work in needless self-assertion which, to him, made individual German officers and officials either ‘dangerous’ or ‘meddlesome’. On the other hand such a disposition could also be exploited by the islands authorities. Leale himself used this weakness to try to shame individual Germans into sticking to their promises, a tactic that as he writes 'did not always work'. [5] Leale also confirmed that the Germans were not indifferent when it came to what islanders thought about them. Suggestions that they were callous about the fate of islanders made them become "*livid*" and they never forgot to remind islanders of the help provided in procuring supplies from France.[6] They were concerned about leaving the ‘right impression'. Even though not all Germans would have had the tact to appreciate the islands' special status, they had to weigh carefully what they did there, as any wrongdoing had the potential to backfire against them. As an example repeated proposals of German combat troop commanders in the islands to remove the bulk of the civilian population from the Channel Islands was successfully resisted by the German Foreign Office, as the diplomats feared that such a measure would harvest retaliation against Germans in Allied or Allied-occupied countries. For reasons that have remained unelucidated the execution of a 1941 order by Hitler himself, according to which certain categories of islanders were to be deported to German internment camps was delayed for almost one year.[7] The possibility to use this type of leverage increased in particular towards the end of the war, when the islands were cut off from France and fear of being deported to the Continent subsided, thus making way for a more assertive stance on the part of islanders. Threat of a future Allied war crimes tribunal could make many a previously recalcitrant German reconsider futile acts of desperation.
The uniqueness of this occupation is further compounded by the fact that at least on the surface the German occupier were prepared to accept a limited applicability of the Hague Convention. At the time the only set of international legal rules governing the relationship between an occupier and a population in occupied territory, the Hague rules were the result of a lukewarm minimum standard

about belligerent behavior and rules of engagement that the world powers had been able to agree upon half a century earlier. For islanders the Hague rules represented a life-line to pre-war civilization, and the only proxy battleground on which the island authorities felt safe. Nobody outlined the principle in operation better than John Leale. In a post-war memo he stated that there had been no doubt in his mind that "*the rights and interests as British people were best safeguarded by sticking to International Law [sic] through thick and thin*".[8] This was not necessarily standard procedure. Across the Channel, in France, an armistice was signed in June 1940 which gave a much closer definition to the principles governing the future Franco-German relationship, soon consolidated into a genuine and comprehensive policy of collaboration. The reliance of the Channel Islands' authorities on international law was an honorable and realistic position to take. One German observer visiting the islands in 1941 wrote: "*The permission to listen to the British wireless was exploited so that they placed loudspeakers at the open windows. Often in face of German demands there was an impudent appeal to the Hague land warfare rules or something of that sort"*.[9] Such a situation was only conceivable in the Channel Islands, the sole population in occupied Europe allowed to listen to British radio until mid-1942.

Still, this is not to say that the Hague rules were a foolproof way out of the dilemmas posed by enemy occupation. The first dilemma was that an occupation run along the lines of the Hague Convention could, in fact, look like assisting the enemy. John Leale once stated that when the Germans requisitioned bakers, fishermen and growers, people came to see him and asked whether they had this right under the Convention. Basing his opinion on the available legal commentary, Leale answered in the affirmative which earned him the response from one grower that he was *"not much of a Briton".*[10] Many observers did not understand (or did not want to understand) that under the Hague rules the occupier can demand certain services for the maintenance of the occupation force and that the cost of billeting, labour and other items can be transferred onto the occupied. The occupier also had the right to requisition labour, provided this was used for non-military work and was not directed against the worker's motherland. The core problem with non-military or indirect work, of course, was that ultimately this had indirect benefits to the German occupier, as it liberated other men for military work. Again the Hague Convention offered no satisfactory solution. Thus following the Hague rules could undermine the island authorities. More serious, however, was another inadequacy: although having rules of war was better than having no rules at all, protection of civilians did not figure very high on the agenda of 19th century world leaders (Greenwood, 2000, pp. 252-254). As a consequence, a large amount of space requiring legal definition was left void. These legal black holes played into the hands of an unscrupulous occupier. The situation was not rectified until after the Second World War, a conflict that had made it obvious that civilians were inadequately protected by the law. Behind German rhetoric of 'correct relations' and 'adherence to international standards' lurked a rigid positivistic interpretation of the Hague rules. As an example the Hague rules advised civilians to abstain from hostile acts against the occupier, but they placed a burden on the occupier to not punish the community for the acts of individuals. However in German hands whatever provision existed to protect the rights of civilians was often overridden by a simple invocation of 'military necessity' or 'necessity of war'. The discrepancy between legal provision and interpretation becomes particularly harrowing when one considers that German interpretation of 'hostile acts against the occupier' included many minor

manifestations of popular discontent. One Guernsey contemporary, interviewed after the war, explained that it was easier for a citizen of a neutral country to stick to strict obedience than it was for a population which had reason to understand every act of the occupier as directed against them.[11] Despite this fact German reaction was disproportionately harsh. Trivial symbolic acts were often reprimanded just as severely as more serious offenses. Only on rare occasions did the occupier consider the opportunity to look the other way. Generally, the occupier took the dimmest view: zero tolerance, coupled with threats of reprisals. This German inability to make distinctions between genuine and assumed threats shows the particular character of German rule and the travesty of the rules of war.

Entrapment

The character of Nazi rule did not surface immediately. In the beginning of the occupation the focus was rather on correct and frictionless relations between occupiers and occupied. The German military administration officials of the *Feldkommandantur*, responsible for civilian affairs and relations with the civilian authorities, consisted of German lawyers and civil servants where were not only well-prepared, but also worldly and adroit. When they arrived in the wake of the invasion force, they commenced a seduction campaign offering the authorities what looked like an honorable 'gentleman's agreement'. This was bolstered by guarantees of the first military commanders that no harm would befall the lives and property of Channel Islanders as long as they abstained from acts of hostility. The island authorities were only too relieved to do business not with Nazi brutes, but with rather cultured and reasonable civil servants with whom they had much in common, and accepted. Unsurprisingly, the Channel Islands' bureaucracy, consisting in many cases of locally-trained lawyers whom nothing had prepared for such a situation, was no match for the lawyers of the German military. Their archaic and naïve understanding of the 'letter of the law' made them an easy prey for formalistic duperies. How ill-prepared the Jersey government was for the legal battle is witnessed through the fact that, in October 1940, Charles Duret Aubin, the Attorney General, approached the Jesuit library in Jersey, in order to consult their copy of *Les lois de la guerre sur terre* (The laws of land warfare), an antiquated tome published in Brussels in 1880. Apparently this was still better than what was available at the Jersey Law library and the Public library, which, as the Attorney General readily admitted, were *"very poor in works upon international law*".[12] During the first months of the occupation many hoped that adversity could be overcome by a common-sense approach on both sides. The idea of an accommodation with the invader was widespread among the population. Only a few months later, however, the combined pressures of crash-fortification program, thorough militarization and repression brought out the real face of German rule. Repression increased, leading the principles of correct relations *ad absurdum*. Relations between occupier and occupied deteriorated progressively. The process itself was nothing unusual and occurred with an astounding uniformity all over occupied Europe. While some countries sought to reconsider their position vis-à-vis the occupier, in the islands the principles of administration were never adapted to new circumstances. Despite a considerable deterioration, the Channel Islands authorities continued the business of administration as usual, until the very end of the war. That the

island authorities had been seeking to obtain the most favourable terms through negotiations in the beginning of the occupation is not contentious as such. The error of the island authorities lay not in cooperation – this was inevitable - but in not having correlated the exercise of their duties with the deteriorating state of relations between occupier and occupied.
Their inability to review the relationship was linked to the unshakeable belief that it was primordial that the civil administration by islanders be maintained, and that this was always going to be preferable to direct German rule. The Germans exploited this disposition on multiple occasions, suggesting that in any event it was better for the local governments to be involved in measures, in order to mitigate their impact. This firm positioning on continued administration left them without a credible exit strategy in a crisis situation, and thus amenable to blackmail. Again throughout Europe, clinging to snippets of sovereignty was to damage the legitimacy, and tarnish the record, of many administrations. The situation was no different in the Channel Islands where an almost slavish adherence to the principle of preventing a German take-over of the whole or parts of the island administrations created similar results.

To get behind the motivations of this firm positioning, one needs to understand the constitutional make-up of the Channel Islands: the advice given to them by the British government, to remain in office, was just that - advice. The Channel Islands administrations were under no obligation to follow this advice, if they felt that it was to the detriment of islanders. Therefore the decision to remain in office was not merely motivated by sense of duty, but also by considerations of status and pride which made it impossible for the islands authorities to imagine being 'out of power'. The above effect was further magnified by the heavier burden of responsibility bestowed upon them during the occupation, which in turn reinforced the disposition to hold onto power. It was a disposition that was well known to the Germans who exploited it to maximal effect.

'Slippery slope'

The road to hell is paved with good intentions and the belief that the Nazis could somehow be contained missed an essential feature: ‘co-operation’ with the Nazis was a very slippery slope and it proceeded via very short, almost unnoticeable way stations. One Dutch resistance worker interviewed in the landmark documentary ‘The World at War’ explained the principle in operation when, early in the Occupation, the Germans took the census of the Dutch population and asked them to fill in questionnaires. These included a section relating to ‘Aryan origin'. He explained that giving an answer to this question was the first imperceptible step on the road to extermination, as it isolated the Jews from the rest of the population.[13] Few recognised the approaching danger and most complied, duly ticking where appropriate. The insidiousness of the method brings home the fundamental importance of moral principles, many of which were surrendered rather nonchalantly, for questionable returns. In many places across Europe, the painful lesson had to be learnt that once a moral principle was ‘out of the window’, a host of other demands could be derived from the cave-in. Trapping administrations in their own contradictions was one technique of domination where the Germans showed considerable talent. Thus many administrations that started out with a pristine record became increasingly tainted

as they went along with incessant German demands, trapping themselves into logics which they had not foreseen and which offered no exit.

This inability to anticipate the inexorable consequences of measures was also the gravest error of the island authorities. One incident offering particularly good illustration of the problem in question is the case of Frederick Page, a Jerseyman reported to the Germans by the island authorities for a 'wireless offence'. While investigating a robbery in late May 1943 in the Jersey parish of St Saviour's, the competent honorary police received information from neighbours that a James Davey had one or more wireless sets at his residence. And indeed, when they followed up this information, they discovered three wireless sets, two of which were the property of a second man, Frederick Page.[14] All wirelesses had been confiscated in June 1942 and wireless reception, as well as all associated activities such as the spreading of BBC news, was considered a serious offence carrying as a typical punishment a long prison sentence in France or Germany from whence by this time few returned. The police now faced the dilemma of either submitting a report which might lead to the prosecution of a fellow islander or running the risk of a denunciation to the Germans that the island police were defying their orders; the likelihood of which was increased by the fact that the police investigations emerged from a neighbour's quarrel and that the discovery of the wireless sets was known and generally talked about. The dilemma was aggravated by the fact that since the passing of an 'Order for the Protection of the Occupying Authorities [sic]', on 18 December 1942 the authorities were obliged – under threat of punishment – to signal to the Germans all information which came to their attention bearing a relation to infractions of German orders. In this situation Centenier Garden, the officer in charge, made an informal approach to the Attorney General, Duret Aubin, who later testified that Garden had not taken the matter nonchalantly[15], but "*was gravely disturbed in his own mind as to what action he should take*". Duret Aubin gave him the Salomonic advice that he "*was not disposed to give him an order one way or the other in a matter into which considerations of conscience entered so strongly*", and that Garden "*must decide with his own conscience where his duty lay'. He added, however, that if he did receive a formal police report he would have 'no alternative but to forward it to the Occupying [sic] authority*". When Garden put the matter to his colleagues at a meeting at the St Saviour police their unanimous opinion was that their duty was to the community rather than to the individual and that he should therefore report.[16] Not that the rather abstract scenario of a German take-over was the principal reason for the decision of the St Saviour's honorary police. What is more likely to have happened in the event of a German discovery of the case is that Garden and his colleagues would have stood trial, and that similar to the precedent set by the German trial of a dozen Guernsey policemen in spring 1942, they would have been deported to prison in Germany. The Attorney General received Garden's report on 2 June 1943, which he forwarded to the Germans the following day. From the personal perspective of the Attorney General, this *denouement* was the most convenient of four possible scenarios: Garden had had two possibilities of action - to submit a report or not to submit a report. The most unlikely scenario was that Garden would submit the report and that the Attorney General would then hush up the affair, considering the risk of denunciation. If the police decided not to submit a report, the Attorney General could have remained silent about his conversation with Garden; but this would have entailed considerable risk for himself, especially if news of the police discovery reached

the ears of the German police after all and these decided to interrogate and try Garden and his colleagues. Then all would depend on Garden not revealing his conversation with the Attorney General, nor disclosing the conversation to a third party. The other alternative in case of non-submission of a report – probably the most devastating of all – was for the Attorney General to stick to the rules and denounce Garden himself. Failure to do so would have resulted in his being in breach of German law.

The Attorney General could not have predicted how dire the consequences would be for Page would be dire as they turned out to be: tried with the other radio listeners who had gathered at Davey's house by a German court in the island Page – who was British-born - received the highest sentence, 21 months of imprisonment, which automatically earmarked him for deportation to a prison on the Continent. He died at Naumburg prison, Germany, on 5 January 1945 (Sanders, 2004, p. 39).

We must ask ourselves: was this the type of emergency that allowed for the operation of such crude utilitarianism? First of all there is the definition of 'duty to the community' given by the Attorney General and which makes this case appear like a simple and straightforward 'greater good' case: the prevailing government consensus was that it was necessary to avoid the suppression and takeover of the police of St Saviour by the Germans. However, whether this *raison d'état* argument was a goal worth the deliberate sacrifice of individuals is cast into doubt when considering that it need never have come to this**.** What was disingenuous about the use of the 'greater good' argument in this case was to present the situation as a *force majeure* calamity, passing under a veil of silence the part of the island authorities in turning an activity, which should never have been an offence in the first place, into a punishable offence: initially, the Jersey authorities protested against the German wireless confiscation of June 1942, but this soon subsided into resigned acceptance.

Finally, instead of an adamant refusal by the authorities to have anything to do with this measure and its implementation, they took on the task of registering the surrendered sets and putting them into storage. The reason given for this administrative 'cave-in' - concerns over the misappropriation of the sets - was too good to be true. Keen on presenting themselves as the genuine upholders of the interests of the population, their action revealed a troubling lack of consistency which the Germans duly spotted. This opened the floodgates, as German action on the wireless issue did not end with mere confiscation. While the confiscation of the radios was something the island population could be made to accept under the Hague Convention, the prosecution of 'radio offenders', and especially the clampdown on people spreading the news, had no basis in international law. This was Nazi law. Similar to a bad chess player, the authorities had not anticipated the next move and the trap closed in December 1942, when the Germans issued their own order compelling the authorities to denounce all offences against German orders. They thus became an associated party to measures designed to clamp down on 'radio offenders', something they, no doubt, had never intended. It would be too facile to point to their distress without acknowledging that they were partly to blame for this situation through their failure to assess and foresee the consequences of their action (ethics of prudence). By the time the Jersey police discovered Davey's radio, the island authorities had already missed their opportunity to put up resistance to the prosecution of 'wireless offences'. The Page case points to a fundamental

problem – not in the operation of the greater good principle itself – but in the lack of protest against co-operation in the prosecution of 'radio offenders'. We may want to conclude that the entire case provides far more powerful illustration of the principle of 'slippery slope' than of 'greater good'.

The mechanics of the slippery slope are equally evident in the bowing to the new legal norms of the occupier. In February 1944, Captain H. Ballantine was being investigated by the Germans for a wireless offence. Having apparently contacted the island law administration for legal assistance in his impeding trial, it is unlikely that he would have drawn much solace from the curt and non-committal reply he received from the Attorney General on Saint Valentine's day 1944. Had Ballantine really wanted to be told that there was "*no textbook available dealing specifically with the subject of political prisoners under international law*"? Or that the Hague Convention was silent regarding the position of civilians "*who may be prosecuted before, and convicted by, Military Court* (sic) *in occupied territory"*? Or that it was "*clear in principle and practice that there must be a trial before punishment*."[17] Punishment for what? Offences which, in the words of Robert N McKinstry, the island medical officer, "*constituted no offence against our laws".*[18] There can be no doubt from this 'advice' that Duret Aubin had internalised German legal norms, showing a predominant interest in their formal aspects, but disregarding the 'spirit of law'. Similar to the Page case, the acceptance of the terminology of 'wireless offenders' as 'political prisoners' almost amounted to a retroactive condoning of a measure the authorities had claimed to have opposed. It is unknown whether this was Ballantine's only point of contact with the island administration on this issue, but what we do know is that he was sentenced to three months' imprisonment later that same February week.

A third case demonstrating the 'slippery slope' occurred on 29 July 1943. On that day Duret Aubin received a visit from the German Secret Field Police (the 'Gestapo of the Wehrmacht') requesting that he hand over all anonymous letters received at his office since July 1942. This he promised for the 31 July, after having checked the matter with the *Feldkommandantur (FK)*. The day after the visit, Duret Aubin, ever the conscientious civil servant, informed FK judge Seger, not someone known for a mild disposition, of his apprehension that the procedure seemed "*irregular"* and that such a request needed the FK imprimatur. Naturally, Seger came to the conclusion that the letters in question were better kept in his own hands and accordingly instructed Duret Aubin who followed up the matter on 4 August.[19] What is remarkable in this case is the Attorney General's rather unquestioning attitude as to the moral implications of transferring denunciation letters to people who might actually make use of them to track down innocent islanders. We do not know whether the letters finally handed over contained any sensitive information or whether Duret Aubin even handed over the complete set of letters he had received. And this seems to be beside the point, for what Duret Aubin never once questioned was whether it was legitimate and appropriate for the island authorities to hand over potentially damaging materials. Due to the failure to take a principled stand, the Germans had created another precedent, namely that letters of denunciation were best transferred to themselves on a routine basis.

Bargaining tactics and differential treatment

Firm positioning on continued administration, slippery slope tactics, islanders' lack of autonomy and dependence on German help for their supplies from France and on a host of other issues as well as the German ability to increase pressure at any time through threats against the population, provided inextricable opportunities for blackmail. The standard response of the islanders to this problem was bargaining. To understand the adoption of tactical bargaining as a strategy we must consider the margin of autonomy of the Channel Islands administrations.

The nations of occupied Europe could choose to respond to the challenge of occupation with opportunism, through conscious political, economic or even ideological collaboration. German response to these overtures was conditioned by where the occupied ranked in the Nazi 'race hierarchy', the size, prestige and importance of the population or the territory in question or how badly the Germans needed these from a strategic or economic perspective. How much leverage an occupied territory had over any of these parameters influenced the margins of operation of a civilian administration continuing to function under German occupation. Again other factors went beyond what the Germans themselves could influence, they were contingent upon expectations about the predicted outcome of the war.

The Channel Islands administrations did not exploit the full spectrum of these available collaboration options, and their relatively limited engagement would act itself out in the space between the definition given to 'maintenance of administration' and the grey areas of the Hague rules. There is for example no evidence of heart-and-soul collaboration, wait-and-see collaboration or conditional collaboration in the islands, the last because their administrations were in no position to pose any conditions. The dominating influence was a definite ‘submission on the grounds of superior force’, interspersed with elements of ‘shield philosophy’ and ‘tactical collaboration’ (Davies, 2004, pp. 23-28). As a consequence of this very limited collaboration choice the authorities had direct leverage over relatively minor issues only; secondly the authorities’ leverage was proportionate to the degree to which inputs from the island administration were necessary for the implementation of a measure; thirdly they had to be issues which fitted into the jurisdiction of the Feldkommandantur. Contemporary sources confirm this limited margin of action: Jersey billeting officer Vernon Le Maistre thought the authorities were sitting on the rough end and were quite exposed, as it was difficult to avail oneself of the intermediation of the protecting power. Confrontations were direct.[20] Raymond Falla, Guernsey member of the Channel Islands’ Purchasing Commission, stated that the islands were allowed "*considerable initiative within certain parameters*" and "*that no country can occupy every part of another one*". According to Falla there was always room for manoeuvre, if one was clever enough. In particular the German weakness for paperwork, their culture of obedience and the fact that they could not control, but only monitor the moves of the locals, offered scope for exploitation. In Falla’s experience once set into black-and-white print, information or figures were practically never double-checked. Interestingly, however, even Falla professed that he did not believe the islanders could have ‘*got away*’ with a lot more than they did get away with, even if they had been more astute.[21] Issues where the authorities found themselves without leverage had to be dealt with through 'bargaining'. And

bargaining not only required 'chips' but also a conscious selection of ground that was to be defended or abandoned. What made bargaining so problematic was its operation in conjunction with utilitarian doctrines such as ‘greater good’ and ‘restraint and influence’.

The adoption of bargaining tactics led to what one German witness described as the constant "*wangling*" of the Channel Islands administrations, "*with its members looking round to see what they could get*".[22] The disposition lay at the heart of a peculiar brand of subservience and gratuitous friendliness on the part of certain officials, who were quite capable of forestalling German demands in order to create a debt. One such case where the authorities were bent on ingratiating themselves concerned a dual British-German national by the name of Huyssen. In early 1940 Huyssen, who was English-born, had undertaken steps to volunteer in the British forces, which for the Germans constituted an act of treason. Although it is a principle that the government has no obligation to protect British nationals who are also nationals of another country against the authorities of that country, there was no ruling that officials must support foreign governments in their prosecution of dual nationals. When Huyssen was arrested, he built his defence on denying that he had tried to volunteer, claiming instead that he had received a draft notice. At that time there was no information in the island that could consistently prove or disprove Huyssen’s version, apart from the unnecessarily ample information provided by the island authorities. And this information proved that he had, indeed, tried to volunteer.[23] Nothing is known of Huyssen's subsequent fate, but it is unlikely to have been pleasant.

An example of ‘tactical collaboration’ must surely be the business of sanctioning German orders by passing them into the laws of the islands. The Germans could pass orders by decree, but there were issues which the Channel Islands authorities decided were not worth spoiling relations for. Thus the passing of measures against the island Jews into the law of the island of Jersey was explained with the utilitarian argument that the seriousness of their implementation was mitigated because "*the number of persons affected was extremely small*".[24] Although the authorities liked to present the registration of German orders as a merely cosmetic matter, these had tangible moral implications. If we take the example of the 'Orders against the Jews' the fact that the measures were carried out under the cachet of the Jersey and Guernsey authorities – whom the remaining Jewish residents trusted to defend their interests – was one essential point in persuading all Jews that they had better comply and register. If this had been pure German law it is unlikely to have had the same effect, as they may have chosen to emulate the small number of Jews or people with Jewish connections who chose to remain unregistered, thus escaping persecution. Another area where the confusion of German or island-inspired law had a negative impact was economic control. This cast doubt on the basic fact that most of the measures taken by the islands authorities was in the interests of islanders. However, the slightest hint of a suggestion that islanders’ material sacrifice, effort and discipline could benefit the Germans rather than the community, could make blackmarketeering, through the illegal extraction of controlled produce from the official circuit, look like a patriotic duty. Many exploited this disposition in all bad faith.

The authorities also covered their flanks by carefully steering around all issues with even the remotest chance of constituting an ‘upset potential’. At times these attempts at anticipating what might cause

German ire could go too far. This is in evidence in an appeal by the chief medical officer of Jersey, R N McKinstry, to the Bailiff, in March 1944: by then food conditions in the public prison had become severe enough for McKinstry to recommend that two political prisoners receive TB rations. McKinstry considered that speedy action was necessary in order to prevent the situation from getting worse. However, for some time things stalled as nobody was prepared to take any action. To be on the safe side the prison governor, after much initial wavering over whether he should consider the recommendation of the medical officer at all, first wrote to the *Feldkommandantur* for permission to put the men on TB rations. The Germans, in turn, deferred to the Attorney General who 'passed the chip' back to the prison governor, asking him for his 'opinion'. Exasperated by so much trepidation, McKinstry concluded:

"I consider all this delay unnecessary and even the permission of the German Authorities [sic] need not have been sought. Action could have been taken until such time as the German Authorities [sic] saw fit to interfere."[25]

We have seen how the combination of vulnerability on the part of the islanders and slippery slope tactics on the part of the Germans led to some fairly unhealthy horse-trading. These 'transactions' invariably led to differential treatment, through the surrender or discrimination of certain groups by the islands authorities, often in the disguise of an utilitarian 'greater good' argument. This was taking ethics of care one step too far. In line with bargaining tactics the island governments could display a strange and unsettling pro-activity on some dossiers while putting up administrative resistance on others. Likewise they could choose to protect certain in-groups, but at the same time deny similar aid to other groups. This selectivity followed a logic which replicated the fault lines of the island community. Beneficiaries of this arrangement were British army personnel, Freemasons or the established island Jews who had evacuated before the arrival of the German forces in 1940; the Jews who stayed behind (many of them of foreign nationality), foreign labourers or escapees on the run, and islanders who had committed offences against the occupying authorities had to 'foot the bill'. In an interview in 2000 David Feldman, whose parents' business in Jersey was 'aryanised' during the occupation, hinted that the authorities sought "*to fight only some battles*" and that "*the Jews were a battle they did not fight*" (cited in Cohen, 2000, p. 99).

Breaking points

We must now ask what could have been done otherwise. The response is rather simple: the only way to avoid being dragged further into the quagmire of doing the occupier's work would have consisted in resistance from the beginning. This would have entailed risks, but considerations of justice should have led the authorities to take such risks.

That bringing pressure to bear on the Germans was not wholly inconceivable is attested by examples of cases where European wartime officials decided that there were breaking points beyond which

continued co-operation would sap their credibility and jeopardize their position as guarantor of public interest. And not all situations where the principles of co-operation with Germany were annulled ended in a worst case scenario. Danish officials knew how far they could go when they refused to comply with a German ultimatum of August 1943, designed to coerce them into rubber-stamping a series of severe measures including suspension of democratic rights, declaration of martial law - making acts of sabotage punishable with death - and the deportation of the Danish Jews. Contrary to a good many other administrations in Europe, the Danish government did not consider itself indispensable and took the calculated risk of resigning. After Denmark came under direct German rule in 1943 there was an increase in civic unrest, namely through sabotage and German counter-terror, but the general situation remained relatively calm. What explains this is the leverage the Danes exercised over the situation, through the heavy German reliance on the Danish economy, especially in agricultural production, combined with the presence of some relatively enlightened German administrators. It is true that, with Hitler and Himmler demanding tougher action and Werner Best, the German high commissioner, trying to steer a middle course, the situation was always on razor's edge and required astute political action on the part of the Danes. This is different to saying that all administrative resistance was futile.

The general ability of the Channel Islands authorities to stand their ground is demonstrated through their opposition to implementing anti-Masonic measures in 1941 as well as through Bailiff Coutanche's refusal to let the infamous Eighth order, forcing Jews in Jersey to wear the six-pointed yellow star inscribed 'Jew', pass into Jersey legislation in 1942. It is highly likely that Coutanche's ethical and political instincts registered that branding Jews in this manner was an important threshold and thus constituted a 'measure too far'.[26] At the same time the authorities also abandoned ground, choosing to disregard many genuine breaking points. 'The Jews' were not the only battle the authorities did not fight. Another case which should have made the island authorities think twice was the prosecution of 'wireless offenders' after the 1942 radio confiscation. Interestingly, the view that this measure constituted a point of no return in the occupier-occupied relationship was well understood by ordinary people, many of whom were dissatisfied with the island authorities in the face of what they considered excessive German demands. W. Gladden, a Jersey building contractor who, as head warden in St Martin was in touch with many people, wrote to Bailiff Coutanche on 9 June 1942. In his letter he said that, as a result of the wireless confiscation order, the temper of the people was "*rising dangerously high* […] *(m)any are saying that they would be prepared to go to jail rather than comply with the order.*' (And, indeed, they were). He continued to describe that his constituents thought that the order was a '*FLAGRANT BREACH [sic] of the Proclamation of the German Commandant, of the beginning of July 1940*" promising that "*The Lives and Property of the inhabitants will be guaranteed"* [sic]. He also reported that the people thought that the Bailiff and the administration *"should refuse to collaborate in carrying out the order, even to the extent of going to jail."*[27] Similar feelings of public anger were also voiced in the pamphlets of a group called the Jersey Patriots. All this indicated that the population did not see things quite the same way as their officials and was prepared to offend *en masse*.

While one may still argue over the right of the occupier to confiscate radio sets, the case was clear in the 1942/43 deportations to internment camps, whose justification on the grounds of collective

punishment was illegal under article 50 of the Hague Convention. An aggravating factor were the differentiations operated by the Germans in establishing the lists of deportees: other than in the case of men of military age, internment is not sanctioned in international law. The Germans, however, discriminated between several categories such as native Channel Islanders and British-born, politically unreliable and reliable elements, and they collected the names of Freemasons, Jews, so-called undesirables and unemployed. As a result, these deportations affected many women and children, and harmless retirees in their 60s and 70s. The measure represented another grave violation of the principle endorsed in 1940 that the life and property of Channel Islanders would remain untouched, if the population remained calm. After the war it was said that the authorities protested '*sharply'* against the September deportation. That the Bailiff was uneasy about the appropriateness of continuing in office can be inferred from the following statement describing his reaction to the deportation order:

"I said that in view of what was proposed I and any member of the island government who wished to do so would be entitled to resign and that I must have time to consider whether that step were not the proper one to be adopted by me and the members of the government and to be urged upon the Constables."[28]

Ultimately, however, the Feldkommandantur officials prevailed with their 'buffer argument', peddling the idea that it was in the interest of the people of Jersey that their government stay in office. They also made it clear that this order came straight from Hitler and that it could not be aborted or modified. After some time for thought, Coutanche and his government accepted the inevitable. There was little else they could do. The actual problem was rather the farce that followed, as the island authorities associated themselves, indirectly, with this illegal measure, by supplying logistical support: trying to save face, both sides agreed that the evacuation orders would be served by Germans; the Jersey Constables - in the interest of humaneness - would only supply the deportees with a 'guide' to finding the addresses of the assembly points. This move could have been motivated by the desire to bargain over exemptions from the deportations, but it was probably not the right signal to send out to the Germans. Even worse was that the little sanction the island authorities had announced in response to this illegal measure – namely that they would no longer abide by the long established administrative practice of following up German requests for lists of islanders, for *"statistical purposes"* - was not followed through. In December 1942, when the Germans asked for lists of unemployed men, the administration failed to draw their attention to the fact that they had, in fact, pledged to disregard such requests. [29] Can it be a surprise that the Germans did not take resignation threats seriously, when the authorities had a penchant for defaulting on their own promises?

Another missed opportunity for the Jersey authorities to leave their mark presented itself in early May 1943, when German high command in the Channel Islands responded to Allied air attacks on supply ships by ordering Knackfuss to lower the rations of all British subjects. This reprisal constituted another illegal collective penalty, against which the island authorities again protested "*vigorously".*[30] It remained in force until August 1943. Considering the deficiencies of the diet of the civilian population, the lowering of the rations may have warranted more than a simple verbal protest.

As practising lawyers, at least the top officials of Jersey and Guernsey should have shown more awareness of the fact that the international law in which they were placing so much faith had some deplorable deficiencies. Alas, their reliance on the principle of 'the law must be the law' was immutable. Ploughing through the occupation archives one could almost forget that an enemy occupation had punctuated the administration of the Channel Islands, as this continued on very much the same course as before the war: the law – whatever its source – continued to be binding. This failed to acknowledge that the pre-war correlation between 'law' and 'justice' had lost its meaning in the legal system under Occupation, as the usual gap had widened into a canyon. In this context blind reliance on perennial law when this was being abused by a regime with no real interest in justice, was unethical. Paradoxically, to maintain their credibility the officials would have needed to do the unthinkable: consider illegal, but legitimate action. And this was beyond most. The insistence of the authorities on doing things 'by the book', even if the Nazis were the prime beneficiary, contrasts with the sizeable minority of islanders who found ways of circumnavigating rigid occupation law perceived as unjust, inhuman or plain stupid. They had learnt to draw the right conclusions from the German love of paperwork and administrative absurdities, such as their confiscation of African spears as 'dangerous weapons' from the homes of colonial retirees. Much of the islands officials' fixation on the letter of the law has its source in the proud legal traditions of the Channel Islands. The Normans created the most efficient bureaucracy in medieval Europe which they exported to Anglo-Saxon England and to Sicily, and it was based on the strength of their law. This shared experience spans the entire length of the islands' memory as functioning societies. As no visitor fails to notice, the Channel Islands are law-abiding places. They are good and safe to live or do business in, crime rates are low, rates of apprehension are high. One could summarise this as the positive side of communities where the imprint of the law is a strong and powerful shaper of people's existence. But there is also a less pretty side to this story, founded in the proverbial social conformism of small, provincial communities. In times of strife, such as the Occupation, the combination of law abidance and social conformism shows its downside, as illegal – but perhaps legitimate – undertakings are similarly discouraged or even penalised. Throughout Europe people interested in serious resistance had to do a number of things carrying an automatic cachet of disrepute in the eyes of 'respectable' social conformists. They had to forge papers, they had to be masters of evasion, they had to find safe houses, procure food on the black market and occasionally they even had to steal, rob or worse. No wonder the 'terrorists' were almost as loathed by the majority of the conforming population as they were by the collaborating police forces and the German occupier himself. The Channel Islands were not a good place for conspiratorial activities as these always depend on skills that are somewhere between those of the spy and the criminal. Particularly dangerous for those interested in covert action was the constituency of the timorous - those islanders unable to overcome fear for their safety and therefore ill-disposed to any type of action that could provoke the Germans - or the downright malicious, as they did resort to the feared weapon of denunciation. As we have seen such elements were often encouraged to come forward with information by their own authorities, and especially so in the island of Guernsey.

Despite this fact, things between the two segments of the population – the fearful (but not the malicious, of course) and the more audacious – were not decided in advance. This is the conclusion one must draw from the ample assistance given to dozens of escaped slave labourers, particularly in Jersey, who were not reported and lived among the civilian population, despite the risks run by those engaged in such action. The core dilemma of leadership was to prevent precedents which could lead to spirals of violence while at the same time avoiding an erosion of their authority. Was it proper for the islands authorities to stir up sentiment, by being examples of resistance? Probably not. It was sound to give the impression, to the Germans as well as to the vast majority of the population, that German law was to be obeyed. It was particularly important to avoid tipping the balance in favour of irresponsible hotheads or dissatisfied youths, whose real interest lay in hooliganism or anarchy rather than meaningful action, as this could be the source of untold tragedy. The British government was acutely aware of the blackmail potential the 40,000 British citizens of the Channel Islands presented to the Nazis and therefore avoided stirring up resistance in the islands. A Home Office official made the point clear enough in a correspondence in April 1944 writing that "*(i)n the Channel Islands […] there has never been any question of active or passive resistance to the enemy as a policy designed to help us*".[31] Added to the lack of Allied strategic interest in the islands, the islands were spared the attention of the saboteurs and spies of the SOE. It was of the utmost interest to avoid any scenario – such as the pointless killing of German soldiers – that could lead to hostage shootings, as witnessed on the Continent. The Channel Islands authorities sensed that they could escape this logic; an ethic of care demanded that they do everything in their power to not prejudice this precarious position. In view of the extremely shaky supply situation, it was equally impossible to tolerate any non-observance in the area of economic regulation. Many of the harsh sentences passed on islanders were motivated by the consideration of deterring offenders.

On the other hand there was a potential for covert passive resistance which was not exploited by the Channel Islands' officials. The resistance islanders got from their officials and politicians was the routine shuffling of papers, mixed in with a number of verbal protests. Thus the simple disallowance of feelings of resistance from the population revealed many officials as parochial father figures without the necessary imagination or strength to measure up to the challenge. It was for the authorities – for what other meaning is there of the word 'authority' – to discreetly point the way and reconcile rather than widen any emerging cleavages within the population. It was in the task of building a new consensus, i.e. discouraging the hotheads and the naive, encouraging the responsible and the cautious, isolating the malicious, keeping tabs on overzealous officials, that the activities of the island administrations remain unconvincing. The failure of leadership lay in the inability to strike a balance between the caution that came with responsibility and the need to take calculated risks that came with considerations of justice, but which at the same time would not endanger the entire population.

'Scripts' and the importance of leadership

Leadership was also important in preventing the operation of 'scripts'. One should not forget that many officials relished the occupation as a period of full powers with unparalleled freedom of action. Liberated from the constraints of cumbersome democratic processes they were given a chance to put into practice their schemes, free from the meddlesome politicians and manipulatively obstructive press of prewar days. Petty bureaucrats, controllers working in economic control services, policemen and members of the legal profession could forget the 'common good' and fall victim to the 'River Kwai' syndrome. The phenomenon was known all over Europe and has served as one of the standard explanations of the frictionless collaboration of bureaucratic machines during the Nazi occupation. This disposition resulted in a heavy-handed bureaucratic approach which drove lack of empathy and a culture of obedience to ever greater heights. The failure of the top islands' administrators to either emit the right signals to some of their subordinates or to call to task and restrain bureaucratic zealots must be regarded as another failure.

In the Channel Islands its effects were magnified further by the parochialism of small communities where there are few secrets. Policing was the most sensitive area, as discipline invariably suffered from the conflicting sources of power, local authorities and Germans. Picking up all the wrong signals, this vacuum was often filled by arbitrariness. Jersey historian Joe Mière related an incident in which a man who had realised that he would not reach his home before the onset of the curfew reported to a local police station, as he did not wish to be in breach of the law. Having enquired whether a policeman could escort him to his home, he was told that something would be 'sorted out'. Only about twenty minutes later, however, a car pulled up with German military policemen to whom the Jerseyman was handed over. After his name and details had been taken down he was taken to his home and told to report to the Feldkommandantur where he was fined ten marks.[32]

Nowhere is the inability to think 'outside the box' better demonstrated than in the negative test case of the Jersey Aliens Officer, Clifford Orange. It is a well-established fact that Orange exceeded what the Germans demanded of him. This is plainly clear in the fact that some of the people he registered as Jews need not have been registered at all – even under the terms of the German race laws. It is unclear whether his attitude was simply unthinking, unprofessional or downright racist, but its consequence was that people were subjected to discrimination and suffering that they could have been spared. Orange's culture of blind obedience over humanitarianism also came to the fore when he found out that some of his staff had been providing escaped slave labourers in the islands with fake documents. Orange declared that he would not tolerate such activity behind his back and put an immediate stop to it (Sanders, 2005, 137-138; 142-144). As for other officials, they seem to have been driven by an appalling lack of imagination rather than zeal. Some officials showed poor judgment in the mutual forms they adopted with the Germans.[33] Guernsey journalist Frank Falla formulated that the categorical interpretation given by the authorities to 'correct relations' was "*the right impression to give the Nazis"*, but "*should not have been practised by authority on its own people*". Falla was particularly unhappy with the fact that the authorities did not exercise much imagination in feigning compliance with German demands and thought that they could have done more to counter their effects secretly (Falla, 1994, 156 pp.). Striking a balance here was not always easy, for the islanders

also had to take advantage of the propensity of individual German for fraternisation and use it for their own purposes. On the other hand certain island officials took these tactics too far. Their overt friendliness was not the right impression to give to the Germans, for it engendered disrespect and could encourage the Germans to up their demands. This drives home an important additional point: ethical action depended not only leadership, but also on the 'excellence' of organizations and their individual members, in the sense of political intelligence that was able being able to 'see through' measures and not merely administer in pure positivistic style.

A tale of two islands

The importance of leadership is cast into relief by contrasting Jersey with Guernsey. That collaboration is not merely a simplistic question of good and evil emerges nowhere more clearly than in a comparison of the two islands. It is one of the open secrets of the occupation that Guernsey travelled somewhat further down the slope of collaboration than did her sister island. British wartime investigators were to describe the Guernsey authorities as having taken ingratiation tactics with the Germans to greater heights than did their Jersey counterparts and the indication is that this was the result of a number of internal and environmental factors.[34]

Several structural or systemic factors made the Guernsey occupation a weightier affair than the more civilian Jersey occupation. Major Lanz, the first German military commander of the Channel Islands, mentioned in his activity report that from a tactical point of view Guernsey was more important than Jersey.[35] This led to a heavier military imprint, perhaps best demonstrated through the continued presence of the military HQ and divisional command, the heavier scale of fortification and the greater concentration of Germans in the island. Guernsey had already sustained a massive population loss in the June 1940 evacuation, when 17,000 out of a prewar total of 42,000 left the island.[36] In March 1942 Guernsey had to sustain a proportionally far higher number of almost 15,000 German soldiers alone, a figure which was dangerously close to the total number of civilians left in the island. Combined together, soldiers, OT (Organization Todt) workers and forced and slave labourers outnumbered civilians well into 1943.[37] In addition the number of soldiers billeted in private properties (10,800 vs. 6,503) was also higher in Guernsey than in Jersey, where there were more facilities in vacant hotels and boarding houses (4,285 in Jersey as opposed to 1,240 in Guernsey).[38]

Because the civil affairs unit, the Feldkommandantur, was posted in Jersey, the Guernsey officials found themselves on the rougher end of the stick by having to deal with the FK subsidiary, the Nebenstelle, headed by Dr Brosch, a man who could not stand the strain of this exposed position and who was described as ‘excitable’ by the British. John Leale indicated later that he had direct contacts with divisional command as even this was preferable to having to deal with the worthless Nebenstelle.[39] In his dealings with these pure military men Leale could be told to the face that, owing to Guernsey’s frontline position, the doctrine of military necessity cancelled out the provisions of the Hague Convention.[40] The Jersey administration, by comparison, had the considerably easier task of sending the Attorney General to deal with the more affable civil servants at the Feldkommandantur.

The outlawing of the population, often within their own four walls, did not reach the same proportions in Jersey as it did in Guernsey. Nowhere is this more manifest than in the diaries of the Guernsey clergyman Douglas Ord which document many cases of people being turned out of their houses in a matter of minutes. This was particularly frequent during the terrible winter of 1941-42 which saw a rising death toll - especially among older people - who could no longer withstand the strain. Many of them were able to take but the most rudimentary of their possessions with them. In other cases Germans billeted in the vicinity would simply walk into neighbouring properties and grab whatever took their fancy. When the owners protested, they were abused with platitudes such as 'war is war' or remarks that the Allies had acted no differently during their occupation of Germany after World War One.[41]

Economically Guernsey was also more vulnerable. The island suffered greatly from the uncertainty and lack of direction over what do to with its glasshouse industry specializing in tomatoes and flowers. This was compounded by a flawed export strategy continuing along the lines of the pre-war export pattern - in a situation where transport constituted a genuine bottleneck. Both islands tried to become self-sufficient in grain production, but only Jersey had some success. Guernsey's total lack of experience in crop culture and unsuitable soil further increased its economic weakness. The result was a food position which a reliable German witness described as *"bad* […] *about the same as in Germany*", but in any case, "*worse than in Jersey*".[42] When Jersey insurance clerk Bob Le Sueur visited occupied Guernsey he was shocked at the sight of people queuing for potato peelings, something that had not come to his sight in his native Jersey.[43] Visiting the island in late 1944, the Jersey-based head of the civil affairs unit (FK), Baron Max von Aufsess, observed that Guernsey gave the impression of being "*even more like a sanatorium for the weak and ailing than Jersey. The soldiers look pale and undernourished, the civilians even more so"* (Aufsess, 1985, p. 96). In addition, Guernsey was the more difficult place to escape from once it was possible to escape to liberated France in 1944, while its proximity to the UK targeted the island as the principal site for the 1940 commando raids which worsened islanders' leverage. Lastly, the Guernsey police system, centralised since 1920, was a more useful tool in the Germans' hands than the decentralized system in Jersey. And into the hands of the Germans this fruit did fall when 18 of its members, including a deputy inspector, were found guilty of theft, in March 1942. British intelligence officers stationed in Guernsey in 1945 had little good to say about the local police. Informed by the uncooperative attitude to the ongoing security enquiry, they established a scathing report which stressed the fact that the Guernsey policemen did not consider it beyond them to take statements from informers implicating neighbours nor shy away from investigating schoolchildren.[44] They seemed to have learnt a thing or two from their German colleagues.

The real issue however in determining the difference between Jersey and Guernsey was leadership. On the surface policy in all the islands was identical: non-provocation of the occupier. 'Law is law' and 'greater good' were equally valid, as was the preparedness to engage in trade-offs or bargains in order to increase leverage. Where Jersey and Guernsey differed was in the rhetoric. This had a very patronising and disenfranchising undertone in Guernsey. One of the first steps in eradicating potential

resistance occurred even before the Occupation, as early as 21 June 1940, when John Leale said in a speech:

"Should the Germans decide to occupy this Island, we must accept the position. There must be no thought of any kind of resistance, we can only expect that the more dire punishment will be meted. I say this, the man who even contemplates resistance should the Germans come is the most dangerous man in the Island and its most bitter enemy. The military have gone. We are civilians."[45]

Was scape-goating the leadership quality that people sought in this situation? And wasn't this heavy-handed policy an unnecessary self-imposed constraint which limited options? The signals emitted by the Guernsey chiefs left the population in no doubt about how they expected them to behave. While the large majority of the population already understood that hot-headed resistance was not what the situation required, the island authorities continued well beyond, using what looked like demoralising tactics to weaken those who advocated a sterner attitude to the Germans. And by the looks of it there was a fair number of people in the island who wanted their leaders to confront the Germans more openly. One Guernseyman who claimed that he was known as an agitator because he had approached the Bailiff and other officials in a critical spirit, related later that Inspector Sculpher of the island police called on him at the beginning of the Occupation and told him to "*tone down*" for the duration.[46] Where exactly Guernsey was heading was demonstrated when Attorney General Sherwill published a short piece in the local press stating that relations with the Germans were not merely *"on a correct basis, they are cordial and friendly*". Although Sherwill's motivation to avoid all unnecessary incidents that could provoke the Germans was understood, many inhabitants were disappointed by this sort of statement and thought it went too far.[47] Four weeks later, at the first States meeting in the presence of the island commandant, Sherwill was to demonstrate to the world his grand scheme of a 'model occupation'. This was put to an almost immediate test when the manager at a grocery establishment was reported after he had confronted an assistant who ignored local customers and gave precedence to Germans. Guernsey then passed an ordinance under which islanders could be charged with 'uttering speech likely to bring about a deterioration in the relations between the German Forces [sic] and the civilian population'. Naturally it was claimed later that the island authorities had tried to prevent worse from happening to the man by charging him in their courts. What is more likely, however, is that this was another case of anticipatory obedience designed to keep Sherwill's 'model occupation' on track.[48] That same month Sherwill recorded a speech for German radio which carried the famous reference that he had no "*pistol pointing at his head*" while he was speaking. Motivated by the honourable, but naïve desire to reassure Guernsey evacuees in the UK about the safety of their fellow islanders under German occupation, the exercise backfired as one of the most insidious propaganda coups of the war (Cruickshank, 1975, pp. 78-79). Nazi policy soon made itself felt in the extension of the 'most bitter enemy' label to other islanders: The following month eight people escaped to England, as a consequence of which a drastic control of boats was introduced and fishermen were blocked in harbour. That the local population was being deprived of fish certainly was not to be taken with a light heart, but neither did it warrant a hysterical reaction. On 28 September 1940 Sherwill wrote in a public letter that those who managed to get away did so "*at the expense of those left behind*" and that this amounted to a "*crime against the local population*". The letter reached a particularly ludicrous undertone of paternalism when Sherwill told his readers that the attempt had led to the last minute

cancellation, by the German command in the island, of a report telling their superiors how well the civilians were behaving.[49] While one can understand that – with the Damocles sword of reprisals hovering over islanders – Sherwill was in no position to encourage escapes, this pronouncement went in exactly the opposite direction, setting yet another bad example for the people of Guernsey and carrying the seeds for a culture of denunciation.

The doctrine of the resister as 'most bitter enemy' of the people was to hold continuing sway. A Guernsey resident who escaped to England in August 1943 stated that many in Guernsey who would consider their escape a 'disgusting and selfish act'; the man also added for good measure that officials in Guernsey would not even close their eyes to instances of passive resistance: "*All they worry about is whether the Germans will turn the screw on them*". That not all Guernseymen shared the same ideas on German behaviour became clear in the fact that while all members of the escape party thought that reprisals against parents and relatives were possible, they raised the point that in the current situation *"Jerry will do some very serious thinking before carrying out any too severe reprisals against British subjects*".[50]

In time, the combination of paternalism and naïve idealism of the Guernsey authorities clashed with reality: in mid-October 1944, the same 'agitator' who had been instructed to 'tone down' in 1940 was approached again and asked to find reliable fishermen who could take messages across to the UK.[51] An equally good example of inconsequential attitude (or opportunism) was the fact that the Bailiff of Guernsey, Victor Carey, availed himself of illegal radio news through a network which, if unraveled by the Germans, would have had all the makings of a 'bitter enemy of the people'. Thankfully, the man running the network was cautious enough to preclude this eventuality and the authorities were spared another embarrassing situation. After the war he was even commended for his "*good work*".[52]

Verbal lapses of island politicians were to become a mainstay of the Guernsey occupation, although one might add that after the rude shock of repeated visits by British commandos culminating in the Nicolle-Symes 'spy affair' in late 1940, the main motivation would have been to mend fences and avoid an escalation of violence. After a cable sabotage in March 1941 John Leale said, at a meeting of the Controlling Committee, that anyone who had wished to do so could have left the island the year before, adding that two vessels which had left on the Saturday of evacuation week had sailed "*practically empty*"; as a result, he concluded, that those who stayed on had accepted the position and would "*act as good citizens*".[53] This episode contained not only a variation on the ominous 'mail boat' reference levelled at critics, but it was also extremely irritating news for those who had been branded 'yellow' or 'rats' during those heady days of evacuation week in 1940. The man who recorded the occurrence clearly felt that too much fuss had been made about this cable, which was merely for internal communication and easy to repair. The majority of the population knew that such acts were not worth committing and the author was clearly hinting that the authorities were making a serious mistake by setting German expectations so high.[54] While a few more of these 'cable sabotages' seem to have occurred in 1941, after that date the Germans seem to have grown accustomed to the idea that rather than being the actions of genuine saboteurs, most of these offences were due to a Guernsey cow, the elements or Germans themselves. Even though the Germans may have believed

that these occurrences were the work of saboteurs, castigating and putting the civilian population in a state of collective panic each time one of these 'cuttings' occurred did not betray a great deal of statesmanship.[55]

Cable-cutting hysteria never rose to similar heights in Jersey. Presumably the wind and the local breed of cows were just as likely to dislodge cables from time to time, but no threats of reprisals were relayed through the Jersey authorities in the local press. Their communications with the public tended to leave no doubt about the responsibility and authorship of orders. They were clearly worded, matter-of-fact and without the paternalistic undertones used by their Guernsey counterparts. Later in the Occupation the island authorities abandoned the procedure altogether and there were to be no more press notices explaining or warning the population about German orders. One example of what communications in the Jersey press looked like is an Evening Post notice of 10 May 1941, titled 'German Proclamations and Official Notices – Warning by the Bailiff'. The notice was passed to warn the population against the removal or destruction of posters containing proclamations and official announcements. Bailiff Coutanche makes clear that the notice was not passed on his own initiative but that he was asked by the Field Commandant to inform the population that such acts constituted sabotage. The only initiative taken by the island authorities in this case was to recommend ninety-nine official posting stations throughout the island. The notice ended with a rather terse *"I desire to warn the population against the serious consequences which may follow upon any further destruction of, or damage to, Official Posters [sic*, *signed A M Coutanche*".[56]

Not only did Jersey have a more realistic and more balanced view of 'correct relations', but this administration also managed to speak with one voice, thus limiting contradictory statements to a minimum. Charles Cruickshank, the first official historian of the Occupation, already noted the difference between the two Bailiffs: Coutanche in Jersey and Carey in Guernsey.[57] Cruickshank's judgement is confirmed by the internal staff appreciations established by the German military administration. The Germans described Victor Carey, born in 1871, as "*strongly over-aged*", a "*mere figure of representation*". Coutanche on the other hand was assessed as a "*versatile, clever administrator who rose to the challenge of his position even under difficult conditions".* Both men were described as '*opponents of communism*', but whereas the German controllers felt that Carey's sense of "*belonging to his home turf"* equalled "*his loyalty to the Empire*", Coutanche came across as an "*English nationalist*".[58] What stands out in Coutanche's remarkable career is that he had experience of life outside the islands: called to both the Jersey Bar and to the Middle Temple in 1915, Coutanche was a lawyer in the Claims Commission in France and Belgium from 1917 to 1920. After the war he returned to Jersey owing to his father's illness and set up as an island lawyer (advocate). The inference being that, but for his father, he might have contemplated a career at the English Bar. Coutanche was not someone who rose to his position simply because he was a member of the Island establishment. Neither did he begin his political career in 1922 in a non-elected position, but as an elected deputy of St Helier, the island capital. His first Crown appointment, solicitor general, followed three years later. By 1935 – when he was in his early forties – he had climbed all the way to the highest position in Jersey, that of Bailiff.[59] Coutanche had a canny ability to navigate the pitfalls which

the Occupation presented to a top island politician, halving his peace-time salary of about £3,500 and supplementing his income through funds from a small business venture which turned seaweed into fertiliser, an item of great scarcity.[60] Coutanche, according to his own statements, also never used the black market; another important contrast to other dignitaries - including judges trying black market cases - who were known to have dabbled in it.[61] Coutanche was seconded by Duret Aubin whom he had pushed up as Attorney General over the preceding years. During the Occupation the Jersey authorities staged a rather effective 'good guy, bad guy' routine, based on the principle of 'restraint and influence': whereas the Bailiff remained aloof, occupying the high ground, keeping as his trump card the possibility of protests *in extremis*, the Attorney General remained approachable and had to do most of the low-level pleading (Aufsess, 1985, passim). After the war Bailiff Coutanche described its workings as follows:

"I almost invariably found it better to hold myself in readiness to make a final appeal to the Germans for mercy when all other means had failed. Constant intervention by me at an early stage would, it always appeared to me, have weakened my ultimate influence for good."[62]

The odds are that this set-up contained an element of political gamesmanship not entirely devoid of success, as demonstrated by the commuting of a death sentence in November 1944, which the Bailiff attributed to his personal intervention. Certainly having a strong, somewhat 'dictatorial', but also sensible and level-headed alpha male of the calibre of Coutanche at the helm was more suited to standing united than the dysfunctional Guernsey triumvirate of Carey, Leale and Sherwil. Further confirmation of leadership trouble in Guernsey comes from Baron von Aufsess who, in a letter written in 1944, referred to the Guernsey statesmen as "*weaker characters*" and to the Guernsey government as less *"politically sound and stable*" than the larger sister island.[63] The only Guernsey public servant who could have perhaps matched Coutanche in this respect was Ambrose Sherwill, but Sherwill did not have the prestige of the Bailiff, nor could he rely on much teamwork. Major Lanz, the first German Commandant, noted that when he arrived in summer 1940 Sherwill, then Procureur (Attorney General), did all the executive business for the Bailiff.[64] Sherwill also became first president of the Controlling Committee, but was replaced by Jurat Leale in late 1940, owing to Sherwill's incarceration in connection with the Nicolle-Symes affair. When Sherwill was released on 30 December 1940 the Germans made it clear that they could no longer trust him. After his return Sherwill was sidelined: he was allowed to take up a public position again only in July 1941[65] and in February 1943 he was deported as an ex-officer.

Leale's interpretation of the Germans was certainly more accurate than that of Sherwill, but one wonders whether such a fundamental change in music, at such a critical juncture, was a good or a bad thing for the island. Despite some misgivings over his role in the conception of 'model occupation', Sherwill's courage was never in doubt and he acquitted himself very honourably, and with supreme diplomatic skill, during the repeated visits of British commandos in 1940.[66] This was not Sherwill's first act of courage: he had already been awarded an MC during the First World War and his rise to prominence from humble beginnings was equally impressive. One of the first histories of the Channel Islands written in the 1950s and based on interviews with many survivors accredited Sherwill with a touch of political naivety to which, according to the authors, 'exceptionally brave men are often prone'

(Wood and Wood, 1955, 42). In any case, while up until late 1940 the island triumvirate – Carey, Sherwill and Leale – had agreed on the principal course of action, the fact that the top executive man was being dragged away to prison in France sent shock waves through the island polity. It is a fair guess to say that this, inevitably, blew up islanders' propensity to forestall anything susceptible to upset the relationship with the occupier, in order to 'repay their debt'. Leale, a Methodist minister and member of an established island family was the opposite in character to the outgoing Sherwill. Leale already demonstrated in his speech of 21 June 1940 that he was a hardliner when it came to stopping in its tracks any attempt at generating resistance towards the Occupation and later statements showed that that he had absolute faith in the law. After the war he stated that "*order was preferable to chaos*" and that the authorities had agreed to provide the troops with food and other resources because letting them requisition it themselves meant losing control over how much they were actually getting. According to Leale, practical experience showed that there was nothing to be gained, but much that could be lost by forfeiting any measure of control. The problem, however, was that they were dealing with an occupier who could be very unprincipled. Often the Germans would rely on requisitioning done by the Channel Islanders and, in addition, suck up resources through their extraordinary purchases.

Leale claimed in a May 1945 address to the island assembly, the States of Guernsey, that the German threat to take twenty hostages during the Nicolle-Symes affair was "*as near to an atrocity as we ever came*". Whether this threat was genuine cannot be said.[67] However, in the jittery atmosphere of 1941 Victor Carey, a figure of representation supposed to have taken a back seat and 'kept in reserve' (similar to the arrangement between Coutanche and Duret Aubin in Jersey) rose to prominence. There is some indication that Carey's embarrassing interventions in public affairs were also motivated by his resentment of the younger men who had taken over his authority. Carey's blundering activity was particularly tense during a period in summer 1941 when individual islanders responded to a BBC propaganda campaign encouraging people in occupied Europe to engage in passive or symbolic resistance. One of the results of this particular campaign – discontinued by the BBC in May 1942 - was the appearance of painted V signs across the islands. The German military commanders were greatly irritated by this campaign and Carey tried to mediate. One of these 'mediations' was Carey's personal invitation to take wine on 6 July 1941, sent to the island commander and several other German officers and officials. Apparently, this invitation got into the 'wrong hands' and was passed on to the British when they returned in 1945. The next attempt at 'mediation', a notice placed by Carey in the local newspaper, the Guernsey Evening Press, on 8 July 1941, was a literal exhortation of denunciation in the island, as it promised a £25 reward to anyone coming forward with information concerning a 'V sign' that had appeared in the island. Finally on 11 August 1941 another notice was published in the Guernsey Evening Press reminding the population of the death sentence islanders faced when apprehended in the act of sheltering escaped PoWs or "*enemy forces*", by order of the occupying authority. The problem in this case was the terminology; the "*enemy forces*" referred to in the Bailiff's notice being not the Germans, but the British. Whatever Freudian lapse occurred here, the British had reason to take offence.[68]

How the ethical choices of the administrations stand up to scrutiny

In this final section we will seek to assess how well the authorities fared in their identification of the 'middle ground' enabling them to avoid unreasonable extremes. How far did they stray from the advice of British government to 'maintain administration'? The wider question asked is whether a virtue ethics of courage, temperance, justice and prudence (practical wisdom), as a necessary condition of moral action (Aristotele), is discernible in their actions (Velasquez, 2002, 135 pp).

The wartime record of the island authorities revealed some very grave errors of judgment, in some individual cases even misconduct: entering into a Faustian pact with plenty of opportunity for unilateral blackmail; lack of foresight in anticipating the consequences of actions; sweeping application of utilitarian principles; infatuation with their own position and power. Criticism of the island authorities is not a moot point. But just how far should criticism go?

How do they measure up to their own utilitarian standards?

In his classic study *Vichy France: Old Guard and New Order* (1972) American historian Robert Paxton did not give a direct answer to the issue of judgment, but solved the problem of a final assessment in a roundabout way, by comparing the wartime performance of the authorities to the claim of post-war apologists that the regime had served as a 'shield' for the French. According to this version Vichy avoided the 'Polonisation' of France, sacrificed the foreign Jews to save the French Jews and successfully defended the greater good. Paxton dismantled this myth piece by piece, determining, on balance, that the regime failed the French even by these crude utilitarian standards. By hanging on to National Revolution and Nazi Germany until the bitter end they did exactly the opposite of what they had claimed: they probably worsened things for the French.[69] And just as Vichy, many other collaboration regimes in occupied Europe never even made good by the low standards of the 'greater number' principle, despite their promises and rhetoric.

This is not something one could say about the Channel Islands administrations: considering a dire starting position they were successful in their attempts to maintain public health and to provide an adequate supply of food and other items to the population. The view is confirmed in a post-war UK treasury report which stated that the procurement from France, distribution and price fixing disclosed 'reserves of administration capacity' and that "*it was difficult not to remain impressed*".[70] This may appear paradoxical, as so much has been written about the incompetence or inability of the authorities to deal with the black market and the fact that the food position was much worse than, for example, in England. However, such an Anglo-centric perspective overlooks the dire starting position in the matter of resources and transport which was one of the most unenviable in the whole of occupied Western Europe. Quoting the last hunger winter as the benchmark for the entire occupation, as is suggested in some histories, is inappropriate, as by this time scarcity was induced by the military situation and had nothing to do with what the authorities did or did not do. And again, even in this situation the evidence weighs rather in their favour, as they did everything possible to realise the remarkable Red Cross salvage operation. Despite what most have been enormous German pressure – at this point the

garrison itself was starving - the milk herds were saved and children received their milk rations until the end of the Occupation.

The Channel Islands were also far from the only place where the black market was raging. In France, a rich agricultural country, disruption and resource management was such that a very large number of French city dwellers were worse off than the average Channel Islander (Sanders, 2001, 147-152). French black market prices for certain commodities, which saw anything from two- to ten-fold increases over the course of the Occupation, had nothing to envy the prices attained by their equivalent in the Channel Islands. Considering the circumstances – extreme scarcity, obstacles to importation and the draining of island resources by the Germans themselves – public management was good and the black market comparably tame. The fact that the majority of the population survived in much better shape than the exposed position of the islands – on the edge of Europe – would suggest likely, was due to the authorities' tightrope walk. The second measure of the glory for getting these supplies across must go to the number of conniving Germans in high places who turned a blind eye or even supported island purchases on the French black market. Thus the survival of the civilian population was interlocked with the fact that this was the most heavily garrisoned outpost of German-occupied Europe. As one British observer stated in 1945, it was in the outback of the Nazi Empire, the Balkans and Greece, where the combination of scarcity, black market, indifference and German draining led to actual starvation and an uncharted reign of violence. In this sense the presence of a large German garrison was beneficial. The situation also influenced the financial position of the islands at the end of the war and explains how they could undercut and basically ignore the clearing procedure established between France and the Channel Islands in late 1942, for the duration of an entire year. Without this arrangement island debts to the banks would have been many times higher and the spectre of starvation may have hovered over the civilian population by as early as 1943.[71] Third, the population showed itself as extremely resilient: after surviving a disastrous winter of 1941-42, when the spectre of starvation hovered above their heads, improvisation culture gained considerable momentum.

Intentions

Old footage used in the landmark TV documentary 'The World at War' (1974) shows a rally of 50,000 Dutch Nazis listening to a speech by their leader Anton Mussert, in the summer of 1940. When Mussert asked the crowd whether they felt at war with Germany, he received a docile 'No'; the same question with regard to England being answered in the affirmative several moments later. At the end of the speech, a German Junkers flew over the crowd in salute, a mere six weeks after similarly low-flying Heinkels had bombed Rotterdam back into the stone age.[72] No such rally ever took place in any of the Channel Islands which - by comparison – remained havens of sanity. Islanders' jockeying for opportunities to gain stakeholder influence had clear limits. From the narrow point of treason, the Channel Islands did not collaborate at all, quite to the contrary: the people of Guernsey sheltered British commandos in 1940, at considerable risk to themselves, in both islands there was none of the defeatism and blame game that can be found in many other occupied countries, islanders said prayers for the king in Church and they turned out in masses to the funerals of Allied servicemen. Otherwise

collaboration in the Channel Islands contained none of the expediency, alignment or political bargaining for a better place in the New Europe that characterized the approach elsewhere. Equally absent from the picture is heart-and-soul or ideological collaboration, despite the doubtless benefits with which the Germans rewarded such dispositions. Naturally, the Germans were interested in winning over islanders. In an interview in 2004 Sir Peter Crill, Bailiff of Jersey from 1986 to 1995, reminisced how he had been approached by a German on one occasion during the occupation, with the words that it was young people such as himself who should go to Germany to "*earn their place in the New Europe*".[73] According to John Leale the German attitude could have ripened into something "*warmer"* had Channel Islanders wished it. The Germans were "*ready"*; it was the Channel Islanders who "*held back".*[74] Had islanders responded to seduction, they could have secured themselves a very cushy corner in Hitler's Europe. In contrast many other countries of occupied Europe allowed hard-core collaborators to accede to government rank – especially in the final year before liberation; to have defied the trend is already quite something for these small islands. A few years ago Robert Paxton wrote in the introduction to a reprint of his classic study on Vichy France that the regime's original sin was to have not limited the "*government's actions under the 1940 Armistice to the maintenance of essential services"* and instead to have *"launched partisan initiatives of political revenge and exclusion, the National Revolution*" (Paxton, 2001, xxix-xxx). No such hidden political agenda existed in the Channel Islands. Although they probably considered their fate uncertain, the islands were tied to a belligerent, Britain, and under these circumstances any pondering with larger visions of a future in a German-dominated Europe would, indeed, have been treason. Islanders did not cross this Rubicon. Although there was a general harshening of the police and law administration, as well as of economic control in the islands, this had more in common with 'maintenance of administration' as practised in Holland or Denmark.

While for several decades collaboration was seen as a one-way system of intimidated and unwilling Europeans coerced and blackmailed into action by the Germans, historians in recent years have contended that collaboration was not necessarily a matter of the occupied reacting to German pressure, but could have a life of its own. Thus collaboration and collaboration choices of occupied countries tell us as much about the occupied countries than about their German occupiers. Pre-war instability often led to the continuation of pitched battles between former political opponents, as can be seen in the examples of France, Yugoslavia, Greece or other countries. Similarly prewar anti-Semitism could lead to European collaboration in the Holocaust. Despite being one of the most heavily persecuted nations under Nazi occupation, Poles were not merely passive bystanders, but also participated in the massacres of Jews.[75]

The Channel Islands were structurally protected from similar drift by their prewar stability and their direct link with Britain. Unlike other occupied territories the Channel Islands had no reason to consider themselves 'conquered'. Continuity prevailed, grounded in the fact that the state of war between Britain and Germany continued, as did the constitutional link between the Channel Islands and the British Crown. The most positive consequence of continuity was the avoidance of split loyalties as experienced by other occupied nations such as the French. With the signing of the 1940 June

armistice the Vichy government had suspended hostilities with Germany until the final signature of peace. From that time on they tried to persuade the French that the war had come to a definite conclusion and that the French as a nation had to bargain for a good place in a new Europe under German rule, if necessary by making unilateral concessions. Until the time had come to reap the rewards they had to rally behind the new head of state, Marshal Pétain. The rather stringent terms of the French armistice together with the principles of Franco-German collaboration consecrated in October 1940 gave potentially reluctant local administrations in the occupied zone little margin vis-à-vis the Germans, as these could always enforce compliance by pointing to the collaborating government. The capacity to resist was further undermined by the official outlawing of the dissident Free French movement led by General Charles de Gaulle, the latter being sentenced to death in absentia by a Vichy court. In contrast, no such considerations were an issue in the Channel Islands. Michael Ginns, a Jersey youngster during the Occupation, said that nobody he knew ever contemplated Germany winning the war.[76] This was a very significant difference from the point of view of the many French people who endorsed Prime Minister Laval's wish, stated in a speech in June 1942, for a German victory to save Europe from Bolshevism. And the French were not alone in this, for across Europe a large number of people in authority had placed their bets on a German victory (Davies, 2004, 20). The Channel Island authorities never tried to persuade their fellow islanders that what they were hearing on the BBC was enemy propaganda. And contrary to Pétain, who elected to stay in France and work with the Germans, the Channel Island governments were advised by the British government to continue in office. Despite islanders' oscillating feelings, the margin for heart-and-soul collaboration with Germany was slim, not least because no political constituency existed in the islands that would adhere to primitive racialist conspiracy theory. This mental gap between Channel Islanders and Germans could never be bridged. Establishing an ideological foot-hold in the islands was impeded by the fact that the window of opportunity was far too short: during the first months of the Occupation shock and disorientation drowned out most other signals amidst the island populations. This prevented the emergence of a coherent pattern among islanders. The immediate dashing of German hopes of a speedy victory over Britain during the second half of 1940 – a drama islanders could see unfolding before their very eyes – plus persistent British resistance convinced many Channel Islanders that the motherland's cause was far from lost. The long-term historical perspective proper to islanders would have informed them that the situation in 1940 was not entirely unprecedented: neither was this the first time that the islands were occupied by enemy forces nor was this the first time that Britain stood alone in Europe, under imminent threat of invasion. As ever, the financially astute islanders saw Britain's rising star in the continued strength of sterling, which they hoarded and traded throughout the Occupation, and well above the nominal exchange rate. Continuity was further accentuated by the fact that any break of the allegiance with the British Crown would have been entirely 'out of character' and in contradiction to over 700 years of common history. Holding on to the relationship with the Crown was not only dictated by sentiment and tradition, but also by plain common sense: a British victory was the only way to re-establish the islands' deeply valued autonomy, essential to the islands' identity. As islanders could witness daily, German rule equaled loss of status and position, reducing islanders to foreigners in their own land. A German victory was therefore not in

the natural self-interest neither of the native elite nor of the general population. Both would have probably sensed that the Germans had plans never to hand back the islands and to turn them into a permanent fortress cum *Kraft-durch-Freude* holiday resort (Trevor-Roper, 2000).

Finally, even the little that German propaganda efforts may have achieved in the islands was quickly undone by the maltreatment – in broad daylight - of the foreign forced and slave labourers brought to the islands for fortification work from 1942. Their fate was plain to see for everyone and many islanders responded by offering assistance to these unfortunates. After witnessing an atrocity in February 1943 Edward Le Quesne, a prominent Jerseyman and member of the Superior Council commented in his diary:

"Some of us had imagined that the tales we heard of similar atrocities in Russia were simply for propaganda purposes […] Even those who have sympathised with Jerry can hardly do so after witnessing this or similar scenes" (Le Quesne, 1999, 182).

The authorities of the Channel Islands experienced something of a learning curve as the Occupation progressed. During the siege period of 1944-45 there seems to have been a general boldening or maturing of the attitude of the island authorities toward the Germans. When the island population was on the brink of starvation in 1944, the authorities showed great resilience in securing supplies through the Red Cross. Getting both war-waging sides to agree to this operation was no mean achievement and throughout, the island governments played a constructive role. At all times the authorities were walking an extremely thin line. Credit should also be paid to those officials who kept both eyes shut and who did not discourage resistance within island institutions. As historian Louise Willmot writes in an article which also touches upon the island assistance network for escaped slave labourers, *"the safety of the participants, especially in the town of St Helier, depended on the willingness of others not to give the game away*" (Willmot, 2000, p. 74). And these 'others' included many officials, among them R. N. McKinstry, the medical officer of the Jersey Public Health Department. Apart from being the instigator of some impressive successes in preventive medicine, McKinstry was also one of the key persons in the rescue effort of escapee slave labourers, mostly of Eastern European or Soviet origin, for whom he provided, not only medical help and assistance in finding shelter, but also false IDs and ration cards. In 1944–45 this type of help was extended to Jersey people on the run (Willmot, 2003, 25–30). One of the other high points of McKinstry's resistance career was his undoing of a German plan to evacuate the Jersey Mental Hospital in St Saviour, in spring 1942. That the Germans were intent on going ahead with this plan is documented through a letter written by Knackfuss to the division, in January 1942. This letter stated that "*for reasons of population policy*" the removal of the 450 "*mentally ill*" from the islands was "*particularly desirable and already arranged"*.[77] This was somewhat premature. Although the Mental Institution in Guernsey had had to relocate in December 1941, as the building was taken over by the division as a military hospital, there is no indication that any of mentally ill were sent off the islands.[78] In Jersey resistance went even further, to denying the Germans the first step of relocating the patients. On 25 February 1942 McKinstry wrote to the President of the Department of Public Health informing them that a German doctor, Dr Blackwenn, had requested, for the first time, a report on the possibility of evacuating the Mental Hospital. McKinstry was alarmed over

this matter "*of very serious import"* which he felt should be "*placed before the Superior Council"* for comment.[79] The response was almost immediate: only three days later the Bailiff of Jersey, on behalf of the Council, wrote to the Feldkommandant urging him to consider "*the disastrous consequences which must inevitably follow the removal of so large a number of persons of unsound mind from the only place in the island suitable for their detention*". Coutanche must have sensed the direction of Dr Blackwenn's initiative, for he resisted, on principle, any suggestion of removal to an alternative location in the island. To the thought at the back of some people's heads, to remove them from island, he responded in uncharacteristically sharp manner that this was, "*a step which most assuredly would lead to the death of many of them and the suffering of most grievous discomfort by the remainder. In addition, the shock to the feelings of the relatives and to the inhabitants of the island generally would, it is feared, produce the most serious consequences.*"[80] McKinstry was not an administrative zealot such as Clifford Orange, the Jersey Aliens officer, and he also refused to let the logic of 'illegality' deter him from taking action. Such was his island-wide involvement that he "*was linked with every major form of organized resistance' and sustained 'channels of communication between disparate individuals and groups"* (Willmot, 2003, 28–29).

The power of knowledge

Finally, genuine moral action would have required full knowledge of the facts. Yet conditions on the ground prevented the authorities from gaining access to the facts. As we have seen the combat troops and divisional command were not the only German entities in the islands. Theoretically, the rights of the sovereign should have fallen to the civil affairs unit, the Feldkommandantur 515 (FK), under the authority of the Military Governor (*Militärbefehlshaber)* in France. Broadly speaking, the FK was responsible for the civilian population as well as for the maintenance of law and order. The actual number of FK staffers was tiny and the majority was recruited directly from the German civil service, receiving military ranks commensurate with their civilian status and wearing uniform, a fact resented by the professional soldiers. The mutual aversion was compounded by the organisational culture of a civil affairs unit, which cultivated the art of compromise and political tact. Neither would FK officials have endeared themselves by letting it be known that army officers were over-reacting with regard to civilian sabotage or by their attempts to mitigate the impact of measures imposed on the civilians by the military. It's perhaps most important duty was the supervision of the local authorities who were left with a considerable amount of autonomy. The main FK tasks consisted in establishing directives, passing them on to the local authorities and double-checking whether these had been duly executed. This mandate brought FK officials in close working contact with islands officials. Although the personnel changed from time to time and men could be transferred to other jobs in occupied Europe, about 30 per cent of the original personnel remained in the islands in 1944.[81] An important accessory to FK duties was its responsibility for providing troops with supplies. Therefore, not surprisingly, food production and agriculture were at the top of the FK's overall agenda. On a more unpleasant note, the FK also supervised the German police force, had jurisdiction over islanders who flouted German regulations and implemented anti-Semitic measures, wireless confiscations and deportations. At least in theory the FK should have had substantial say in the running of the islands, mirroring military

authority. However, with such a strong military presence, garrison, combat troops and OT (Organisation Todt) exerted more than the usual influence. Thus *de facto* rulers of the Channel Islands having the final word, even on measures concerning the civilian population, were the combat troop commanders. And many combat troop commanders looked upon the civilian population as a nuisance. The islands authorities' position within the system of occupation government - already not enviable before summer 1941 - worsened with the arrival of the bulk of the German force under Major General Müller, who exercised overall operational command in the islands until summer 1943. Müller's understanding of the role of civilians in occupied lands was to comply and to provide essential services. All direct points of contact between military command and islands authorities, as had been the procedure under his predecessor, General von Schmettow, were discontinued. The Feldkommandantur was downgraded to the level of a mouthpiece through which to pass on orders to the civilian population.[82] The most illustrative example of the nefarious influence of military commanders was their suggestion of deporting the entire civilian population of the islands, an idea that surfaced in the beginning of the fortification of the Channel Islands in 1941 and again in late 1944. In the opinion of the combat troops the presence of civilians was anathema to the smooth running of a fortress. The FK, on the other hand, insisted that the presence of civilians in the islands was beneficial, as it reduced the scale of German imports from France. While radical plans of total evacuation never materialised, the basic idea of removing groups of people was implemented on several occasions. The availability of food and labour, political and racial 'reliability', and the demands of fortification served as the rationale underpinning most decisions on whom to deport, and the FK was called upon to strike the balance between 'essential workers', e.g. those active in food production, and 'undesirables', 'unreliables' or 'superfluous eaters' who served no purpose in the German sense. The internal power struggle for authority in the Channel Islands was also visible in the radio confiscation of 1942 and in a number of other areas. It climaxed in April 1943 when divisional command demanded the complete dissolution of the Feldkommandantur and transfer of its duties to the 319th Infantry division. However, these steps were rejected in unison by the competent superior authorities in France, the Oberbefehlshaber (OB) West and the Military Governor in France, who insisted on the usefulness of the FK 515 as a buffer between military and civilians. It was equally conceded that the Channel Islands' Occupation was sensitive in terms of foreign policy and propaganda, and that relations between military and locals should continue to be managed through civil affairs unit. However, whenever it came to crunch the Feldkommandantur were not invested in any power to mitigate between the Army and the civilians. Many of the measures affecting the Channel Islands were ordered by the military hierarchy or by Hitler himself. Therefore on several occasions – the wireless confiscation and the deportations to internment camps figure as examples - protests pointing to the fact that the civilian population had always acted in a correct manner fell on deaf ears and were thwarted by the indication that the measures were on the orders of higher authority. Thus the Feldkommandantur administrators were calling a rather cynical game. Up until the 1942 deportations, they did not make the islanders aware of how little independent leverage they actually had. Ironically, more than the island administration needing the Feldkommandantur, it often looked like a case of the Feldkommandantur needing the island administrations to get *their* job done. In many cases the

Channel Islands authorities were to suffer the bitter experience that previous promises or guarantees of individual German commanders or Feldkommandantur officials were worthless, for the simple reason that they had no power to abort measures initiated in the higher echelons of the German military or political hierarchy.

Prudence without courage?

What is perhaps more sobering than the authorities' tactical collaboration choice itself is that so few influential islanders seem to have realised that it is not prudent occupations with half-correct occupiers that captivate the imagination of future generations and stick in the collective memory, but examples of – if not sacrifice – then at least courage and imagination. Although the authorities did the 'right thing', there was probably an even 'righter' thing – to resist, by whatever limited means available and, if necessary, behind the backs of those conniving Germans with whom they had built relationships of trust, but who were incapable of seeing through the criminal nature of the Nazi system. No measure of correction could ever compete with this. Still, one should not lose perspective of the wider scheme of things, in the light of which what the Channel Islands' elite did or did not do was relatively trifling. Comparison fades when we look at the enormity of European collaboration in the Holocaust. Although the Channel Islands authorities certainly did not cover themselves with glory when it came to fighting anti-Semitic legislation, there can be no comparison to the way in which thousands across Europe responded to calls to visit murder, rape and pillage upon their Jewish neighbours.

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Abbreviations

AN Archives Nationales, Paris

BA-MA Bundesarchiv - Militärarchiv, Freiburg

IWM Imperial War Museum, London

JAS Jersey Archives Service, Jersey

PRO Public Record Office (National Archives), London

[1] Bennett's argument has a parallel in the economic area. In his *Does conquest pay? The exploitation of occupied industrial societies* (Princeton UP, Princeton, 1996), Peter Liberman advances that a ruthless and determined

occupier bent on using coercion will have no trouble reaping economic benefits from the military occupation of industrialised societies. As noted in Paul Sanders' *Histoire du marché noir*, (Perrin, Paris, 2001), this argument needs to be nuanced: while the Germans were successful in their exploitation of the industrial resources of France, the food markets demonstrated the limits of coercion. With official French civilian rations being below subsistence level, the French population evaded economic control efforts and depended on the illegal market for their survival. Countermanding official food regulation became something of a national pastime. This, in turn, had an impact on the will (and authority) of Vichy to heed German calls for the enforcement of thorough economic control over agricultural production.

[2] Preface by Jean-Pierre Azéma, in Semelin, (1989, pg. 9)

[3] Neophytes may be tempted to mistake them for 'colonies' (such as Gibraltar or, previously, Hongkong). Yet nothing could be less suited to come to grips with the special status of the Channel Islands as Crown dependencies. The answer of Channel Islanders to the question of outsiders as to whether they were more French or English, is that it was their ancestors who conquered England under William, Duke of Normandy.

[4] The top Guernsey official, John Leale, claimed that the closest the Channel Islands ever came to an atrocity among the local population was in 1940, in the context of the shelter island residents granted to British reconnaissance agents in the island, but this claim has remained unverified.

[5] PRO HO 45/22424. Report of the President of the Controlling Committee of the States of Guernsey on the activities of the Committee during the five years of German Occupation, 23 May 1945; PRO HO 144/22179. Jurat Leale, Memorandum 'On Germans', sent to Sir Frank Newsam (HO), 15 June 1945.

[6] PRO HO 144/22179. John Leale to Sir Francis Newsam (HO), Memorandum 'On Germans', 15 Jun 1945.

[7] The measure was in retaliation against the internment of German nationals, following the British occupation of Iran in 1941.

[8] PRO HO 45/22424. Report of the President of the Controlling Committee of the States of Guernsey on the activities of the Committee during the five years of German occupation, 23 May 1945.

[9] PRO. HO 45 24756. Report of Professor Karl Heinz Pfeffer on research visit from September 10 to 25, 1941, n.d.

[10] PRO HO 45/22424. Report of the President of the Controlling Committee of the States of Guernsey on the activities of the Committee during the five years of German Occupation, 23 May 1945.

[11] IWM JRD.04. 'Sabotage and Betrayal', by unknown author (Guernsey), n.d.

[12] JAS. Law Officer's Department. D/Z/H5/97. Duret Aubin to Father C Rey S.J., 7 Oct. 1940.

[13] 'The World at War: occupation', TV documentary narrated by Sir Laurence Olivier, 1974.

[14] JAS D/Z/1943/19. Police Report. Centenier Garden to Attorney General, 2 June 1943.

[15] A subsequent escapee report stated that Garden was a policeman who was favourably disposed towards resistance, see PRO HO 144/22237. MI19. Report no. 2510. Jersey Siege Conditions. Interrogation of three escapees from Jersey, November 1944.

[16] JAS D/Z/1943/19. Memorandum, Attorney General, 4 Aug. 1945.

[17] JAS. Law Officer's Department. D/Z/H5/348. Duret Aubin to Captain H Ballantine, Red Lodge, Beaumont, 14 Feb. 1944.

[18] JAS. Law Officer's Files. D/Z/H6. R N McKinstry, Medical Officer of Health to A. M. Coutanche, Bailiff, 11 Mar. 1944 (highlight by author).

[19] JAS. Law Officer's Department. D/Z/H/5309. Duret Aubin, handwritten notes, 29 July to 4Aug. 1943.

[20] IWM Misc. 2826 189/2 (Tape 4423). Interview with Vernon Le Maistre.

[21] IWM Misc. 826 189/2 (Tapes 4415 and 4416). Interview with Raymond Falla.

[22] Post-war investigations saw no reason to revise this view, PRO KV 4178. Consolidated report: 'The I(b) Reports on the Channel Islands', by Major J R Stopford, 8 Aug. 1945, 6.

[23] For the entire Huyssen affair, see JAS. D/Z/H5/171. Law Officer's Department.

[24] PRO HO 45 22399. Memorandum, Alec Coutanche to Sir Donald Somervell, 3 July 1945.

[25] JAS D/Z/H/6. Law Officer's Department. R N McKinstry, Medical Officer of Health to A M Coutanche, Bailiff, 11 Mar 1944.

[26] Similar steps were not taken in Guernsey, where the Eighth Order was passed into legislation on 30 June 1942. However, no Jew in the Channel Islands would actually have to wear the yellow star, s. Cohen, *op. cit.*, 41.

[27] JAS. Law Officer's Department. D/Z/H5/208. W. Gladden, Glencairn, St Martin, Jersey to Bailiff, 9 June 1942.

[28] PRO. WO 311/13. In the Matter of War Crimes, Statement by A. Coutanche, Bailiff, 12 June 1945.

[29] PRO. WO311/13. In the Matter of War Crimes, Statement by Clifford Orange, Aliens Officer, 12 May 1945; JAS. Law Officer's Department. D/Z/H5/248. Duret Aubin to the 12 Constables of Jersey, 29 Dec. 1943.

[30] PRO. TS 26/431. UN War Crimes Commission, UK charges against German war criminals, Case no. UK-G/B 254, 11 Oct. 1945.

[31] PRO. WO. 32/13750. Markbeiter to French, 4 Apr 1944.

[32] Written information provided by Joe Mière, in author's possession, n.d.
[33] Criticism of the outward appearances of people in positions of responsibility already figured high on the list of Jerseyman Dennis Vibert who reached Britain in October 1941, after having crossed the Channel in his boat *Ragamuffin*. Later escapees from both islands also accused officials of not keeping the necessary distance and displaying a level of cordiality in their mutual relationships that was inappropriate.
[34] IWM JRD.09. MI5. Captain Dening to Major Stopford, 26 Aug 1945.
[35] IWM JRD.04. 'Report by Major Lanz, 216 ID, the first German Commandant', n.d.
[36] The figure for Jersey was much lower, 6,600 out of 50,000, s. Sanders (2005, xx).
[37] PRO T 161/1196. Treasury files, 'Population distribution in the Channel Islands', n.d.; AN. AJ 40/547. FK 515, 'Verwaltungsüberblick über die Kanalinseln' by Dr Caspar, June 1943.
[38] JAS D/A/U/V/I3. FK St Helier, Vermerk, 5 Mar 1942.
[39] PRO HO 45/22424. Report of the President of the Controlling Committee of the States of Guernsey on the activities of the Committee during the five years of German Occupation, 23 May 1945.
[40]PRO HO 45/22424. Report of the President of the Controlling Committee of the States of Guernsey on the activities of the Committee during the five years of German Occupation, 23 May 1945.
[41] JAS L/C/144. The Reverend Ord diaries 1940-45, passim
[42] PRO WO 199/3303. Interrogation of Uschaf Kruse OT, captured at Montfort, 3 Aug 1944.
[43] Information provided by Bob Le Sueur to author, 2 Feb. 2005.
[44] IWM JRD.09. Force 135, I (b) section, Report 'Island Police Guernsey', 1945.
[45] IWM JRD.09. Force 135, I(b). Report 'Resistance during the Occupation'.
[46] PRO HO 144/22237. MI19. Report 2507 'Guernsey Side Lights on Island Affairs', 20 Nov1944; 'Excerpts from private letter of Guernsey Commission Agent brought over by informant 2503/2503A'.
[47] IWM JRD.04. Sabotage and Betrayal, Unknown author (Guernsey), n.d.
[48] IWM JRD.04. Sabotage and Betrayal, Unknown author (Guernsey), n.d.; anticipatory obedience was also noted by Lanz who said that after some islanders had been found to not be following the blackout regulations a long article appeared in the Guernsey newspapers reprimanding islanders for not following orders, see IWM JRD.04. Report by Major Lanz, 216 ID, the first German Commandant.
[49] IWM JRD.04. Typed copy of letter to the public in local press in Guernsey, 28 Sept 1940.
[50] PRO HO 144/22834. Memo by Guernsey escapee J T D Hubert, 23 Aug. 1943.
[51] PRO HO 144/22237. MI19. Report 2507 'Guernsey Side Lights on Island Affairs', 20 Nov1944; 'Excerpts from private letter of Guernsey Commission Agent brought over by informant 2503/2503A'.
[52] After liberation Carey voiced his deep appreciation of the risk they had run and that he looked forward 'most eagerly' to the Editors Weekly Survey, see Bertrand, (1945, passim)
[53] 'Extract from Jurat Leale's speech in the States on March 21', Guernsey Star, 22 March 1941.
[54] IWM JRD.04. Sabotage and Betrayal, Unknown author (Guernsey), n.d.
[55] One of these 'cable cuttings' is documented in the FK files at the Guernsey Archives. As the ensuing investigation showed, the telephone cables in question had been removed from a hotel by two German soldiers, see Island Archives (Guernsey). FK 1/11. FK 515 Nebenstelle Guernsey Feldgendarmerie an Nebenstelle (Mil. Führung), 26 Jul 1941.
[56] 'German Proclamations and Official Notices – Warning by the Bailiff', Evening Post, Jersey, 10 May 1941.
[57] Cruickshank, 330.
[58] Further nuances included: Carey: 'loyal to the German Wehrmacht and military administration' and 'desiring peace between the two great nations' (Britain and Germany, n.b.); Coutanche: 'prepared for compromise' and 'frictionless cooperation', see AN. AJ 40/543. Description des fonctionnaires. Filing cards for Victor Gosselin Carey, Bailiff of Guernsey and Alexander Moncrieff Coutanche, Bailiff of Jersey.
[59] 'Obituary Lord Coutanche Former Bailiff of Jersey', *The Times*, 19th Dec. 1973.
[60] AN AJ/40 821A. Mbf in Frankreich. Abt. Wi V/2 Währung, Kredit, Versicherung, Aktennotiz 'Währungs- und Geldverhältnisse auf den KanaIinseln, 17 Jul 1942.
[61] s. the case of a prominent island judge in Peter Hassall's occupation memoir 'Night and Fog Prisoners', available at www.occupationmemorial.com, p. 55
[62] PRO HO 45 22399. Memorandum, Alec Coutanche to Sir Donald Somervell, 3 July 1945.
[63] The letter of 14 Sept 1944 is reprinted in his diary, see Aufsess (von), H.M. (1985, p. 24).
[64] IWM JRD.04. 'Report by Major Lanz, 216 ID, the first German Commandant'
[65] PRO HO 144/22834. Sherwill, Ilag VII, Lg Laufen to Sir Alexander Maxwell, 6 Jul 1944.
[66] This role was acknowledged in a letter from the Home Office sent to Churchill's private secretary in September 1944. This letter was written in response to erroneous information brought to the attention of the Prime Minister according to which two British agents in the Channel Islands had been betrayed by a police constable and shot in 1940. This information was incorrect. The Home Office righted this wrong contention by citing information obtained from Captain Parker according to which a number of islanders went to considerable

trouble to see that no harm came to the officers, s. PRO TS 26/89. J A R Pimlott (HO) to J M Martin CVC, 18 Sept 1944.

[67] PRO HO 45/22424. Report of the President of the Controlling Committee of the States of Guernsey on the activities of the Committee during the five years of German Occupation, 23 May 1945; whether the Germans had wanted to shoot hostages, as Leale seemed to indicate in his speech, is not uncontested. Leale may have been overreacting, s. Bell, W.: 1998, *The Commando who came home to spy*, (The Guernsey Press, Guernsey), 29.

[68] In June 1945 one of the top judges in the British legal system, Lord Justice du Parq, recommended that the last two notices 'be brought to the attention of the Prime Minister, if not to His Majesty'; he also commented in very unfavourable terms that the 'V sign' news insert of 8 July 1941 made it virtually impossible to try in the Royal Court of Guernsey any person charged with informing against another as this had been encouraged by their own Bailiff, s. PRO HO 45/22399. Lord Justice du Parq, Note on complaints against Channel Islands administration by Mr Maugham and Mr Wilson, 14 June 1945.

[69] See the last chapter in Paxton, (2001, reprint)

[70] PRO WO 32/13750. Treasury document 'The Islands Budgets', 1945-46.

[71] PRO WO 32/13750. Report on the Financial and Economic Position of the States of Guernsey, 10 Jun 1945. Occupation payments in Guernsey took a remarkable leap in 1944:

Year	**Sum (£1,000)**
1940	108
1941	171,7
1942	243,7
1943	182,6
1944	1,219

[72] 'The World at War: occupation', TV documentary narrated by Sir Laurence Olivier, 1974.

[73] Author's interview with Sir Peter Crill, Jersey, 15 October 2004.

[74] PRO HO 45/22424. Report of the President of the Controlling Committee of the States of Guernsey on the activities of the Committee during the five years of German Occupation, 23 May 1945.

[75] For Polish collaboration in the Holocaust, s. Gross, J.T.: 2001, *Neighbors: The Destruction of the Jewish Community in Jedwabne, Poland*, (Princeton University Press, Princeton). Massacres similar to the one that occurred in Jedwabne in 1941 took place elsewhere, such as in the Baltic States.

[76] IWM Misc. 2826 189/2 (Tape 4448 O/L). Interview with Michael Ginns, n.d.

[77] BA-MA. RH 26/319/8. KTB 319. I.D., Anl. 179. FK 515 to 319 I.D., betr. Abbeförderung der nicht eingeborenen Inselbevölkerung, Bez. Schreiben v. 15 Dezember 1941, 23 Jan. 1942.

[78] BA-MA. RH 26/319/8. KTB 319.I.D., Anl. 155. Bericht des Divisionsarztes, 31 Dec. 1941.

[79] JAS B/A/W66/3. Letter of McKinstry to the President of Department of Public Health, 25 Feb 1942.

[80] JAS B/A/ W66/3. Bailiff's Chambers to FK, 28 Feb 1942; see also commendation of Dr Le Brocq's management of the Jersey Mental Hospital by the Superintendent of St James Hospital, Portsmouth, 4 Sept 1945.

[81] PRO WO 199/3303. Information obtained from KVI Taborsky, PLK, captured near St Malo 13 Aug 1944, 22 Aug 1944.

[82] IWM Misc 172 Item 2640. Legal Staff, Force 135 to JAG re. descriptions of Brosch, von Aufsess, Knackfuss, 11 Aug. 1945. Neither Coutanche nor any other official were able to describe General Müller 'whom they stated they had never seen' to British war crimes investigators.