

The Norwegian Capitulation

Sir,—In his letter (January 29) Ralph Hewins gives advice to British historians on the "curious academic situation in Norway at the moment. Owing to the postal strike it will take some time before there can be a reply from Norway dealing with his specific accusations, but in the meantime it may be worth while to remind your readers of Mr. Hewins's own situation in the political questions involved.

For those of us—Norwegians or Germans—who spent some time in Norway during the war there was no problem at all about the relative position of Norway and Germany: they were at

war. Consequently, the Norwegians who collaborated with the enemy were traitors. Since the war the Norwegian quislings have made a sustained effort to blur this issue. Some of them maintain that collaboration with the enemy was not treason since Norway had capitulated to Germany, and the war was over. They base their case mainly on the capitulation document which stopped the fighting between the Norwegian 6th Division and the German forces in North Norway, and maintain that this was an unconditional surrender by the Norwegian government. This view has never been accepted by legal, military or historical experts in Norway, with a very few exceptions. In their opinion the capitulation document was a local ceasefire and Norway and Germany continued to be in a state of war. This, of course, was also the opinion of the ordinary decent Norwegian during the war. How else can one explain that the loss of Norwegian lives in fighting the Germans was immeasurably greater after the North Norway capitulation than before it?

Mr. Hewins has been an active advocate in this country on behalf of the Norwegian quislings. His book about Vidkun Quisling—or rather its Norwegian translation—was described by a Norwegian critic as a falsification of history. This offended the translator, who took the critic to court for libel. The onus of proof lay on the critic, and he won the case. Mr. Hewins himself was in Oslo during the court proceedings and made his views on the case known on television and in the newspapers, but he did not testify in court (as he had a perfect right not to do).

His letter to you, Sir, contains some oddities. For example, it is most curious to have the Quisling regime described as "similar" to the honourable attempt made by some prominent Norwegians in the early months of the war to keep a Norwegian civil administration running under German occupation. To an English public, unacquainted with the character and standing of these men, it blurs the issue.

Mr. Hewins's curious judgment of people applies also to the present controversy: he praises "highly qualified historians, such as Sverre Hartmann" and even appoints him to the position of "State Historian", whilst the leading Norwegian authority on this period of history is reduced to "the controversial Professor Skodvin". Sverre Hartmann is essentially a very competent journalist, who has done some useful digging up of facts relating to the German occupation of Norway, particularly from German sources. For instance, he discovered recently the previously hidden fact that Vidkun Quisling had a meeting with a representative of the German High Command in Copenhagen a few days before the invasion of Norway. He is now receiving a government grant

to carry on this research, but the prestigious title of State Historian is as non-existent as some of other titles and appointments used by Mr. Hewins: State lawyer, primate Bishop. To call Magne Skodvin "the controversial Professor" is another laughable twist. Professor Skodvin states his views clearly and forcefully, undoubtedly to the chagrin of the former quislings, but he is no more controversial than any alert historian is and must be.

And pity the poor students of Professor Skodvin's Historical Institute who, Mr. Hewins tells us, "had the courage to protest". Norway is not a police state—now; and Professor Skodvin is not the dictator of his institute. It takes no more courage for a Norwegian undergraduate to protest against what he wants to protest against, than it does for an undergraduate in this country.

Finally, let us take a look at Mr. Hewins's use of inverted commas. He writes about the "treason" trials of the collaborators, and the "liberation" period of Norway at the end of the war. It should be unnecessary to point out that the trials of the collaborators were conducted by the established Norwegian courts in accordance with Norwegian law. Some were tried for treason and some convicted of it. Vidkun Quisling and a few others were executed. There is really no need for inverted commas. And the "liberation" wasn't Norway liberated in 1945 in the true sense of the word? If Mr. Hewins is in doubt about that, he should talk to one—any one—of the British soldiers who landed in Norway in May, 1945.

TORGRIM HANNAS
33 Farnaby Road, Bromley, Kent.

29. 1. 71.

James Litteral
SUPPLEMENT

The Norwegian Capitulation

Sir,—Now that so much wartime history is being rewritten by British authorities, young and old, it is right that they should know of extraordinary developments in Norway recently in regard to this important branch of study. Sir Llewellyn Woodward's long overdue summary of the British Cabinet

papers for 1940, David Irving on Convoy PQ17 and soon his biographies of Hitler and Field Marshal Erhard Milch, Correlli Barnett's military history in general, and particularly Martin Gilbert's next volume of the official Churchill biography all concern Norway in some degree, great or small. It is therefore desirable that accumulating mountains of Norwegian documentation and writing on Norway 1940-45 should be studied thoroughly despite the language difficulties, and in context with the prevailing Norwegian academic climate. This, to say the least, is disturbing.

On September 3, 1970, the State Lawyer Håkon Wiker broadcast over the national television network that massive documented revelations by the State Historian, Sverre Hartmann, concerning the nature and aftermath of the Norwegian and German High Commands' capitulation agreement of June 10, 1940, would be investigated by the national legal authorities (*Attenposten*, September 4). This investigation will be led by Police Adjutant T. Haukenes of the Criminal Police, it was further reported next day.

On September 26 the national socialist weekly, *Aktuell*, revealed that the senior State Lawyer, L. J. Dorensfeldt, had "given the green light" to the police investigation. This has not been denied since.

Naturally, this prospect has raised a national outcry. Hartmann has described the investigation as "an attack on historical research" and his view is widely held, but not universally.

The opposition has not been ameliorated by Herr Wiker's answer to the question whether the authorities and the police intend to seek the help of qualified historians, notably Professor Magne Skodvin (Contemporary Norwegian History, Oslo University).

Herr Wiker replied, "It is pretty clear that we must have assistance from qualified historians to get to the bottom of the matter [the 1940 capitulation], but which 'qualified historians' I don't yet know."

Concern has been long expressed in the Norwegian mass media about Professor Skodvin's academic approach to the controversial capitulation in his books and the Law Courts. For instance, his doctorate thesis, *The Struggle over the Occupation Powers in Norway to September 25, 1940* (Oslo, 1956), does not mention the capitulation. Most over in Berntsen *Neutrality and Alliance* (Oslo, 1968) he misquotes the Defence Chief and Commander-in-Chief, General Otto Ruge, who was left to arrange the capitulation when the Royal Norwegian Government went into British exile on June 7, 1940, so as to suggest that Norway (as a state) remained "at war" whereas Ruge's proclamation on June 9 actually stated that only "Norwegians" were still fighting on other fronts—a fine but vital distinction. Furthermore, Professor Skodvin repeated flatly during the re-trial of the former Gestapo Chief, Hellmuth Reinhard, in Karlsruhe (September 21, 1970) that there was no total capitulation only one between the Norwegian Sixth Division (hitherto under the Allied Commander, Admiral Lord Cork and Oreeq) and the Germans in North Norway.

His stand has produced a head-on collision with his fellow state historian, Hartmann; hence the police investigation.

Further topicality to this issue is provided by the impending appearance of the 388-page *Quisling, Rasvoberg and Terboven* (Stuttgart) by Professor Hans-Dietrich Looek, which was reviewed at length in *Der Spiegel* on September 7, with copious repercussions in Norway, including the news that his inspiration in this work was none other than the controversial Professor Skodvin.

It has been pointed out in the Norwegian press that the investigation of historical data by the police and the associated threat to the ventilation of historical discoveries, with professional comment by highly qualified historians, such as Sverre Hartmann, amounts to an undermining of paragraph 100 in the written Norwegian Constitution, guaranteeing freedom of expression.

Two of Professor Skodvin's own pupils in his Historical Institute at Oslo University have had the courage to protest against the police action.

Finally, in default of any definitive or convincing historical agreement in Norway on the nature of the 1940 capitulation, unprejudiced by state-employed lawyers or the police, a test case on this touchy subject was submitted to the European Convention on Human Rights at Strasbourg on September 25.

The historical issue is the nature of the exiled Royal Norwegian Government's association with Great Britain from June 10, 1940—later with the United States and the Soviet Union—up to and including the "liberation" period (May 8–November 1, 1945). The legal issue is whether Norway as a state

was "at war" after June, 1940, as has always been maintained officially here, despite academic doubts which have not until now filtered through to the populace or school textbooks.

Further, the legal issue is whether such prominent Norwegians as the late Chief Justice, Paul Berg, the late primate Bishop Fjerd Berggrav, and their associates committed offences in creating the Administrative Council for the Occupied Territories and thus seeking a *modus vivendi* with the German Occupying Power (April 15 to September 25, 1940) and whether Major Vidkun Quisling committed high treason in seeking a similar *modus vivendi* during his second government (February 1, 1942, to May 8, 1945), likewise his numerous supporters.

Both issues are further complicated by the mysterious disappearance of the original capitulation document from the State archives in 1947, at the height of the "treason" trials, and the State Archivist, Dagfinn Mammisaker, is now looking for it. Also the twenty five-year-old report of the state Military Investigation Committee, which is widely believed to confirm the totality of 1940 capitulation, is still "top secret".

As the author of two books on Scandinavia during the war and as a participant in the Norwegian Campaign, the "Free Norwegian" activities in Stockholm, the liberation and the Quisling Case as a journalist, I feel it is my duty to acquaint my fellow non-Norwegian historians with the curious academic situation in this out post of Western Democracy today.

RALPH HEWINS

Oslo