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The Bundesgrenzschutz: Re-civilizing Security in Postwar West Germany, 1950-1977

A Dissertation submitted in partial satisfaction of the requirements for the degree
Doctor of Philosophy

in

History

by

David Michael Livingstone

Committee in charge:

Professor Frank Biess, Chair
Professor Richard Biernacki
Professor Deborah Hertz
Professor Rebecca Plant
Professor Ulrike Strasser

2018

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Chair

University of California, San Diego

2018

Dedication

This dissertation is dedicated to my Grandmother, Maria, “Oma Bitzel” Commerçon and my Mother, Helga Livingstone (née Commerçon) – two strong women whose stories of life in postwar West Germany inspired me to be a historian.

Epigraph

Democracy cannot be imposed on any nation from the outside.
Each society must search for its own path, and no path is perfect.

Barack Obama

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List of Abbreviations

BePo: Bereitschaftspolizei
BGS: Bundesgrenzschutz
BRD: Federal Republic of Germany
DDR: German Democratic Republic
EDC: European Defense Community
FRG: Federal Republic of Germany
GdP: Gewerkschaft der deutsche Polizei
GDR: German Democratic Republic
GSG: Grenzschutz Gruppen
GSK: Grenzschutzkommando
GSOD: Grenzschutz Ordnungsdienst
HICOG: Allied High Commission for Germany
ÖTV: Öffentliche Dienste, Transport und Verkehr
PGA: Personalgutachterausschuss
RAF: Rote Armee Faktion
RSHA: Reichssicherheitshauptamt
SiPo: Sicherheitspolizei
VoPo: Volkspolizei
Zoll: Zollgrenschutz

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The process of writing a dissertation is often described as a solitary endeavor. But during the seven years it has taken me to research, write, and revise this dissertation, I have benefited from an entire community of friends, colleagues, and family members without whose generous support I could never have succeeded.

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There are also many people I have met in the professional academic community that helped me along the way. When I decided to focus on German policing, I had the opportunity to discuss some of my preliminary ideas with Richard Bessel. Richard graciously took time away from his busy schedule to speak with me at length about the historiography and potential avenues for further work in the policing

field. I also owe a great deal of gratitude to Adam Seipp who I met after attending a panel session at the 2011 Society of Military Conference. It was from Adam that I first learned about the *Bundesgrenzschutz*. He was very helpful in pointing me towards archival sources in Koblenz that he was familiar with from his own work. During the early stages of my research I participated in the German Colloquium for Police History where I was introduced to the wider community of German Police historians. I have benefitted greatly from many discussions with Klaus Weinhauer, Herbert Reinke, and Gerhard Fürmetz. I would also like to thank Dr. Bernhard Gotto and the Institute for Contemporary History in Munich for the generous travel grant to present my research at the Colloquium in 2017.

There are many other people who encouraged my academic work, read portions of chapters, and endured many hours of conversations about policing. Professor Emeritus Stephen Bourque from the U.S. Army's School of Advanced Military Studies deserves special mention. I met Steve at California State University, Northridge where he taught the undergraduate Historian's Craft course. Steve's passion for scholarship and writing was the key factor in my decision to go to graduate school. He not only taught me how to write better, but also encouraged me to present my work at professional academic conferences. Steve also gave me opportunities to take part in his travel abroad programs as a Teaching Assistant for which I am forever grateful. In 2012, Frank Biess introduced me to Professor Sagi Schaeffer whose work on the inner-German border and the role of policing has been especially helpful. Sagi graciously read and commented on the early drafts of my first chapters. I greatly appreciate his insights and suggestions for improvement. Moreover, I cannot thank him enough for his kind reference to my forthcoming dissertation in his book *States of Division*. I would also like to thank DAAD Visiting Professor Margrit Frohlich for providing helpful feedback on the original proposal for this project and for the opportunity to share it in her colloquium. My work has also benefitted from the insights and feedback of fellow graduate students Ryan and Amy Zroka, Robert Terrell, and Teresa Walch. Many of the best conversations and exchange of ideas took place informally over a beer – I only hope I have been as helpful to them as they have been to me.

I could not have completed my dissertation without the financial support I received while travelling abroad. In 2011, I received a generous pre-dissertation grant from the Fritz Thyssen Foundation for research at Bundesarchiv Koblenz. I was also awarded several History Department Travel Grants to fund further research and to present my work at academic conferences. There were several archivists and librarians who helped me find key documents and sources, especially: Frau Kirsten Kuchler at Bundesarchiv Koblenz, Frau Griseldis Ehrhardt at Bundesarchiv-Militärarchiv Freiburg, Frau Eva Rest and Frau Koch at the Deutsche Hochschule für Polizei Library, Peter Nelson at the Amherst College Archives and Special Collections, and Chalsea Milner at the Dwight D. Eisenhower Presidential Library. On more than one occasion during my extended trips in Germany, I was fortunate to have the support, hospitality, and home cooked meals of my extended German family, especially my Aunt and Uncle, Inge and Herbert Dasch, and my Cousins Sonja Obrist and Christina Toleikis all of whom now know more than they ever wanted to about the *Bundesgrenzschutz*. Michael Pörsch and Henrik Wolf gave me a home away from home in Koblenz. Michael and Henrik treated me like a member of their family and included me in their weekend trips to local flea markets and wine festivals. They reminded me how important it was to take a break from the archives and enjoy the surroundings of the beautiful Rhineland-Pfalz.

When I began my research, I wrote to the *Bundesgrenzschutz* Veteran's Association and had the pleasure of meeting its President, Wolfgang Dohrmann. Herr Dohrmann retired from the border police after more than forty-years of dedicated service and took the time to introduce me to many other retirees who graciously shared their memories, photographs, and insights on the organization. In 2014, I met border police veteran Richard Schumann who took me on a walking tour of the inner-German border near the region of Coburg where he had served in the 1960s. Herr Schumann also shared his photo albums, *Die Parole* magazine collection and many of his unpublished service records, which gave me greater insights into the daily operations of a border police unit. Herr Dohrmann also introduced me to the legendary Commander of GSG 9, General Ulrich Wegener. General Wegener graciously agreed to speak with me about his service and hosted me for lunch at a restaurant near Bonn where he shared his

recollections about the Mogadishu raid. He also gave me copies of an article he authored for an edited book on special operations and generously offered to read sections of my final chapter on the Munich Olympic Games and terrorism in West Germany. Sadly, General Wegener passed away before I completed the dissertation, but his personal insights and recollections about terrorism in West Germany helped me understand the role of the *Bundesgrenzschutz* in combatting it. His kindness and generosity is something I will never forget.

I owe an incredible debt to the City of Simi Valley and the men and women of its Police Department. First, I would like to thank retired City Manager Mike Sedell for allowing me to adjust my work schedule in order to complete my coursework and serve as a Teaching Assistant. The commuting distance between Simi Valley and UC San Diego's main campus is 300 miles round-trip. Mike allowed me to work nights at the Police Department so I could focus on school during the day. I would also like to thank Deputy Chief John McGinty (ret.) and Deputy Chief Ron Chambers (ret.) who supported me by ensuring my schedule could be adjusted to accommodate my teaching duties. My predecessor Chief Mitch McCann (ret.) and our current City Manager Eric Levitt allowed me the flexibility and time off I needed to travel and complete my archival research. I also want to thank the police officers I have had the honor to serve with and lead during these last seven years. They have helped me think about this project through countless conversations about policing, democratization, and the use of force. My Administrative Secretary, Stacey Bochenski is probably tired of hearing about the West German border police, but I have to thank her for prodding me about my daily writing goals and helping me to set my own deadlines. I could have not met those deadlines without my good friend and co-worker Rina Valerio who formatted the entire manuscript to meet the University guidelines. Rina also graciously provided moral support and a regular supply of her baked goods.

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working full time in a demanding career places unbelievable strains on relationships. I also want to thank my girlfriend Stacie Galang. As a professional journalist and newspaper editor, she has helped me think about my writing in new ways. She has been a constant source of love, support, and encouragement as I finished the project and words simply cannot express how grateful I am to have her in my life. Finally, I want to thank my Mother Helga and my late Grandmother Maria Commerçon – known affectionately to our family as Oma Bitzel. Like thousands of other German women of her generation, my Grandmother was widowed in 1945 and left to raise her children alone after her husband was killed fighting on the Italian front in the final weeks of the war. It is to these two strong women - who shared their personal experiences and taught me the German language - that I dedicate this dissertation.

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“A Theoretical Middle Course: The Militarization of Civilian Policing in 1950s West Germany” in Stoker, Donald and Edward B. Westermann, eds. *Expeditionary Police Advising and Militarization: Building Security in a Fractured World* (Solihull, UK: Helion & Co, 2018)

Abstract of the Dissertation

The Bundesgrenzschutz: Re-civilizing Security in Postwar West Germany, 1950-1977

by

David Michael Livingstone

Doctor of Philosophy in History

University of California, San Diego, 2018

Professor Frank Biess, Chair

This dissertation investigates West Germany's Federal Border Police, the *Bundesgrenzschutz*, and seeks to connect its development to the broader questions surrounding democratization. Why did the democratic government re-establish and sustain a militarized national police force? Existing scholarship

explains the return of militarized policing as a consequence of Cold War politics or as an interim step towards full rearmament. But these findings fail to explain why the *Bundesgrenzschutz* endured after the Federal Republic was rearmed under NATO. As a contribution to the topic, I explore the development of this force from its foundation into the 1970s when it was integrated into the state's civilian law enforcement infrastructure. This case study of the *Bundesgrenzschutz* sheds new light on important insights into the larger process of West Germany's postwar democratization; it shows how security was re-civilized in the aftermath of the Nazi dictatorship.

In the first part of the dissertation, I argue that the federal government used rearmament to justify the force, but intended to maintain it even after establishing a new army. It was the government's only symbolic instrument of coercive force since the army remained under the supranational control of NATO. Border policemen rather than soldiers contained minor disturbances at the demarcation line to prevent them from triggering larger conflicts. In the second part, I examine how the Interior Ministry recruited, hired, and trained border policemen. Drawing upon research in gender history, I argue that the *Bundesgrenzschutz* was used to promote conservative ideals of masculinity in West Germany's young men. Redefining masculinity was one way that Germans attempted to make sense of the Nazi past while facing the new cultural challenges from Americanization. Finally, I focus on the ongoing struggle between continuity and change as the organization underwent a series of reforms that transformed it into a modern civilian law enforcement agency. During the 1960s, for example, border policemen still imagined and prepared for a guerilla war against the East. It took the crisis of domestic terrorism in the 1970s to professionalize the organization and shift it exclusively towards internal security duties.

Introduction

West Germany's first Chancellor Konrad Adenauer wrote the introduction to *Life* magazine's 1954 special edition entitled "Germany: A Giant Awakened." He warned readers that the free world must build a "mutually erected dam" in West Germany to stop the spread of Soviet communism.¹ The magazine included action photos of West Germany's new federal border guard, the *Bundesgrenzschutz* (BGS), rounding up "bandits" during a mock anti-smuggling drill.² The BGS was West Germany's first national police force and included thousands of Nazi Germany's *Wehrmacht* (Army) and police veterans. Adenauer's government established the force in the aftermath of the Korean War, which broke out in June 1950. Its foundation was controversial, however, because it reflected the style of militarized policing Allied reformers aimed to purge from Germany's postwar civilian police forces.³ In Nazi Germany, militarized security police units were instrumental in the execution of the regime's criminal policies.⁴ The Allies prohibited national or central control of civilian policing and instead placed it under the decentralized authority of the *Bundesländer* (Federal States). Centralized or national policing was strictly prohibited.

Allied officials feared that the police might be a source for West Germany's re-militarization. The eventual breakdown in relations between the Western Powers and their former Soviet Allies, however, led to a gradual relaxation of the strict policies against militarized policing. By 1950, the inner-German border was a central front in the emerging east-west conflict. The intensification of Cold War politics and the debates surrounding the rearmament of West Germany provided a narrow window of

¹ Konrad Adenauer, "Chancellor of Germany Writes an Introduction for this Special Issue" *Life* 36, no. 1 (10 May 1954), pp. 26-27, 26.

² Staff, "Edge of Iron Curtain with Border Guard: Small Patrol Force is all the once Mighty Nation has left," *Life*, Vol. 36, No. 1 (10 May 1954), pp. 36-39.

³ This was mandated by the Allied Potsdam and Yalta agreements.

⁴ See for example, Christopher Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: Harper Perrenial, 1998); Edward Westermann, *Hitler's Police Battalions: Enforcing Racial War in the East* (Lawrence: University Press of Kansas, 2005).

opportunity for Adenauer to call for a new militarized national police force. West Germany's political parties vigorously debated his proposals. Since the memories of Nazi policing were still influential, neither the Allies nor many West Germans believed the government could be trusted to maintain a national police force without abusing its power. The *Bundesgrenzschutz* and its personnel were never subjected to the Allied police re-education programs that *Länder* police departments faced during the initial years of military occupation. By 1950, the inconsistent application of the denazification process coupled with controversial postwar amnesty legislation and the general tendency of most Germans to selectively forget the past allowed former Nazi soldiers and policemen to join the border police without closer scrutiny. Moreover, the men selected by the Adenauer government to lead the organization and recruit its first personnel were all veterans of Weimar era paramilitary *Freikorps* (Free Corps) units and of Nazi Germany's armed forces.⁵

This dissertation investigates the *Bundesgrenzschutz* and seeks to connect its development to the broader questions surrounding West Germany's democratization. It explores why the state re-established a militarized national police force in the aftermath of the Nazi dictatorship. When the Federal Republic was formed, there were already at least 85,000 uniformed police officers working in state and municipal police departments to maintain domestic security. In addition to this, there were 35,000 mobile U.S. Constabulary customs troops, British Frontier Service personnel, and thousands of West German federal customs officers patrolling its frontiers.⁶ Bavaria already had its own large independent state border

⁵ The foundational leaders of the BGS were Kurt Andersen, Gerhard Matzky, and Anton Grasser – all three men were highly decorated combat veterans of both world wars and served in *Freikorps* and *Grenzschutz Ost* paramilitaries; Grasser and Andersen also had extensive interwar civilian police experience, see Dermot Bradley, Karl Friederich Hildebrand, Markus Röverkamp, *Die Generale des Heeres, 1921-1945: die militärischen Werdegänge der Generale, sowie der Ärzte, Vetrenäre, Intendanten, Richter und Ministerialbeamten im Generalsrang* (Osnabrück: Biblio - Verlag, 1993), Band 4, *Deutschlands Generale und Admirale*.

⁶ European Command, Office of the Chief Historian, *Occupation Forces in Europe* (Series), Frankfurt: Germany, Historical Division, U.S. Army Europe, 1945-1952, 124; George Hoffman, *Through Mobility We Conquer, The Mechanization of the U.S. Cavalry* (Lexington, University Press of Kentucky, 2006), see Ch. 9, "The Terrible Turmoil of Postwar Germany and the U.S. Constabulary"; Roland G. Förster, "Innenpolitische Aspekte der Sicherheit Westdeutschlands 1947-1950," in *Anfänge Westdeutscher Sicherheitspolitik 1945-1956*, Band 2: *Von der*

police force. Considering this array of internal and external security resources, why did West Germany need a separate national border police? How did this militarized police force with deep connections to Germany's authoritarian past serve the democratic state? More importantly, what does its evolution tell us about the process of democratization in a post-dictatorial state?

It is the central contention of this dissertation that a case study of the *Bundesgrenzschutz* sheds new light on and provides important insights into the larger process of West Germany's postwar democratization. Without question, all states need security forces. Yet democratic states must constantly deal with the tension of maintaining security without undermining the very civil liberties that make them democracies in the first place. A state's police forces often directly reflect its governmental style and have the greatest effect on the daily lives of individual citizens. The *Bundesgrenzschutz* was the first national police force in West Germany and its long term development shows how the government re-civilized security forces following the Nazi dictatorship.⁷ It represented the symbolic power of the federal government and was a key instrument of its coercive powers. Its controversial paramilitary structure often blurred the line between policing and soldiering, thus making its evolution into a civilian national police force possible only after a protracted and often contested internal "learning process."⁸ The extraordinary longevity of its authoritarian policing style showed how pre-1945 traditions coexisted and were reshaped to adapt with the principles of West Germany's developing liberal democracy. Rejecting all authoritarian traditions was therefore not a prerequisite for its dramatic political reversal as suggested

Kapitulation bis zum Plevan-Plan (Herausgegeben vom Militärgeschichtlichen Forschungsamt, München: R. Oldenbourg Verlag, 1982), 483.

⁷ The "re-civilization" framework refers to Konrad Jarausch's thesis that postwar Germans underwent a "collective learning process" to restore pre-Nazi democratic traditions; see Konrad H. Jarausch, *After Hitler: Recivilizing Germans, 1945-1995* (Oxford: Oxford University Press, 2006), vii.

⁸ Konrad Jarausch, *After Hitler*, vii; my use of the "learning process" framework is also informed by Ulrich Herbert's analysis that West Germany's liberalization and alignment with Western democracy took place gradually through internal debates and reforms across a wide spectrum of social, cultural, and legal spheres in the postwar era; See Ulrich Herbert, *Wandlungsprozesse in Westdeutschland: Belastung, Integration, Liberalisierung 1945-1980* (Göttingen: Wallstein Verlag, 2002), 13-17.

in some historical interpretations.⁹ But whereas these explanations for Germany's remarkable transformation emphasize the enforced will of the Allied powers, this study shows its democratization can better be understood as an ongoing, protracted internal process of reworking and adapting existing German styles and traditions.

The State of Scholarship

The *Bundesgrenzschutz* as an organization still lacks a systematic archival-based historical analysis and the majority of previous studies are in German.¹⁰ This dissertation fills a gap in the growing body of work on the reconstruction of postwar German police systems that have overlooked forces at the national level.¹¹ Scholars have shown that state and municipal police departments underwent a protracted modernization at least through the late 1960s. My analysis differs by focusing on national policing and extending the analysis beyond the 1960s to show the effects of internal professionalization programs that began during the early 1970s. Moving the analysis of policing beyond the first postwar decades contributes new insights into the extent of what historians have identified as a need to address the “continuity problem” in West German historiography. Scholars such as Rober Moeller and Uta Poiger, for example, have described this problem as a need to “differentiate between those trends and developments that constituted part of postwar reconstruction and those that led to a distinctly different Germany”.¹² In other words, to what degree did authoritarian legacies in the *Bundesgrenzschutz* endure

⁹ Heinrich August Winkler makes the case that the FRG abandoned nationalism and embarked on a “post-national *sonderweg*” in the aftermath of 1945. He argues that West German democratization was due to the enforced will of the Allied Occupation and an “inner delegitimization of nationalism”. See Heinrich August Winkler, *Germany: The Long Road West 1933-1990* (Oxford: Oxford University Press, 2000), 583-586.

¹⁰ The two most recent works on the *Bundesgrenzschutz* are grounded in the disciplines of Sociology and Political Science, see Patricia M.-Schütte-Bestek, *Aus Bundesgrenzschutz wird Bundespolizei: Entwicklung einer deutschen Polizeiorganisation des Bundes aus organisationssoziologischer Perspektive* (Wiesbaden: Springer VS, 2015); David Parma, *Installation und Konsolidierung des Bundesgrenzschutz 1949-1972: Eine Untersuchung der Gesetzgebungsprozesse unter besonderer Betrachtung der inneradministrativen und politischen Vorgänge* (Wiesbaden: Springer VS, 2016)

¹¹ Members of the *Deutsche Gesellschaft Für Polizei*, based at the Police Leadership School in Münster-Hilltrup and the police document center at Villa Ten Hompel, have been instrumental in advancing this scholarship.

¹² See Robert Moeller, *West Germany Under Construction: Politics, Society, and Culture in the Adenauer Era* (Ann Arbor: University of Michigan Press, 1997), 30; Poiger's contribution to Moeller's book also argues the

beyond the immediate postwar years and at what point did its leading personnel recognize a need to transcend its founding principles to remain relevant in postwar security? The *Bundesgrenzschutz* was a product of this initial “postwar reconstruction” phase but also showed resilience in adapting to social changes. In many ways, the organization was a “time capsule” of 1950s conservatism until reform programs implemented in the late 1960s and 70s helped transform it to meet the security needs of a new era.

My study also makes a new contribution to the literature on West German rearmament by showing how the clandestine expansion of the *Bundesgrenzschutz* in 1952 undermined the French ratification of the supranational European Defense Community (EDC). Military historians have overlooked the expansion or treated it as an anecdotal phase in the rearmament debate. But the secret expansion of a paramilitary police force staffed by former Nazi soldiers convinced many French politicians that West Germany could not be trusted with armed forces. Finally, my work adds to the recent studies of the inner-German border, which the groundbreaking monographs by Edith Sheffer and Sagi Schaefer have shown, remains curiously under researched outside of divided Berlin.¹³ It is not, however, a new study of the Iron Curtain, which has already been aptly covered by Sheffer and Schaefer. Instead, this dissertation shows how West Germany’s creation of a paramilitary national border police force also contributed to militarizing the Iron Curtain during the Cold War.

Policing in postwar Germany has been the subject of growing historical interest among scholars on both sides of the Atlantic over the past several decades.¹⁴ This trend is connected to the historiography

authoritarian legacy of Weimar was gradually eroded by a new elite known as the “cold war liberals” who influenced continuities beyond the 1950s. See Uta Poiger, “Rock ‘n’ Roll, Female Sexuality, and the Cold War Battle Over German Identities,” in Moeller, *West Germany Under Construction*, 409.

¹³ Edith Sheffer, *Burned Bridge: How East and West Germans Made the Iron Curtain*, Oxford University Press, 2001, 7-8; Sagi Schaefer, *States of Division: Borders and Boundary Formation in Cold War Rural Germany* (Oxford: Oxford University Press, 2014); See also Sagi Schaefer, “Ironing the Curtain: Border and Boundary Formation in Cold War Germany” (Ph.D. Dissertation, Columbia University, 2011).

¹⁴ See for example, Falco Werkentin, *Die Restauration der deutschen Polizei: Innere Rüstung von 1945 bis zur Notstandsgesetzgebung*, (Frankfurt: Campus Verlag, 1988); Erika Fairchild, *The German Police: Ideals and Reality*

that investigates how police forces were used during the Third Reich. Historians have shown that Germany's police were instrumental, indeed vital, to the National Socialist assumption of power and enforcement of its dictatorship both at home and abroad.¹⁵ Police officers were deeply implicated as protagonists in the Holocaust and many compromised officers successfully resumed policing careers after the war.¹⁶ Many of these police officers first served during the Weimar Republic and joined new forces during the Third Reich. Historians have emphasized that officers reinstated in West Germany after 1945 thus reflected profound continuities with both Nazi and an older pre-1933 authoritarian policing culture.¹⁷

But the strong traditional links between policing and the military that the Allied powers were so determined to break, actually predated the rise of National Socialism. During both the German Empire

in the Postwar Years, (Springfield, IL: C.C. Thomas, 1988); Gerhard Fürmetz, Herbert Reinke, Klaus Weinbauer (Eds.), *Nachkriegspolizei: Sicherheit und Ordnung in Ost und Westdeutschland 1945-1969*, Forum Zeitgeschichte Band 10, (Hamburg: Ergebnisse Verlag 2001); Andreas Glaeser, *Divided in Unity: Identity, Germany, and the Berlin Police*, (Chicago: University of Chicago Press, 2000); Klaus Weinbauer, *Schutzpolizei in der Bundesrepublik: Zwischen Bürgerkrieg und Inner Sicherheit: Die Turbulenzen sechziger Jahre*, (Munich: Ferdinand Schöningh, 2003); Jose Canoy, *The Discreet Charm of the Police State: The Landpolizei and the Transformation of Bavaria, 1945-1965*, (Leiden: Brill NV, 2007); Stefan Noethen, *Alte Kameraden und neue Kollegen: Polizei in Nordrhein-Westfalen 1945-1953*, (Essen: Klartext, 2003); Much of this work has been the result of collaborative studies led by the *Deutsche Gesellschaft für Polizei Geschichte* at the Police Leadership Academy in Münster-Hiltrup and the *Interdisziplinärer Arbeitskreis Innere Sicherheit* (AKIS), which brings together scholars from a number of disciplines to investigate the police and internal security.

¹⁵ See Christopher Browning, *Ordinary Men*; Friedrich Wilhelm, *Die Polizei im NS-Staat: Die Geschichte ihrer Organisation im Überblick* (Paderborn: Ferdinand Schöningh, 1997); Edward Westermann, *Hitler's Police Battalions*; Joachim Schröder, *Die Münchner Polizei und der Nationalsozialismus* (Essen: Klartext Verlag, 2013); Wolfgang Schulte (ed.), *Die Polizei im NS-Staat: Beiträge eines internationalen Symposiums an der Deutschen Hochschule der Polizei in Münster* (Frankfurt: Verlag für Polizeiwissenschaft, 2009).

¹⁶ Article 131 of West Germany's Basic Law, known as the amnesty clause, required governmental agencies and public employers to reserve at least twenty percent of their positions for those persons employed on May 8, 1945 who had not yet been reemployed in a job consistent with their previous position. It also regulated the legal status of those who had pensions at the end of the war, but were no longer receiving their benefits; see Curt Garner, "Public Service Personnel in West Germany in the 1950s: Controversial Policy Decisions and their Effects on Social Composition, Gender Structure, and the Role of Former Nazis" in Robert G. Moeller (Ed.), *West Germany Under Construction: Politics, Society, and Culture in the Adenauer Era*, (Ann Arbor: University of Michigan Press, 1997), 158; Norbert Frei's work is also informative here, see for example, Norbert Frei, *Adenauer's Germany and the Nazi Past: The Politics of Amnesty and Integration* (New York: Columbia University Press, 1997), 41-50; and Norbert Frei, *Hitler's Elite nach 1945: herausgegeben von Norbert Frei* (Frankfurt am Main: Campus Verlag, 2001).

¹⁷ The most comprehensive program of purges took place under the Soviets in the Eastern Occupation Zone, See Klaus Weinbauer, "The Modernization of West German Police: Between the Nazi Past and Weimar Tradition," in Philipp Gassert & Alan E. Steinweiss (Eds.), *Coping with the Nazi Past: West German Debates on Nazism and Generational Conflict, 1955-1975*, (New York: Berghahn Books, 2006), 98-100; Herbert Reinke, "The Reconstruction of the Police in Post-1945 Germany," in Cyrille Fijnaut (Ed.), *The Impact of World War II on Policing in North-West Europe*, (Leuven: Leuven University Press, 2004), 133, 137-38.

and Weimar era, police officers were heavily recruited from the ranks of former soldiers.¹⁸ Soldiers made easy transitions into civilian police careers, which shared similar features of the discipline and structure they were familiar with in the armed forces. Policing also provided the close-knit masculine camaraderie of the military and space for those who shared similar political ideologies.¹⁹ Many Weimar era officers were sympathetic to the political right while marking the left as enemies of the state.²⁰ These widespread conservative, anti-liberal attitudes among Germany's police officers underscore one of the innumerable reasons why National Socialism proved such an appealing ideology to many officers within their ranks. While post-1945 Allied policies were aimed at rooting out the influences of Nazism, demilitarizing indigenous police forces proved more problematic because it required the complete transformation of long-term German police culture. Historians have shown that even during the German Empire, efforts by the state to demilitarize and professionalize the police were largely unsuccessful because former soldiers were useful against striking trade unionists and social democrats.²¹ Democratic German police reformers during the Weimar era faced similar challenges. Former soldiers eagerly sought policing careers after the Versailles Treaty limited the size of the national army (*Reichswehr*). Despite the demilitarization efforts by the Social Democratic Interior Minister Carl Severing, police forces in Germany's first democracy provided a refuge for military veterans just as they had during the Empire.²²

The Weimar Republic's *Sicherheitspolizei* (security police – SiPo), which like the *Bundesgrenzschutz* was staffed by veteran soldiers, reflected the challenges facing reformers in

¹⁸ See Elaine Glovka Spencer, "Police-Military Relations in Prussia, 1848-1914," *Journal of Social History*, Vol. 19, No. 2 (Winter, 1985), 305-317.

¹⁹ For a good discussion of the political polarities between the military and civilian spheres see, Ute Frevert, *A Nation in Barracks: Modern Germany, Military Conscription, and Civil Society* (New York: Berg, 2004), 201-205.

²⁰ Christopher Clark, *Iron Kingdom: The Rise and Downfall of Prussia 1600-1947* (Cambridge, Mass: Harvard University Press, 2006), 633.

²¹ See Herbert Reinke, "Armed as if for War: The State, the Military and the Professionalization of the Prussian Police in Imperial Germany," in Clive Emsley and Barbara Weinberger (Eds.), *Policing Western Europe: Politics, Professionalization, and Public Order, 1850-1940* (Westport: Greenwood Press, 1991), 55-73, 68; Alf Lütke, *Police and State in Prussia, 1815-1850* (New York: Cambridge University Press, 1989), 140-145.

²² See Richard Bessel, "Policing, Professionalization and Politics in Weimar Germany," in Clive Emsley, *Policing Western Europe, 187-218*, 191.

Germany's first democracy. Officials like Carl Severing wanted to demilitarize and professionalize the civilian police, but also needed an effective response to increasing political violence. The SiPo provided the Weimar state with a militarized instrument of coercive force against the *Spartacist* uprisings and some of its active members participated in the political murders of Rosa Luxembourg, Karl Liebknecht, and others deemed to be enemies of the state.²³ It took the intervention of Allied officials to ban the SiPo as a clandestine army in violation of the Versailles Treaty before it was officially disbanded. Nevertheless, its members were quickly absorbed into the *Schutzmannschaft* - regular civilian police forces - where they continued to have a significant influence.²⁴ Their effect was especially prominent in police training programs, which shared characteristics of the disciplined, soldierly training provided to police officers during the *Kaiserreich*.²⁵ This militarized approach to training manifested itself in the tactics and operations employed by the police during strikes and demonstrations where they responded to urban unrest with the force and efficiency of military units.²⁶ Alf Lütke and others have shown that aggressive police responses to public disturbances resulted from the militarization trend in civilian law enforcement that began during the *Kaiserreich*.²⁷ This interpretation adds an additional layer to the recent literature that challenges the well-established "brutalization" thesis as an explanation for the violent responses to civil unrest in Weimar Germany. Instead, the violence perpetrated by police forces was already institutionalized in earlier, prewar police traditions.²⁸

²³ See Dirk Schumann, *Political Violence in the Weimar Republic 1918-1933* (New York: Berghahn Books, 2009), 3-4; Hsi-Huey Liang, *The Berlin Police Force in the Weimar Republic* (Berkeley: University of California Press, 1970), 43-50; Captain Waldemar Pabst of the Garde-Kavallerie-Schützen-Division, the nucleus of the SiPo, ordered the murders, see Paul Frölich, *Rosa Luxemburg: Ideas in Action* (Chicago: Haymarket Books, 2010), 299.

²⁴ Richard Bessel, "Policing, Professionalization and Politics," 191.

²⁵ Richard Bessel, "Policing Professionalization and Politics," 199.

²⁶ *Ibid.*, 201.

²⁷ Alf Lütke, *Police and State in Prussia, 183-189*; Albrecht Funk, *Polizei und Rechtsstaat: Die Entwicklung des staatlichen Gewaltmonopols in Preussen 1848 – 1914* (Frankfurt Main: Campus Verlag, 1986), 288-289.

²⁸ The brutalization thesis, which asserts that the experience of violence in the Great War re-emerged in postwar European society as a reaction against the left, is often cited by scholars as an explanation for rightwing radicalism during the interwar years; see for example, Eric J. Hobsbawm, *The Age of Extremes: A History of the World, 1914-1991* (New York: Vintage Books, 1994), 125-126; George L. Mosse, *Fallen Soldiers: Reshaping the Memory of the World Wars* (Oxford: Oxford University Press, 1990); Dirk Schumann, among others, has challenged this

Historians have emphasized similar connections between post-1945 German policing and the nineteenth century police culture that endured during the Weimar Republic.²⁹ Studies have shown that men with Weimar era policing experience represented a large recruitment base for postwar West German police departments, and many of these officers were rapidly promoted. Personnel continuities inevitably led to familiar patterns in police training, equipment, and organization. Klaus Weinbauer's study of the postwar *Schutzpolizei* in Nordrhein-Westfalen, for instance, revealed that themes such as anti-partisan warfare and "civil war" fighting remained popular training topics for new recruits at least through the end of the 1960s. The instructors were "patriarchal" veterans who embodied Prussian policing traditions and reinforced the self-image of their trainees as "guardians" of the new West German state.³⁰ The return of pre-Nazi policing traditions and personnel was thus instrumental in the development of a policing culture that reflected the same masculine "comradely service communities" as had existed during the *Kaiserreich*.³¹ Authoritarian traditions were particularly strong in the *Bereitschaftspolizei* (BePo), a militarized rapid reaction riot police originally created in 1920 and then reestablished by West Germany's *Länder* in 1950. Its personnel lived in barracks where they received military training and were armed with infantry weapons such as mortars, machineguns, and hand grenades. All postwar *Länder* police officers began their careers in the BePo, which meant that even those recruits without previous service in the army were subjected to a distinctly military ethos and culture.³²

interpretation, see Dirk Schumann, "Political Violence, Contested Public Space, and Reasserted Public Masculinity in Weimar Germany" in Kathleen Canning, Kerstin Barndt, Kristen McGuire, *Weimar Publics/Weimar Subjects: Rethinking the Political Culture of Germany in the 1920s* (New York: Berghahn Books, 2010), 236-253, 239.

²⁹ Albrecht Funk emphasizes that the West German Police system retained deep roots with the 19th Century Prussian Police traditions of militarization, see Albrecht Funk, "Die Entstehung der Exekutivpolizei im Kaiserreich" in Hans Jürgen-Lange, *Staat, Demokratie, und Innere Sicherheit in Deutschland*, (Opladen: Leske and Budrich, 2000), 11-12; Erika Fairchild also makes this point throughout her study of policing in postwar policing in West Germany, see *The German Police*, 21.

³⁰ Klaus Weinbauer, *Schutzpolizei*, 168-173; see also Klaus Weinbauer, "Staatsgewalt, Massen, Männlichkeit: Polizeieinsätze gegen Jugend- und Studentenproteste in der Bundesrepublik der 1960er Jahre," in Alf Lütke, Herbert Reinke, Michael Sturm, *Polizei, Gewalt und Staat im 20. Jahrhundert* (Wiesbaden: VS Verlag für Sozialwissenschaften, 2011), 304.

³¹ Klaus Weinbauer, "Staatsgewalt". 304.

³² The BePo was under the exclusive administration of West Germany's *Länder* and was authorized by the Allied High Commission in lieu of Adenauer's request for national police. There is still a need for further historical

Historians have generally agreed with Weinahuer's findings.³³ Continuities with authoritarian police practices remained prevalent during the early postwar era. Many senior German police officers indoctrinated in military style policing during the Weimar era resisted Allied attempts to reverse these practices. Although the British succeeded in abolishing some pre-1945 behaviors, such as the invasive surveillance and social control policies of the *Verwaltungspolizei* (administrative police), veteran officers resisted most reforms.³⁴ Thus, in 1955 when West Germany regained partial sovereignty, its police forces returned to the status quo of pre-existing authoritarian traditions. To be sure, Herbert Reinke goes so far as to claim that a process of "renazification" and remilitarization endured throughout the 1960s because many veterans of the *Gestapo* (secret state police) and *Sicherheitsdienst* (Security Service) were re-employed. Certainly, many former officers initially removed through denazification regained law enforcement careers, especially through the controversial implementation of Article 131 to West Germany's Basic Law in 1951, which allowed civil servants who lost jobs when Germany surrendered to get them back.³⁵ Reinke's analysis, however, leaves the long-term acceptance of democratic norms by these men largely unexplained. His claim that a "renazification" of the police occurred in postwar Germany is only based on the personal backgrounds of individual officers rather than any evidence of how this was manifested in their actions or duties.

Even while studies of post-1945 German policing have firmly established the striking return of authoritarian personnel and the limitation of Allied reforms, there is still no consensus in explaining how

research on the BePo, see Eugen Raible, *Geschichte der Polizei: ihre Entwicklung in den alten Ländern Baden und Württemberg und in dem neuen Bundesland Baden-Württemberg unter besonderer Berücksichtigung der kasernierten Polizei* (Stuttgart: Richard Boorberg Verlag, 1963); Erika Fairchild, 66-72; Heiner Heinrich, *Vom Schutzmann zum Bullen: Die Geschichte eines Polizeibeamten in Hamburg* (Hamburg: Books on Demand Gmbh, 2009), 28-29; Klaus Weinhauer, Herbert Reinke and Gerhard Fürmetz, *Nachkriegspolizei*, 15-16.

³³ Herbert Reinke, "The Reconstruction of the Police in Post 1945 Germany," in Cyrille Fijnaut (Ed.), *The Impact of World War II on Policing in North-West Europe*, Leuven: Leuven University Press, 2004, 137.

³⁴ Germany's administrative police performed a variety of state and municipal functions such as regulating health and welfare, issuance of marriage licenses, control of hunting, and administering hospital services – The British believed removing these functions would automatically decentralize the police.

³⁵ Article 131 mandated that 20 percent of civil service jobs be offered to those who lost their positions and pensions because of the war

these men adapted to new democratic policies. Recent research has begun to address this problem by focusing on policing from the perspective of a single *Länder* or occupation zone. Stefan Noethen's analysis of the Nordrhein-Westfalen police, for example, found that British attempts to re-educate and reform compromised officers were inadequate.³⁶ He suggests that only the Allied guarantee of democracy and a successful economy prevented police officers from revealing their latent anti-democratic tendencies. Jose Canoy's study of the Bavarian *Landpolizei* takes a different approach by arguing that the return of pre-Nazi authoritarian policing actually promoted postwar stability because of the chaos associated with "emergency conditions" caused by black-marketeering, displaced persons, and the prevalence of criminal activity. According to Canoy, in Bavarian policing culture the "rehabilitated traditions of pre and anti-Nazi authoritarianism" restored a sense of "postwar social stability."³⁷ But the emergence of new "technologically driven" policing as Bavarian cities grew was decisive in taming the authoritarian policing traditions. Close surveillance of local communities, for example, was gradually replaced by the less intrusive motorized policing.³⁸

While these important findings tell us a great deal about the development of policing on a regional basis, similar empirical studies of the *Bundesgrenzschutz* are surprisingly lacking. This is remarkable considering it was West Germany's first national police force.³⁹ Andrew Plowman's recent essay "Defending the Border," for example, focused on the army and completely ignored border policing.⁴⁰ Stefan Schmink's 1966 dissertation was a legal analysis that attempted to defend the government's assignment of combatant status to border policemen. He argued putting policemen rather

³⁶ Stefan Noethen, *Alte Kameraden*, 15.

³⁷ Jose Canoy, *Discreet Charm of the Police State*, 15-18.

³⁸ *Ibid.*, 15-16.

³⁹ Political Science Professor Forest L. Grieses wrote an article pointing out this gap in the historiography in 1972, See Forest L. Grieses, *Der Bundesgrenzschutz: The West German Federal Border Police*, Institute of Government Research, Research Series No. 10, Tucson: University of Arizona, 1972.

⁴⁰ See Andrew Plowman, "Defending the Border? Satirical Treatments of the Bundeswehr after the 1960s," in Tobias Hochscherf, Christoph Laucht, and Andrew Plowman (Ed's.), *Divided but not Disconnected: German Experiences in the Cold War* (New York: Berghahn Books, 2010), pp. 135-147; Inge Marszolek's contribution to the same volume, "The Shadows of the Past in Germany: Visual Representation of the Male Hero and the Cold War," pp. 177-189 makes reference to a photo in *Der Spiegel* of a BGS officer dancing with a German woman, 185.

than soldiers at the border was a critical “buffer” that de-escalated the potential for war between the nuclear-armed superpowers.⁴¹ Similarly, Martin Willich’s published dissertation makes a constitutional argument defending the legal status of the *Bundesgrenzschutz* and the right of West Germany’s federal government to maintain national police forces.⁴² Neither of these early studies offers an archival-grounded historical analysis and both were written years before Germany’s reunification when many new sources were released.

The political scientists Falco Werkentin and Erika Fairchild have produced helpful synthetic treatments of postwar German policing with limited coverage of border policing.⁴³ Fairchild’s analysis presents an excellent general overview of postwar German policing systems that still remains useful as a basis for further research. Fairchild’s study, however, is based entirely on published sources and newspaper articles to support her findings. Her coverage of border policing is thus limited to anecdotal discussions focused on postwar police demilitarization policies. She concluded that the hyper-militarized *Bundesgrenzschutz* was problematic in terms of the Allied objective to demilitarize all postwar policing and therefore remained “the most controversial structure within the German police.”⁴⁴ Werkentin’s study gives us a more nuanced treatment of border policing, but concentrates exclusively on negative themes located in the authoritarian character of its structure and personnel. He argued, for example, that the popular institutional magazines, *Die Parole* and *Der Grenzjäger*, were pedagogical instruments that reinforced troubling authoritarian themes from Germany’s past. Veterans of the *Waffen SS* and *Wehrmacht* serving as border policemen authored some of the articles in these journals and covered topics such as counterinsurgency and street fighting. Yet despite the perspective of these individual authors,

⁴¹ Stephan Schminck, “Die völkerrechtliche und staatsrechtliche Problematik des Kombattantenstatus polizeilicher Formationen, erläutert am Beispiel des Bundesgrenzschutzes” (Würzburg, Rechts- u. staatswissenschaft, 1966), 2.

⁴² Martin Willich, “Historische und aktuelle Probleme der Rechtsstellung des Bundesgrenzschutzes, seiner Aufgaben und Befugnisse” (Ph.D. dissertation, Doktors der Rechtswissenschaft, der Universität Hamburg, 1978); Willich’s book was published under the same title by Martienss Verlag, Schwarzenbeck Germany, 1980.

⁴³ Werkentin, *Die Restauration der deutschen Polizei*; Erika Fairchild, *The German Police*.

⁴⁴ Fairchild, *The German Police*, 82.

Werkentin admits there is no evidence directly linking their themes with any aberrant behavior manifested in the actions of border policemen.⁴⁵ He is certainly correct to point out that some articles reinforced negative stereotypes of the east as “wild” or “backward” like those propagated by the National Socialists. But he neglected or overlooked the hundreds of articles in these journals that promote democratic policing, civics, pay and benefits, leisure activities, and family life. His selective analysis of articles that support his “restoration” argument tells an incomplete story of the *Bundesgrenzschutz*.⁴⁶

Two recently published German language dissertations provide a more comprehensive treatment of the *Bundesgrenzschutz*. Both of these useful monographs, however, lack important social and cultural perspectives that this dissertation will contribute. Patricia M. Schütte-Bestek’s *Aus Bundesgrenzschutz wird Bundespolizei* (From Border Police to Federal Police), and David Parma’s *Installation und Konsolidierung des Bundesgrenzschutz 1949 – 1972* (Installation and Consolidation of the Border Police) investigate the force from different perspectives.⁴⁷ Schütte-Bestek’s analysis employs the sociological framework of “neo-institutionalism” – an approach used in organizational research that suggests organizations survive through an ongoing legitimization process.⁴⁸ She argues that the *Bundesgrenzschutz* and its leaders in the Interior Ministry had to continually re-define its role and adapt to the changing legal, political, and economic landscape of postwar Germany. In other words, those with a stake in the survival of the force had to find legitimate roles to keep it from becoming obsolete. While her analysis gives us the key developments in the organization’s history, it is not intended to be historical.

⁴⁵ Ibid, Werkentin, 109-110.

⁴⁶ Werkentin’s selection of only those articles that fit with his “restoration” model leaves out valuable exculpatory evidence that shows these themes were the exception rather than the rule. A more comprehensive analysis of these journals yields a wider variety of topics than Werkentin’s interpretation reflects; for example, the April 1956 edition of *Der Grenzjäger* features a significant article entitled “Ziel und Methode der politische Erziehung,” which emphasizes democratic policing and civics. A majority of the articles in these journals are in fact devoted to working conditions, laws, and suggested vacation spots, among many other subjects.

⁴⁷ Patricia M. Schütte-Bestek, *Aus Bundesgrenzschutz wird Bundespolizei: Entwicklung einer deutschen Polizeiorganisation des Bundes aus organisationssoziologischer Perspektive* (Wiesbaden: Springer VS, 2015); David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes 1949 bis 1972: Eine Untersuchung der Gesetzgebungsprozesse unter besonderer Betrachtung der inneradministrativen und politischen Vorgänge* (Wiesbaden: Springer VS, 2016)

⁴⁸ Patricia M. Schütte-Bestek, *Aus Bundesgrenzschutz wird Bundespolizei*, 21.

Moreover, her findings are based on interviews and many outdated published sources rather than archival documents.

David Parma's book gives us a better historical treatment of the topic and includes many key unpublished archival documents from the files of the Interior Ministry. Methodologically, his study employs "process analysis" theory to connect the historical-chronological development of the *Bundesgrenzschutz* to specific political causes and ultimately their legal effects. Thus, Parma claims that the increased need for security in West Germany was the cause that produced the need for the first border police law.⁴⁹ His study is less concerned with the qualitative history of the organization than the process-analysis methodology he uses to explain its key legislative developments. In describing his thesis, Parma emphasized that while he follows a historical chronological framework, the "core" of his work is focused on process-analysis and specifically its "disclosure of the legislative process."⁵⁰ While he uses many excellent archival sources to support his arguments, the book is fundamentally a legal history of the organization that overlooks important cultural and social developments.

Another source of literature consists of institutional narratives and photo anthologies written from the perspectives of veteran officers. Ludwig Dierske, a Prussian Police veteran and later Deputy Director in the Interior Ministry, published a monograph length study of the organization in 1967.⁵¹ Dierske's book is a good resource for statistical data, but it lacks analytical depth and its coverage ends with his retirement in 1963. Hans-Jürgen Schmidt, a veteran border policeman, published a two-volume anthology of its Coburg headquarters, which like Dierske's account is also helpful for structural data.⁵² Popular accounts by border police veterans Reinhard Scholzen and Manfred Michler have similar

⁴⁹ David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 3-4.

⁵⁰ Ibid.

⁵¹ Ludwig Dierske, *Der Bundergrenzschutz Geschichtliche Darstellung seiner Aufgabe und Entwicklung von der Aufstellung bis zum 31. März 1963* (Regensburg: Walhalla-Verlag, 1967)

⁵² Hans Jürgen Schmidt, *Wir tragen den Adler des Bundes am Rock* (Coburg: Fiedler-Verlag, 1993).

limitations and were written primarily for general readers interested in specific uniforms and equipment.⁵³ As institutional narratives, these works suffer from the tendency to be self-congratulatory instead of self-critical. Historian Clive Emsley argues that narratives written by former members of police institutions are problematic because they “invariably conceive of their subjects as perfectible and describe the overall direction of their development and growth as being driven by desirability, necessity, and progress”.⁵⁴

An assessment of work focused on the West German rearmament debate provides another source for previous historical treatment of the *Bundesgrenzschutz*. While rearmament studies remain popular among postwar military historians, federal police forces have been mentioned superficially in most of this work.⁵⁵ This oversight has produced a teleological narrative of rearmament beginning with the outbreak of the Korean War and ending with West Germany’s new army and its incorporation into NATO. In fact, most rearmament studies are unable to correctly explain or describe the specific developments that led to its foundation.⁵⁶ In those where it is included, analysis of the *Bundesgrenzschutz* is principally based on outdated published sources or government documents, the most comprehensive of which are papers compiled by the German Armed Forces Military Research Office (MFGA).⁵⁷

David Clay Large’s useful monograph *German’s to the Front*, and Thomas Schwartz’s biography of Allied High Commissioner John J. McCloy offers perhaps the most detailed treatments of the *Bundesgrenzschutz*, yet both still underemphasize its importance. Large contends former *Wehrmacht*

⁵³ Reinhard Scholzen, *Der BGS: Geschichte, Ausrüstung, Aufgaben* (Stuttgart: Motorbuch Verlag, 2006); Manfred Milcher, *Der Bundesgrenzschutz: Ein Bildband* (Köln: Markus-Verlag, 1966).

⁵⁴ Clive Emsley, *Gendarmes and the State*, 4.

⁵⁵ In James Corum’s recent edited collection, there is little reference to the BGS other than the use of its marine units as the basis for a new West German Navy, see James S. Corum (Ed.), *Rearming Germany* (Boston: Brill, 2011).

⁵⁶ Most studies incorrectly attribute its creation to an Allied decision at the New York Foreign Minister’s Conference in 1950 in response to the Korean War; In reality, the BGS was a West German creation enacted unilaterally by West German lawmakers.

⁵⁷ See Hans Gothard Ehlert (Ed.), *Anfänge Westdeutscher Sicherheitspolitik 1945-1956*, especially *Band II Von der Kapitulation bis Zum Plevan-Plan* and *Band III Die NATO Option* (Herausgaben vom Militärgeschichtlichen Forschungsamt, München: Oldenburg-Verlag, 1982).

General Gerhard von Schwerin originally suggested it as the nucleus of a future army.⁵⁸ But Large's analysis is explicitly concerned with the emergence of the new army and thus subsequent developments of border policing beyond these early debates are outside the scope of his study.⁵⁹ Schwartz focused his analysis of the federal police as an option Adenauer exploited to regain sovereignty. His interpretation is limited to the political exchanges between Adenauer and McCloy during the early phases of rearmament. Because Large, Schwartz, and many others treat federal policing as an anecdotal stage in the rearmament process, its role and importance beyond these early debates and its true meaning to the democratizing West German state still remain critically unexplored.⁶⁰

Matthias Molt's dissertation on the early *Bundeswehr* offers further insights into the *Bundesgrenzschutz* during rearmament. His analysis focused on the circumstances surrounding transfers of border policemen to the *Bundeswehr*, but predominantly in the context of rank advancement incentives offered to former *Wehrmacht* personnel. He argued that jealousy and organizational tension developed between those who chose to remain border policemen and those who opted for army service. The tensions emerged after border policemen were brought in at lower pay grades unless they could show they had achieved a similar rank while serving in the *Wehrmacht*. While Molt identified many points for further research, his analysis stops short of explaining what happened to those who chose to remain in the

⁵⁸ David Clay Large, *Germans to the Front: West German Rearmament in the Adenauer Era* (Chapel Hill: University of North Carolina Press, 1996), 56-61.

⁵⁹ *Ibid.*; for example, beyond the detailed requests for Federal Police forces as exploited by Adenauer to implement a German defense force, there is no information on how the BGS eventually evolved into a national police force.

⁶⁰ David Clay Large, *Germans to the Front*; See also Thomas Schwartz, *America's Germany: John J. McCloy and the Federal Republic of Germany* (Cambridge: Harvard University Press, 1991), 119-121; Schwartz offers more detailed coverage of the federal police option in his dissertation, but not beyond its role in early the rearmament debates, see Thomas Schwartz, "From Occupation to Alliance: John J. McCloy and the Allied High Commission in the Federal Republic of Germany, 1949-1952," (Ph.D. Dissertation, Harvard University, 1985), 328; Alaric Searle also limits his coverage to the early rearmament discussions among West German generals, see Alaric Searle, *Wehrmacht Generals, West German Society, and the Debate on Rearmament, 1949-1959* (Westport: Praeger, 2003), 52-56.

border police.⁶¹ His brief coverage of the *Bundesgrenzschutz* is limited to secondary sources, most notably Dierske's outdated monograph and various published documents of the MFGA.

These understandings of the *Bundesgrenzschutz* as an insignificant stage in West German rearmament offer no satisfactory explanatory models for why it retained a parallel national defense role long after the new army was established. Scholars have focused their attention on the army without understanding the significance of the border police. This dissertation presents a different account by emphasizing its national defense role during the Cold War. Border policing provided the state with an indigenous albeit weakened response to external security threats while its army remained strictly under the supranational authority of NATO. West Germany's leaders believed having policemen on the border instead of soldiers might help to keep local security incidents from erupting into a larger war. Moreover, border policemen served as a thin first line of defense or warning in case of a surprise Soviet or East German attack. Eventually, with the onset of détente and strengthening of static border security defenses on both sides of the Iron Curtain, the *Bundesgrenzschutz* gradually took on greater internal security roles.

Finally, the recent studies by Edith Sheffer and Sagi Schaefer provides additional insights on border policing that suggest further lines of research pursued in this dissertation. To be sure, both authors seek to revise our understanding of the inner-German border by pointing out the agency of West Germans in contributing to the protracted process of postwar division.⁶² Both accounts show how border guarding played a central disciplining role in the lives of rural frontier residents. Chief among these interactions was the projection of state power into regions where cross-border smuggling had become prolific. Police anti-smuggling operations revealed the economic dimensions of Germany's division. As Sagi Schaefer has shown, for example, the "inter-German border emerged as the fault line between two parallel efforts

⁶¹ Matthias Molt, "Von Der Wehrmacht Zur Bundeswehr: Personelle Kontinuität und Diskontinuität beim Aufbau der deutschen streitkräfte 1955-1966," (Ph.D. Dissertation, Ruprechts-Karls-Universität Heidelberg, 2007), 339-348.

⁶² Sheffer, *Burned Bridge*; Schaefer, *States of Division*.

to design and control economic activity from the centre.”⁶³ Moreover, Edith Sheffer’s analysis points to the sizeable losses of state revenue from smuggling as one of the primary justifications that underscored the need for increased border policing resources.⁶⁴ While border guarding plays a role in the analysis of Germany’s division presented by these scholars, it was not the central focus of their studies. My dissertation thus builds on this body of work by focusing exclusively on the *Bundesgrenzschutz* as an organization whose duty, among many others, was to police the inner-German border. The objective is therefore not to write a new history of the “Iron Curtain,” which Sheffer and Schaefer have already done quite effectively, but rather to tell the untold story of those West Germans who policed it.

Theoretical Approach

According to the political scientist David Bayley, “authoritarian police are the hallmarks of undemocratic governments.”⁶⁵ Yet, as many of the historical studies discussed above have shown, authoritarian policing styles and personnel remained influential in democratic West Germany. How post-dictatorial nations reestablish their legitimate monopolization of violence through civilian policing in the aftermath of war and defeat is a particularly useful approach for analyzing democratic transformations.⁶⁶ As an instrument of civil society, the police more so than the military, are sole arbiters of the state’s coercive forces in domestic security. The genuine character of a government is often reflected by the daily actions of those charged with enforcing its laws and maintaining internal order. The police institution is thus central to an analysis of democratization because paradoxically, it has the means to undermine or take away the very same civil rights it is responsible for protecting. Why West Germany reestablished this particular form of centralized national policing after twelve years of dictatorial rule, and

⁶³ Schaefer, *States of Division*, 57.

⁶⁴ Sheffer, *Burned Bridge*, 60-61.

⁶⁵ David H. Bayley, *Changing of the Guard: Developing Democratic Police Abroad* (Oxford: Oxford University Press, 2006), 18.

⁶⁶ My use of the term “monopolization of violence” is based Max Weber’s theories that the state holds the “soul source of the right to use violence,” see Max Weber, *Politics as a Vocation* (Philadelphia: Fortress Press, 1968), 2.

how it used this power has yet to be sufficiently researched. Its role in and meaning for postwar West Germany greatly exceeded its most basic border guarding duties.

This dissertation follows the lead in the seminal postwar studies of Konrad Jarausch and Michael Geyer who employ sociological theories, and Norbert Elias's concept of the civilizing process in particular, to approach Germany's postwar rehabilitation.⁶⁷ Framing Germany's democratization as part of a gradual and problematic "re-civilization" process, they contend, offers a more balanced reading of its multifaceted journey from dictatorship to democracy. They question the popular westernization model, for example, which, as Jarausch explains posits "the rehabilitation of Germans as an uncritical success story of modernization and of postulating a teleological progression from a bad past to a better present."⁶⁸ As part of the *Sonderweg* thesis, westernization theories attempt to explain Germany's recovery as a redemptive realignment with the west while ignoring or minimizing western liberalism's own problematic legacies.⁶⁹ Instead, Jarausch has emphasized Dan Diner's concept of the Holocaust as a "rupture of civilization" and argues that it should represent the fundamental "point of departure" for postwar historians.⁷⁰ Building on this concept, Jarausch promotes the analytical category of the civilizing process as a more constructive approach than sweeping meta-frameworks such as westernization. Moreover, Geyer and Jarausch both demonstrate that a protracted internal "learning process" was the key to re-civilizing Germans and especially their institutions in the aftermath of Nazism.⁷¹

My study employs these analytical categories to historicize the specific internal learning processes that contributed to West Germany's re-civilization of its domestic security forces, and in

⁶⁷ Jarausch and Geyer do not use Elias's "Civilizing Process" in a literal sense, but rather to show the ideals of civil society that postwar Germans sought to re-establish after the 12 years of Nazi rule, see Konrad Jarausch, *After Hitler*, 12; Konrad Jarausch and Michael Geyer, *Shattered Past: Reconstruction German Histories* (Princeton: Princeton University Press, 2003), 28; Norbert Elias, *The Civilizing Process* (New York: Urizen Books, 1978).

⁶⁸ Konrad Jarausch, *After Hitler*, 14.

⁶⁹ Heinrich August Winkler has emphasized this thesis in his two-volume synthesis *Germany the Long Road West*; the problematic heritage of the west includes its own cultural baggage of slavery and imperialism.

⁷⁰ Konrad Jarausch, *After Hitler*, 11; See also Dan Diner, "Vorwort des Herausgebers," in Dan Diner, *Zivilisationsbruch: Denken nach Auschwitz* (Frankfurt: Fischer Taschenbuch, 1988).

⁷¹ Konrad Jarausch and Michael Geyer, *Shattered Past*, 171.

particular, its paramilitary national border police. It challenges the sweeping explanations of Germany's democratization that underemphasize the problematic legacies of its past, which coexisted with its long-term political alignment to the west. My analysis of the *Bundesgrenzschutz* confirms Jarausch and Geyer's claim that "conventional success stories are unable to explain why the Germans should, after such aggressiveness and authoritarianism, suddenly have turned into pacifist democrats."⁷² If, as David Bayley has suggested, authoritarianism was antithetical to democracy, then how do we explain its longevity in postwar West German policing, especially in a paramilitary force such as the *Bundesgrenzschutz*? Geyer and Jarausch correctly attribute the "taming" of West Germany's aggressive militarism to NATO, but how this "taming" was accomplished within its internal security forces is a much more complex problem.⁷³ In fact, the border police embodied the authoritarianism of Germany's past to a greater extent than its army. Jarausch, however, criticizes the militarized, "goose-stepping" of East German security forces as a "curious revival of Prussian military traditions under the proletarian banner," yet fails to acknowledge striking parallels with similar demonstrations performed by the *Bundesgrenzschutz*.⁷⁴ Despite this oversight, the work of Jarausch and Geyer was not meant to address every aspect of Germany's postwar democratization, but rather to suggest theoretical frameworks for further research.

Taking Jarausch and Geyer's re-civilization approach a step further, this dissertation uses the sociological theory of "civilizing security" as an important theoretical basis for explaining how West Germany reconciled the authoritarian character of its border police force with the development of its new

⁷² Konrad Jarausch and Michael Geyer, *Shattered Past*, 20.

⁷³ Konrad Jarausch and Michael Geyer, *Shattered Past*, 184.

⁷⁴ This interpretation subsumes the pacifist ethos of West German security forces because Jarausch overlooks the BGS and concentrates on the *Bundeswehr*. This also appears in Jarausch and Geyer's work, which emphasizes the role of NATO and western integration in curbing German militarism. My analysis shows these same Prussian traditions continued in the BGS because it was not subject to NATO oversight – this is a problem in postwar historiography this dissertation seeks to correct; see Konrad Jarausch, *After Hitler*, 40,43; Konrad Jarausch and Michael Geyer, *Shattered Past*, 21-22.

postwar liberal democratic government.⁷⁵ Recent groundbreaking work by Ian Loader and Neil Walker proposes an alternative approach that while informed by Norbert Elias's civilizing framework, is more focused on how democracies use and tame security forces.⁷⁶ They specifically challenge the liberal critique of the state and its security institutions as a "meddler" or negative influence that erodes the fundamental intent of democratic ideals. Instead, they employ a theoretical "matrix" for understanding how democratic states, as opposed to those we think of as illiberal, specifically limit their legitimate coercive powers vis-à-vis the police or military.⁷⁷ They argue security is "a valuable public good, a constitutive ingredient of the good society, and that the democratic state has a necessary and virtuous role to play in the production of this good."⁷⁸ And while their approach emphasizes the importance of security to maintaining stable democracies, they also acknowledge the merits of the liberal critique they seek to challenge, which asserts democratic states are not immune from abuses of power.⁷⁹ Thus, democracies are shaped by an ongoing tension between the need for security as a public good and the state's obligation to uphold the rights of citizens. In other words, the challenge for the state is to avoid destroying democracy in the process of trying to preserve it.⁸⁰ The *Bundesgrenzschutz* and its use by the federal state reflected this ongoing tension common in all democracies.

Beginning in the 1950s with Adenauer's conservative "Chancellor Democracy"⁸¹, Cold War West Germany was shaped by what Loader and Walker call the "pathologies of modern security." Two of

⁷⁵ Ian Loader, Neil Walker, *Civilizing Security* (Cambridge, New York: Cambridge University Press, 2007).

⁷⁶ Ian Loader and Neil Walker, *Civilizing Security*, 17; To be sure, the author's expressly state their intent is to examine the structures of security and the perception of the threats to it that "tame" violence in democratic states, which at points "overlaps" with Norbert Elias's "historical sociology of long-term developments in the cultivation of manners, regulation of passionate drives, and control of private violence."

⁷⁷ The theoretical basis for the concept of legitimate coercive power is outlined by Max Weber's explanation of a state's monopoly on violence, see Max Weber, *Politics as a Vocation* (Philadelphia: Fortress Press, 1965), 2-4.

⁷⁸ Ian Loader and Neil Walker, *Civilizing Security*, 7.

⁷⁹ David Bayley, *Changing the Guard*, 18; Teresa P.R. Caldeira, "The Paradox of Police Violence in Democratic Brazil," *Ethnography* 3, no. 3 (2002): 235-263.

⁸⁰ Ian Loader and Neil Walker, *Civilizing Security*, 208.

⁸¹ This term is based in West Germany's Basic Law wherein Article 65 gives the Chancellor rather than Parliament the right to determine the general outline of policy, see Gert-Joachim Glaessner, *German Democracy: From Post World War II to the Present* (New York: Berg, 2005), 78-79.

these pathologies included paternalism and authoritarianism, which are normally considered hallmarks of illiberal states because they function independently of the people's will.⁸² Paternalistic regimes assume only state organizations and its specialists know best how to maintain security on the premise that citizens are incapable of understanding what needs to be done for their own good. On the other hand, authoritarian security states are those that begin as paternalistic regimes, but are more clearly defined by the presence of a strong executive. They are the most likely to infringe upon or undermine the civil liberties of their citizens under the rubric of national security. These pathologies remain dormant in democracies until a state of emergency, increase in violent crime, or other existential threat brings them to the surface. The rise of domestic terrorism in 1970s West Germany is one example of such a state of emergency. These pathologies challenged West Germany's democratic leaders and their approach to security throughout the Cold War. Yet, as this dissertation will show, neither the persistent fear of its eastern neighbors or its later confrontations with student protests and domestic terrorism, were sufficient enough to permit the unrestricted or abusive use of the *Bundesgrenzschutz* by West Germany's leaders. It was the passage of the emergency acts in 1968 followed by the legal reforms of the organization under the modernizing influence of the social democratic leadership in the 1970s that helped to tame the organization's militarism and transform it into a civilian police force.

My study emphasizes the role of border policing as both an instrument of internal and external security, which on a symbolic level, helped to forge and sustain the identity of the West German state and its citizens during the Cold War. From this perspective, the theoretical models of sociologists and political scientists are especially instructive for explaining its importance to the West German state. To be sure, policing is a key component of the symbolic power of the nation-state and as such, can be defined as one of the "administrative organizations" that theorist Benedict Anderson has suggested create

⁸² Ian Loader and Neil Walker, *Civilizing Security*, 196.

meaning for nations as “imagined communities.”⁸³ According to Anderson, “nations dream of being free, and...the gage and emblem of this freedom is the sovereign state.”⁸⁴ From this perspective then, the *Bundesgrenzschutz* fits Anderson’s “emblem” of sovereignty model. It can therefore be seen as an agent of security in West Germany’s objective to remain free in the face of an ever present communist “other” lurking across the Iron Curtain. Border policing also extended the influence of the federal government and established a measure of control over its “bounded spaces.”⁸⁵ National border policing thus reflected West Germany’s monopolization of coercive power and increased its territorial surveillance in what Anthony Giddens has identified as two of the critical “institutional clusters” of modernity.⁸⁶ The symbolic and disciplinary power of the nation-state that, according to Giddens, is usually divided between internal and external security forces was, especially in the case of West Germany, consolidated in the *Bundesgrenzschutz* – a hybrid force useful against both external and internal threats.⁸⁷

Structure and Methodology

The dissertation includes seven chapters that adopt a mixture between thematic and chronological organization. It begins in 1950 with the creation of the *Bundesgrenzschutz* and concludes with the campaign against domestic terrorism in 1977. The main body of sources for this study is unpublished governmental documents, private correspondence and diaries, newspaper articles, and internal memorandums. Many of these sources have been overlooked or newly declassified. In addition to these more traditional archival sources, this study relies on an extensive reading of the magazines *Die Parole* and *Der Grenzjäger*, which shed light on the institutional culture of the border police and its

⁸³ Benedict Anderson, *Imagined Communities* (New York: Verso, 2006), 53.

⁸⁴ *Ibid.*, 7.

⁸⁵ Rogers Brubaker argues that the modern nation-state’s “claim to rule” is dependent upon establishing an “authoritative presence” in its bounded spaces; see Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge: Harvard University Press, 1992), 24-25.

⁸⁶ According to Giddens, surveillance, control over the monopoly of force, capitalistic entrepreneurship, and industrialization are the “four institutional clusters” of modernity; See Anthony Giddens, *A Contemporary Critique of Historical Materialism, Volume II The Nation-State and Violence* (Berkeley: University of California Press, 1987), 5.

⁸⁷ *Ibid.*

evolution over a span of twenty-five years. Rather than a selective search for certain themes, my approach focused on the content of the articles as they changed over time juxtaposed with findings from the sources that included internal policies, operations, and training.

The dissertation begins with the *Bundesgrenzschutz* during the Adenauer era. Chapter 1 – Foundations – argues that its establishment reflected striking continuities with authoritarian German policing models that predated the rise of National Socialism. Yet, in spite of its authoritarian structure and ethos, it supported the new democratic political framework of the state. Federal border policing was established under the leadership of Konrad Adenauer to regain the monopoly of violence undermined by the Allied military occupation. He achieved this goal by exploiting anti-communism and conflating fears of invasion from the East following the outbreak of war in Korea. Until then, the federal government had no means at its disposal to enforce its national will. External security was provided by the Allied armed forces while the individual *Länder* were responsible for internal security. West Germany's urban landscape, and especially the western zone of Berlin were heavily policed, but the federal government lacked dominion over the rural spaces along its frontiers where smuggling and black marketeering were widespread. The *Bundesgrenzschutz* was the only national armed force until the army was established under NATO in 1956.

Chapter 2 – Expansion – investigates the federal government's attempt to increase the *Bundesgrenzschutz* beyond its authorized strength of 10,000 men. Beginning in 1952, the West German government began clandestinely planning to increase its size to 20,000 men hoping they would be used for a German contribution to the European Defense Community (EDC) proposed by the French Foreign Minister, Rene Pleven.⁸⁸ Adenauer and his Interior Minister, Robert Lehr, faced immediate criticism by

⁸⁸ A good analysis of what began as the "Pleven Plan" and developed into the EDC can be found in William Hitchcock, *France Restored: Cold War Diplomacy and the Quest for Leadership in Europe, 1944-1954* (Chapel Hill: University of North Carolina Press, 1998), 133-134; Hitchcock argued that the French fears of a rearmed Germany were "understandable" based on the legacies of past aggression, and thus the EDC was problematic from the outset.

the Social Democratic leadership and Allied officials, especially the French, who believed their attempted expansion was an effort to re-militarize West Germany. The expansion was in part a political move by Adenauer to strengthen the domestic power of his administration in anticipation of the elections in 1953. But it also reflected his frustration, and that of his circle of security advisors, with the French, who insisted foreign commanders would oversee the proposed German divisions in NATO. The chapter shows that while Allied officials welcomed West German rearmament under supranational control, they remained skeptical of any unilateral actions by the Germans. This chapter makes a new contribution to the extensive body of work on rearmament and shows how the expansion undermined French support for the EDC.⁸⁹

Chapter 3 – West Germany’s Shield – explores the reasons why West Germany maintained the *Bundesgrenzschutz* even after it had its own national army. In 1956, when the army was created, the border police was still struggling to reach its authorized strength of 20,000 men. More than 9,000 border policemen applied to and were subsequently transferred into the new army and this significantly weakened the *Bundesgrenzschutz*. If it was only intended to function as a cadre for the new West German army, as some scholars have suggested, then why did the government make transfer to the army optional? In fact, the decision of individual officers to remain border policemen or become soldiers was based on a variety of issues. Federal law provided the government with the right to reject candidates it deemed unsuitable for the army because of age or prior disciplinary records, but individual policemen usually decided which course to take based on pay and benefits. If a policeman could prove he had previously held a high rank in the *Wehrmacht*, then there was an incentive to transfer. But personnel who were

⁸⁹ In a *Journal of Cold War Studies* article, Michael Creswell and Marc Trachtenberg challenged the interpretation of William Hitchcock that France feared a rearmed Germany. Instead, they introduce archival evidence that suggests the French privately supported German rearmament, but publicly condemned it since the French public was against it. The authors, however, focus on the supranational German military contributions, but overlook documents that show the French rejected the concept of the BGS both publicly and privately because it was being built outside of the supranational framework suggested by Rene Pleven. This chapter contributes new insights into this debate - See Michael Creswell and March Trachtenberg, “France and the German Question, 1945-1955,” *Journal of Cold War Studies*, Vol. 5, No. 3, (Summer 2003), 5-28.

unable to successfully establish previous *Wehrmacht* promotions often chose to remain policemen. Many high-ranking border policemen thus had no incentive to transfer to the army since they had already reached, or in many cases exceeded, their former military ranks. This chapter argues that the Adenauer government never intended to disband, and in fact, took decisive steps to maintain the *Bundesgrenzschutz* because it represented the executive power and coercive force of his administration.

Chapter 4 – Recruitment – analyzes how the government attracted new candidates and what advantages a border policing career offered young West German men. Understanding recruitment opens new insights on the organization and its place in West German society. Advertisements appealed directly to the masculine sense of camaraderie and adventure, themes familiar to those used for military recruitment. But these methods were largely unsuccessful in attracting a newer generation of young German men who rejected militarism and embraced the *ohne mich* (without me/leave me out) attitude. Hiring efforts therefore also focused on welfare state incentives such as pensions, medical care, pay, and promotional opportunities. New recruits were promised innovative technological training on the most modern equipment such as specialized vehicles, radios, and emergency medicine. While recruiters still targeted former soldiers, by the 1960s, a young man was more likely to become a border policeman based on the prospects of developing long-term career training rather than from a sense of adventurism. In fact, interest cards returned by potential candidates overwhelmingly requested more information about technical training. The Interior Ministry also funded civilian filmmakers to produce action oriented recruitment films that emphasized border policing as an honorable profession standing between freedom and communist enslavement.

Chapter 5 – Training – investigates the methods used to train and educate border police personnel and specifically, how this training dealt with the tensions between democratic policing and the legacies of Germany's authoritarian past. It argues that while the *Bundesgrenzschutz* used military-style training and simulated combat drills, the instruction emphasized the concept of the "citizen in uniform" outlined in the military reform program of *Innere Führung* (internal leadership). Numerous course plans, instruction

manuals, and officer candidate training all included in-depth civics lessons. Alongside the skills for handling weapons and storming buildings, border policemen were instructed in topics that included citizenship, democracy, literature, biology, and especially foreign languages for service at the borders. The officer candidate school in Lübeck emphasized critical thinking skills and students openly discussed topics with profound ethical themes such as the German resistance movement against Hitler. Officer candidates were encouraged to freely engage with their instructors without fear of political repercussions for taking an opposing point of view. While evidence reflects the resurgence of problematic themes, such as the 1944 Warsaw Ghetto Uprising as a model of urban combat, there is more evidence pointing to subject matter that emphasized liberal over authoritarian policing practices. The Bavarian Social democratic Chairman Dr. Wilhelm Hoegner's text, *Leitfaden für Staatsbürgerkunde*, for example, was required reading for all border police officer candidates.⁹⁰ Moreover, Protestant and Catholic chaplains taught professional ethics courses that were mandatory every quarter for all personnel. The ethical themes varied widely. Anti-Marxism, Christian family values, and the ethics of democracy and policing were featured on a regular basis. Border policemen were assigned reading topics or watched films and then were expected to openly debate the lessons of each subject.

Chapter 6 – Border Policemen as Military Combatants – explores the militarization of the *Bundesgrenzschutz* during the 1960s when its personnel were legally assigned combatant status and expected to fight in military conflicts. The chapter shows that mutual perceptions between East and West Germans still drove an atmosphere of localized fear even though the beginnings of détente served to reduce tensions between the superpowers. Prussian traditionalists who feared that an invasion from the East was imminent still heavily dominated the command staff of the border police. To a certain extent, these fears were grounded in the ideological tensions and memories of the German-Soviet conflict and especially the anti-partisan warfare of the Second World War. The international laws of war were vague

⁹⁰ Wilhelm Hoegner, *Leitfaden für Staatsbürgerkunde* (München: Landwirtschafts Verlag, 1958).

in terms of what rights law enforcement officers were afforded in defending against an attack by foreign enemies. Under these circumstances, border police leaders feared their policemen might be executed as partisans if they were not legally recognized as combatants. The debate over combatant status for policemen brought the problematic legacies of Germany's militarism to the surface. While the federal government ultimately decided to recognize border policemen as military combatants, the power of influential police trade unions helped shape the new law in important ways. Thus, giving policemen combatant status did not point to a shift towards illiberal or authoritarian policing models.

Chapter 7 – We Now Have Heroes Again – analyzes the ways in which the *Bundesgrenzschutz* evolved during the post-Adenauer era. It investigates the specific internal learning processes and struggles that paved the way for its professionalization into a modern national police force. It argues that institutional changes emerged from pressure exerted by political opponents, but also from the internal efforts of its personnel who demanded increased roles in traditional civilian policing. By 1968, with the emerging anti-authoritarian student movement, the Interior Ministry began seriously re-examining how its border policemen might be used to support internal security. A series of negotiations between the federal government and the *Länder* set in motion critical reforms that ultimately transformed the *Bundesgrenzschutz* into a modern national law enforcement organization. The chapter concludes with the state's use of the border policemen in the campaign against terrorism. It shows that West Germans demonstrated that they could still use measured force to restore order and maintain peace without undermining their democracy.

Chapter 1: Foundations

As U.S.-Soviet relations began to falter in 1948, CBS News reporter Larry LeSueur asked the Occupation Governor Lucius Clay whether he thought it was time to begin arming German police officers to deter possible Soviet attacks. Clay dismissed his suggestion and exclaimed: “We are opposed to the creation of a police force which could become a military training school.”⁹¹ Clay’s remarks reflected the Allied policy to demilitarize West Germany’s civilian police forces. In spite of increasing Cold War tensions, the Allies still feared the German police institution for its potential to become an instrument of resurgent militarism. They wanted to prevent the police from gaining the broad powers held by Nazi forces organized under the formidable state security apparatus known as the *Reichsicherheitshauptamt* (Reich Security Main Office, or RSHA).⁹² During the Third Reich, the RSHA and its police personnel implemented Hitler’s violent racial policies.⁹³ Prior to 1945, the Intelligence (G-2) Branch of the United States Army closely monitored the activities of the German police.⁹⁴ Intelligence officers understood how the police were used in the Third Reich and after Germany was defeated aimed “to render powerless, and bring to justice, many dangerous and guilty members of the German police...” so that “...the secure employment of the existing German police machinery will be facilitated by an insight into its workings, and understanding of its domination by the Nazi Party.”⁹⁵ By 1951, however, the new West German government under conservative Chancellor Konrad Adenauer established a militarized national border police force. What changed in the two years since General Clay rejected LeSueur’s suggestion of arming the German police for war?

⁹¹ Jean Edward Smith, ed. *The Papers of General Lucius G. Clay: Germany, 1945-1949 Vol. II* (Bloomington: Indiana University Press, 1974), 965.

⁹² For an overview of this organization, see Michael Wildt, *An Uncompromising Generation: The Nazi Leadership of the Reich Security Main Office* (Madison: University of Wisconsin Press, 2009)

⁹³ According to Christopher Browning, the Nazis created a 56,000-man “police army,” see *Ordinary Men*, 4; The role of the police was vital in the defense and support of the Nazi state, see Patrick Wagner, “Der Kern des völkischen Maßnahmenstaates – Rolle, Macht und Selbstverständnis der Polizei im Nationalsozialismus,” in Wolfgang Schulte, *Die Polizei im NS-Staat: Beiträge eines internationalen Symposiums an der Deutschen Hochschule der Polizei in Münster* (Frankfurt: Verlag für Polizeiwissenschaft, 2009), 29-33.

⁹⁴ Supreme Headquarters Allied Expeditionary Force Evaluation and Dissemination Section G-2 (Counter Intelligence Sub-Division), *The German Police*, April, 1945, BiblioGov print version.

⁹⁵ *Ibid.*, preface.

This chapter explores the circumstances that led to the founding of the *Bundesgrenzschutz* in 1951. Why would a new democratizing state still reeling from twelve years of dictatorship and war bring militarized policing back? Moreover, what does this decision reveal about the nature of its democratization during the early 1950s? The chapter shows how Konrad Adenauer exploited Cold War tensions to create a paramilitary national border police force. Border security, however, was a means to achieve a specific end – greater executive power and influence. His objectives were motivated more by domestic politics and his need to exercise power in a federalist system of government than either external or internal security threats.

The Concept of National Policing Before the Korean War

Scholars frequently point to Adenauer's pre-Korean War demands for a national police force as evidence that he wanted to increase external security since the Allies prohibited him from building an army. In 1949, Adenauer told a reporter from the *Cleveland Plains Dealer* newspaper that a federal police force might be useful in defending the West against Soviet aggression.⁹⁶ Certainly, Adenauer worried about events such as the Berlin Blockade and the rapid reduction of Allied armed forces in the western occupation zone. The Soviets had a clear advantage over the Allies in conventional armed forces.⁹⁷ Moreover, the Soviets created special paramilitary police units known as the *Volkspolizei* (People's Police - VoPos) in 1946. The men in these forces were armed with infantry weapons and stationed in barracks near the inner-German border. West German officials believed the *Volkspolizei* had

⁹⁶ These were statements appearing in the December 1949 edition of the *Cleveland Plains Dealer*. For the interpretation that Adenauer was focused on external security see for example Thomas Alan Schwarz, *America's Germany*, 117; David Clay Large, *Germans to the Front*, 54-55; For a reprint of the *Cleveland Plains Dealer* interview see: "German Chancellor Faces Grilling on Rearmament," *Oxnard Press Courier* (8 December 1949).

⁹⁷ U.S. forces were reduced from over 3 million personnel on May 8, 1945 to a total of 135,000 by 1947. British and French combat troops were similarly reduced. See Bryan T. Swearingen, "U.S. Force Structure and Basing in Germany, 1945-1990" in Detlef Junker, Philip Gassert, Wilfried Mausbach and David Morris, eds. *The United States and Germany in the Era of the Cold War, 1945-1990: A Handbook*, Vol. 1 (New York: Cambridge University Press, 2004), 217-218; The particular ferocity of the Soviet invasion of Eastern Germany in 1945 still resonated with West Germans. Many of whom had fled homes in the East as the Red Army entered Germany, See: Norman Naimark, *The Russians in Germany: A History of the Soviet Zone of Occupation, 1945-1949* (Cambridge: Belknap Press, 1995), 115; Richard Bessel, *Germany 1945: From War to Peace* (New York: Harper Perennial, 2010), 219.

reached a numerical strength of 70,000 men by 1950.⁹⁸ Adenauer's military adviser, General Hans Speidel, described these developments and rising tensions with the Soviet-East German forces as, "a complete reversal in relations" between East and West.⁹⁹

Interpretations of Adenauer's federal police proposals thus link them to the larger processes involved in the Allied decision to rearm West Germany. From this perspective, what has been called "the federal police option" is presented as an anecdotal point in an otherwise linear progression that begins with Adenauer's pre-Korean War proposals and ends in 1956 with the creation of West German armed forces (the *Bundeswehr*) under the umbrella of NATO.¹⁰⁰ His biographer, Hans-Peter Schwarz, argues that Adenauer's federal police proposals were "...the core of a concealed rearmament."¹⁰¹ But these explanations underemphasize the representational or symbolic power he was trying to achieve for his government through a national police force administered by the federal Interior Ministry. He was not as concerned about external security before the Korean War as most scholars have suggested. His pre-war requests reflected a greater need for a police force to represent the executive power of his administration and its influence over internal security emergencies. In February 1950, for example, a large group of disgruntled union truck drivers in Bonn protested the recent increase in gasoline prices by blocking traffic. The protestors were so disruptive that they forced the plenary session in the *Bundestag* to adjourn. Adenauer used this incident to emphasize the weakness of his government to protect the state against internal disorder. While speaking at a press conference in Bochum, he declared, "the federal government has no means of exerting power and no law enforcement agency. What the motorists can do today could be done tomorrow by the unemployed, the expellees, the communists, and finally by

⁹⁸ Hans Speidel, *Aus Unserer Zeit: Erinnerungen*, Berlin: Propyläen, 1977, 267; Torsten Diedrich and Rüdiger Wenzke, *Die Getarnte Armee: Geschichte der Kasernierten Volkspolizei der DDR 1952-1956* (Berlin: Christoph-Links Verlag, 2001), 50-54.

⁹⁹ Speidel, *Aus Unserer Zeit*, see memorandum titled "Thoughts Concerning the Question of External Security of the Federal Republic of Germany," 267-269.

¹⁰⁰ David Clay Large and Thomas Schwartz in particular treat Adenauer's federal police plans in this manner and both suggest his plans were linked to his desire for sovereignty; see also Heiner Busch, Albrecht Funk, and Udo Kauss, *Die Polizei in Der Bundesrepublik* (Frankfurt: Campus Verlag, 1985), 59.

¹⁰¹ Hans-Peter Schwarz, *Adenauer Vol. 1*, 524-25.

strikers...the Federal Republic and, with it, Western Europe would go down.” He repeatedly conflated this incident to the Allies and used it to justify increasing his executive power. But the Allies knew the chance of Western Europe “going down” because of a single union strike was unlikely.¹⁰²

In April 1950, Adenauer asked the Allied High Commissioner for Germany (HICOG), John J. McCloy, for a 25,000-man federal police force. He told McCloy that West Germany suffered from a “noticeable disadvantage [because] it does not command its own police force” and was unable to “take any executive police measures on its own authority.”¹⁰³ He claimed there was no need for an army because the Allies already provided for external security. He insisted West Germany faced the same internal threats that plagued Weimar Germany when, “the police were suddenly faced by well-organized and armed insurgents. Although the police were...better equipped with arms than is the case today, they were not successful in their struggle against an even better equipped opponent and they could not re-establish public order; this was only possible with the support of the *Reichswehr* (Weimar Armed forces).”¹⁰⁴ The letter was the first of many examples where Adenauer invoked the internal disorder of Weimar Germany. He was trying to persuade The High Commission to grant his requests by implying West Germany might be vulnerable to communist “fifth columnists.”¹⁰⁵ The communist Free German Youth movement (*Freie Deutsche Jugend* – FDJ) was planning large May Day and Whitsuntide (Pentecost) marches from East into West Berlin. Allied and West German officials learned these marches

¹⁰² Minutes of the HICOG Twelfth Meeting with the Federal Chancellor, February 16, 1950, NARA RG 466 Records of the U.S. High Commission for Germany, John J. McCloy, General Classified Records, 1949 – 1952, 1950 No.’s 410 – 604, Box 9, Folder: Feb. 50 D(50)410 to D(50)455; Adenauer’s speech at Bochum is recorded in the minutes of the HICOG meeting.

¹⁰³ Quoted from pp. 1-2, Letter from Chancellor Adenauer to General Sir Brian Robertson, Chairman of the Council of the Allied High Command, 28 April 1950, The National Archives of the UK (TNA), Foreign Office Files FO 371/85324; He was referring here to the Bonn demonstration and also recent activities by the FDJ.

¹⁰⁴ Ibid.

¹⁰⁵ Adenauer regularly emphasized the “Ohne Mich” (without me – count me out) peace movement to the Allies and exploited their fear of a rapprochement with the east, see Patrick Major, *The Death of the KPD: Communism and Anti-Communism in West Germany, 1945-1956* (Oxford: Clarendon Press, 1997), 143.

might include up to 3,000-armed members of East Germany's *Volkspolizei*.¹⁰⁶ His use of memory politics to invoke the chaos and violence of Weimar Germany contradicted with Allied memories of the heavy-handed police responses against protest movements in 1920s Germany. But the political situation Adenauer was describing in the postwar Federal Republic differed significantly from what occurred during the Weimar years. For the Allies, curbing German militarism and police violence still remained a top priority over the potential rise of communist insurgencies or strikes.¹⁰⁷

¹⁰⁶ Telegram from HICOG Director of Intelligence B.R. Schute to United States Command, Berlin, April 18, 1950, "Berlin Situation No. 14," NARA RG 466, Records for the U.S. High Commissioner for Germany, John J. McCloy, Classified General Records, 1949-1950, 1950 Box 12, Folder: Apr. 50 D (50) 1168 to D (50) 1225; See also Frank Pace Jr., Secretary of the Army, "Top Secret Report to the National Security Council: May Day and Whitsuntide Youth Rallies in Berlin," April 28, 1950, Eisenhower Presidential Library, White House Office, National Security Council Staff: Papers, 1948-61, Disaster File, Box 48, Folder: Germany (4).

¹⁰⁷ The French were the biggest Allied opponents of centralized policing because they feared it was a step towards West German re-militarization; see William Hitchcock, *France Restored*.



Figure 1.1
Free German Youth propaganda poster, 1951.

Archival documents reveal that members of the High Commission saw Adenauer's federal police proposal for what it was - a bid to increase his executive power rather than a response to external threats. On 12 May 1950, for example, the Allies met to prepare for the London Foreign Minister's conference and discussed giving Adenauer a small national police force. The Foreign Ministers suggested the force would give him the ability to "protect the federal government, uphold its prestige, and maintain order in the event of any serious trouble."¹⁰⁸ The ministers kept these discussions secret because giving the Germans any concessions so soon after the war was controversial. When the London Conference began, the minister's secretly agreed to give Adenauer a small 5,000-man federal police force. High Commissioner McCloy suggested it be called a "Republican Guard" rather than a police force.¹⁰⁹ It was to have no powers of arrest or conflicting duties with *Länder* police forces. McCloy warned his colleagues to keep the decision secret and directed that it not be announced in connection with the conference. Instead, he insisted that it be presented as an "allied decision" not a "concession" to Adenauer.¹¹⁰ The official minutes of the London Conference stated: "With regard to the request for permission to establish a federal gendarmerie, the ministers discussed the recommendations of the High Commissioner, but since neither the French nor the United States had considered the questions, the ministers agreed to postpone action."¹¹¹ This statement was false and deliberately misleading. McCloy obviously realized the unpopularity of any German armed force in the aftermath of Nazism. He wanted to prevent a public relations blunder by appearing conciliatory towards the Germans. But he also feared the

¹⁰⁸ See Memorandum from C.A.E. Shuckburgh May 11, 1950: "Ministerial Talks United States/United Kingdom/France, Item No. 3: Germany," 1, TNA FO 371/85324.

¹⁰⁹ The secret recommendation was also endorsed by the Joint Chiefs of Staff and mentioned in a report from Secretary of Defense Dean Acheson to the National Security Council on June 8, 1950 – 19 days from the eruption of war in Korea, See "NSC 71, A Report to the National Security Council by the Secretary of Defense on United States Policy Towards Germany, June 8, 1950," Dwight D. Eisenhower Presidential Library, White House Office, National Security Council Staff: Papers, 1948-1961, Disaster File, Box 48, Folder A: Germany.

¹¹⁰ Top Secret memorandum written on behalf of McCloy by his Assistant, Col. H.A. Gerhardt to the British and French Foreign Ministers, May 12 1950, The John J. McCloy Papers, Amherst College, Box +HC5, Folder 79: HICOG Correspondence.

¹¹¹ Everett S. Gleason and Fredrick Aandahl, eds. United States Department of State, Foreign Relations of the United States (FRUS), Vol. III, 1950, Western Europe (U.S. Government Printing Office: 1950), 1051, available at <http://digital.library.wisc.edu/1711.dl/FRUS.FRUS1950vo3>.

implications of a West German rapprochement with the Soviets to the extent that he was willing to secretly cooperate with Adenauer to gain his loyalty.¹¹² More importantly, at the close of the conference, the Allies reaffirmed their obligation to defend West Germany against foreign invasion under Article 5 of the North Atlantic Treaty.¹¹³ Thus, before the Korean War, neither the Allies nor Adenauer envisioned a police force for national defense.

The secret recommendations made by McCloy and other foreign ministers at London revealed that neither the Allies nor Adenauer intended the “Republican Guard” to be an ersatz army or, for that matter, a border guarding force. Border security was never mentioned in the discussions and statistical evidence during the winter months of 1950 revealed a noticeable decrease in illegal border crossings.¹¹⁴ Moreover, the Allied security guarantee under Article 5 ensured that there was no present need for a German contribution to western defense. So why do scholars still link Adenauer’s pre-Korean War demands for a federal police force to the larger debates surrounding rearmament? To be sure, it was popular among certain British, American, and West German security experts who believed nationalized policing might be an interim step towards building a new German army. A year before the Korean War, Lt. Colonel Edwards, a security expert on McCloy’s staff, wrote a top secret analysis advocating the German police system as a “theoretical middle course” to rearmament that “might be justified on the grounds that such a course would be necessary to maintain the stability of any government organized

¹¹² Adenauer specifically told U.K. High Commissioner Ivone Kirkpatrick that the West Germans would be open to a settlement with Russia because they lacked the ability to defend themselves and had no faith in the west; see telegram HICOG McCloy to Secretary of State Acheson July 14, 1950, in United States Department of State/Foreign Relations of the United States (FRUS) 1950, Vol. IV Central and Eastern Europe, the Soviet Union, 696.

¹¹³ Article 5 remained in effect as long as Allied forces occupied the FRG, See FRUS, Vol. III, 1950, 1085.

¹¹⁴ Crossings were down from 16,933 per month in 1949 to 9,483 per month by January 1950: See HICOG Press Release No. 256 “Illegal Border Crossings at Low Level,” Frankfurt Main, March 17, 1950, NARA RG 466, Records of the U.S. High Commissioner for Germany, U.S. High Commissioner John J. McCloy: Classified General Records 1949-1952, Box 11, Folder: March 1950 D(50)787-D(50)828.

under the Bonn Constitution...”¹¹⁵ The memorandum showed how the Americans envisioned Adenauer’s need for executive power and prestige as a means to secretly advance their own plans to rearm West Germany. The U.S. Joint Chiefs of Staff favored this approach and so did McCloy despite his public statements to the contrary that “the policy which the Allied High Commissioners are directed to administer does not permit the reconstitution of a German military or paramilitary force.”¹¹⁶

McCloy was a complex figure in the development of security policy in postwar Germany. In public, he was careful to avoid appearing too conciliatory towards the Germans. Privately, however, he did everything to ensure Adenauer and West Germany remained bound to the Western Alliance. More problematically, however, McCloy also pardoned many convicted Nazi war criminals and recently declassified archival evidence from the Nazi War Crimes Disclosure Act shows he secretly helped to fund a clandestine CIA paramilitary guerilla program code named LCPROWL.¹¹⁷ The program established covert cells of “stay-behind” operatives in West Germany known as the “Apparat.” Many of the Apparat’s members had been members of either the Nazi SS or *Sicherheitsdienst* (SD – Intelligence Service). Their purpose was to attack invading Soviet forces using guerilla warfare. McCloy diverted Marshall Plan funds to these operatives under fake accounts earmarked for education programs. He concealed the operation from Adenauer until the Hessian Police accidentally discovered it during an

¹¹⁵ Top Secret Position Paper, Lt. Colonel Edwards to Colonel H.A. Gerhardt, “Basic Considerations with Regards to Germany,” June 13, 1949, p. 2, NARA RG 466, Records of the Office of the High Commissioner for Germany, Office of the Executive Director, Misc. Files Maintained by Col. H.A. Gerhardt, Boxes 11-12, Box 2.

¹¹⁶ “Allies Object to Statements on German Rearmament,” Associated Press article, *St. Petersburg Times*, December 8, 1949; Memorandum from U.S. Joint Chiefs of Staff to Secretary of Defense, April 30 1950, p. 2, NARA RG 218, Records of the U.S. Joint Chiefs of Staff: Geographic File 1948-1950, Box 25, Folder 92: U.S. Policy Towards Germany; John J. McCloy quoted in “Reviving Germany: An Interview with John J. McCloy, U.S. High Commissioner for Germany,” *U.S. News and World Report*, November 4, 1949, pp. 26-30, John J. McCloy Papers, Amherst College, Box SP 1, Folder 30.

¹¹⁷ The Nazi War Crimes Disclosure Act is a United States Federal Law that went into effect on October 8, 1998 and the documents disclosing the LCPROWL Operation were declassified as part of a wide-ranging CIA Freedom of Information Act request in 2007; LCPROWL is the code word for the operation, but its meaning or origin is not described in the documents. Remarkably, it is largely missing from Cold War historiography.

unrelated raid in 1952 at a plywood business that was used as front to conceal the program.¹¹⁸ The police searching the business found lists of SPD representatives that were to be “done away with” by the Apparat agents once a Soviet invasion began. When Hessian Minister President August Zinn publicly disclosed these findings, the CIA ordered the Apparat “liquidated in its entirety.”¹¹⁹ The revelations of the CIA’s top-secret LCPROWL operation came at a critical moment for the newly formed *Bundesgrenzschutz*. Since the French had accused Adenauer’s government of using federal policing to secretly rearm, the existence of the Apparat gave the appearance that West Germany might be engaging in the sort of clandestine security policies that contributed to the erosion of Weimar Germany’s democratic institutions in the early 1930s. Although there is no evidence that Adenauer was aware of the secret plans, his Social Democratic critics used the public revelations of CIA operations to criticize his security policies.¹²⁰

The British also favored rearmament through a police or gendarmerie option because it was less controversial than giving the Germans a new army. U.K. High Commissioner Brian Robertson discussed these ideas in secret with General Gerhard Graf von Schwerin, an early West German advocate of rearmament through police forces.¹²¹ Robertson was frustrated by recent failures of the German police to

¹¹⁸ See Memorandum for Deputy Director (Plans), Subject: History of the LCPROWL Project, October 22, 1952, Available in pdf format Online at www.foia.cia.gov, Locator: /specialcollections/nwcda3/70/LCPROWL Vol. 1_0026.pdf; See also Memorandum for Deputy Director (Plans), Subject: Recent Developments Affecting the Security of the PP-Sponsored League of German Youth (BDJ) (LCPROWL) and its Clandestine Paramilitary Apparatus, September 18, 1952, Available in pdf format Online at www.foia.cia.gov, Locator: /specialcollection/nwcda3/70/LCPROWL Vol. 4_0030.pdf; McCloy is mentioned in this document by the CIA as being aware of the “Apparat” and its activities and argued against disclosing it to the West Germans until it could be discussed on a tripartite basis.

¹¹⁹ See Memorandum for Deputy Director (Plans), Subject: History of the LCPROWL Project, October 22, 1952, Available in pdf format Online at www.foia.cia.gov, Locator: /specialcollections/nwcda3/70/LCPROWL Vol. 1_0026.pdf. History of the LCPROWL Project, October 22, 1952; Minister President Zinn disclosed this when the SPD attacked the Adenauer Administration about the secret operations of the BDJ in the German *Bundestag* on October 23, 1952, See *Deutscher Bundestag*, 235 Sitzung, Bonn, Donnerstag, den 23. Oktober, 1952, 10080.

¹²⁰ *Deutscher Bundestag*, 235 Sitzung, Bonn, Donnerstag, den 23. Oktober, 1952, 10080

¹²¹ Spencer Mawby, *Containing Germany: Britain and the Arming of the Federal Republic*, (London: Macmillan Press, 1999), 27-32; Alaric Searle, *Wehrmacht Generals*, 52.

protect offices at the British Dismantling Service in Salzgitter from rioters.¹²² Schwerin had a good reputation in the U.K. because he had been a diplomat in London before the war and resisted Nazi “scorched earth” policies while fighting Allied forces in 1944-45. It was Robertson and his assistant, Sir Christopher Steele, among others, who recommended Schwerin as a security advisor to Adenauer.¹²³ The other influential security experts advising Adenauer were veteran *Wehrmacht* officers, including Adolf Heusinger, Hans Speidel, and Franz Halder. They opposed Schwerin’s federal police idea. These former Nazi officers were more concerned with a potential Soviet invasion and not the executive power or prestige of Adenauer’s administration. They wanted to re-establish the traditional German General Staff system and believed Schwerin’s plans did not go far enough for a credible defense against the Soviets. Halder expressed these views in a secret memorandum on 6 June 1950 when he wrote that a “federal police force cannot be the foundation of a new army...” Tensions between Schwerin and the men who favored rebuilding the German General Staff later caused Adenauer to dismiss him as a defense advisor. Schwerin was considered too progressive by the conservative traditionalists – some of whom criticized him for associating with the SPD leader Kurt Schumacher.¹²⁴

The Influence of the Korean War

The surprise attack by communist North Korea against the democratic Republic of South Korea on 28 June 1950 was a turning point for Konrad Adenauer’s federal police proposals. It convinced key players in the U.S. State Department that defending Europe would be impossible without West German

¹²² The British Dismantling Commission was responsible for demolishing Germany’s industrial warfare capability and often met with resistance from factory workers; “Germans Battle Dismantling Squad, Wreck Offices of Commission,” *New York Times*, March 7, 1950.

¹²³ Bundesarchiv-Militärarchiv, Freiburg BA-MA, BW/3105: Personal Memorandum, May 25, 1950. Schwerin recalled this recommendation himself in this personal memorandum and claimed he was given the job after a one-hour interview with Adenauer. The British remembered he ignored Hitler’s order to destroy the city of Aachen during the war. According to David Clay Large, it was the publisher of *Die Zeit*, Countess Marion Dönhoff who originally suggested Schwerin to Robertson, see David Clay Large, *Germans to the Front*, 57; Roland Förster, “Innenpolitische Aspekte,” 456.

¹²⁴ Schwerin was replaced by Theodor Blank – Generals Speidel and Heusinger probably pushed Adenauer to oust Schwerin; For a good analysis of this tension and Schwerin’s dismissal, see, Alaric Searle, *Wehrmacht Generals*, 52, 70-73; Aktennotiz June 6, 1950: Position of Herrn. Gen. Oberst Franz Halder, p. 2, BA-MA BW9/3106.

participation. Adenauer was quick to point out and exploit the similarities between divided Germany and Korea, but the Allies avoided drastic changes and remained committed to the policy of demilitarization nonetheless.¹²⁵ The secret decision by the ministers at the London Conference to give Adenauer a 5,000-man “Republican Guard” was never implemented because of internal tensions amongst the Allies.¹²⁶ Adenauer was frustrated that nothing was being done by the Allies to provide him with even a small federal police force. The prestige of his government and its executive power was weakened without having monopolization over the state’s coercive forces. Since he failed to convince the Allies to give him a federal police for internal emergencies, he decided to use the Korean War to justify it on the grounds that it could be helpful for national security. To Adenauer’s benefit, Communism replaced Nazism as the new global totalitarian “boogey-man” and the Korean War erupted just as the “red scares” and McCarthyism took hold in the United States.¹²⁷ In November 1950, he wrote to his longtime personal friend, Dane Heineman and complained that “the expansionist trend of Russia’s policy since 1945 is so manifest that it is hard to understand how the Western Allies could have persisted so long in their attitude of passive observers.”¹²⁸

¹²⁵ The U.S. Joint Chiefs of Staff and particularly General Omar Bradley felt the Korean War was enough to reverse the opposition to rearmament, but President Truman and State Department officials disagreed, See Thomas Alan Schwartz, “From Occupation to Alliance: John J. McCloy and the Allied High Commission in the Federal Republic of Germany, 1949-1952” (Ph.D. thesis, Harvard University, 1985), 295-296.

¹²⁶ The plans were disrupted when U.S. State Department Officials learned that U.K. Commissioner Brian Robertson had begun unilateral top-secret rearmament discussions with Adenauer. See telegram, July 6, 1950, U.S. Ambassador Lewis Douglas to Secretary of State Dean Acheson, FRUS, Vol. IV, 1950, 695.

¹²⁷ Christine Bragg, *Vietnam, Korea, and U.S. Foreign Policy 1945-1975* (Oxford: Heinemann, 2005), 50-51.

¹²⁸ Letter from Konrad Adenauer to D.N. Heineman, November 15, 1950, Amherst College, John J. McCloy Papers, Box +HC5, Folder 93: HICOG Correspondence, Heineman, D.N. June 1949 – January 1951.

Adenauer's writings and public statements compared the strategic situation on the divided Korean peninsula to that of divided Germany. His renewed call for a national police force shifted from internal security to western defense. He wanted the Allies to believe that a Korean-style cross border invasion led by the paramilitary East German *Volkspolizei* was inevitable. He claimed the U.S. reduction of conventional armed forces in West Germany was comparable to its 1948 drawdown in South Korea, which he argued, left the peninsula defenseless and vulnerable.¹²⁹ He also pointed to the North Korean

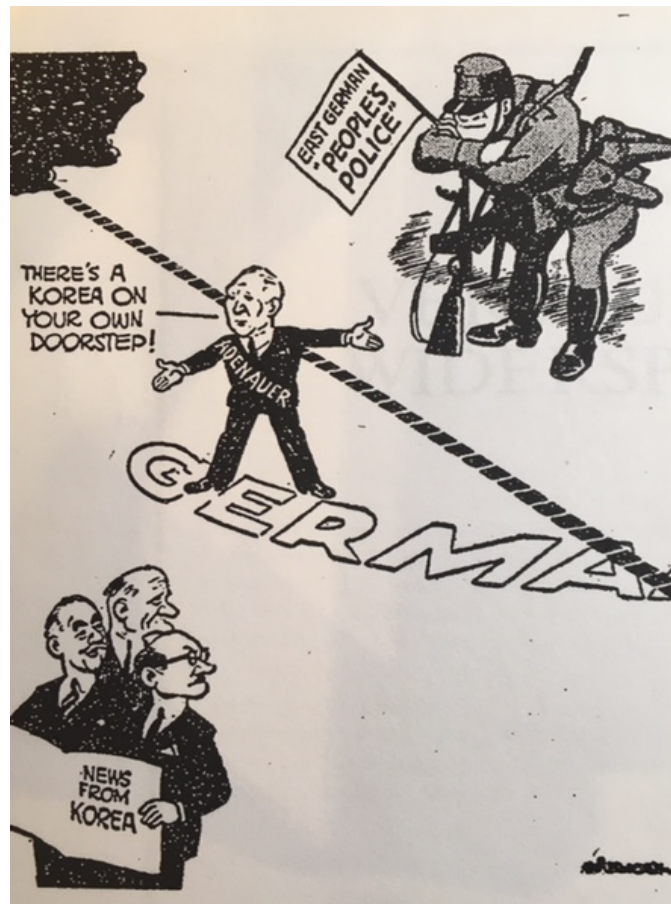


Figure 2.2
“Parallel” by George Butterworth, 1950

¹²⁹ Swearingen, “U.S. Force Structure and Basing in Germany,” 217-218; The U.S. still had over 100,000 troops in West Germany as opposed to none in South Korea.

support of communist “gangs” or paramilitary insurgents who fomented dissent ahead of the coming surprise attack.¹³⁰ His comparisons gained the attention of the press and heightened anxiety amongst the West German population, but they were not factual.¹³¹ The U.S. had significantly reduced its postwar combat forces in South Korea, but it still occupied West Germany in sufficient enough strength to discourage Soviet or East German aggression.

Adenauer omitted nuanced details from his comparisons about the strategic situation in Korea, which differed significantly from conditions in Europe. In particular, he failed to mention Soviet occupation forces had also left North Korea before the war. The Korean War was a proxy war whereas a similar attack in divided Germany had greater potential for direct conflict between the nuclear-armed superpowers – both of which still occupied their respective zones. Moreover, the prewar activities by communist supported guerillas in South Korea caused violent fighting and thousands of deaths. There were definitely communist movements in West Germany, such as the FDJ, but their activities never rose to the level of deadly violence experienced with similar groups in prewar South Korea.¹³² Finally, unlike South Korea, the 1948 Berlin Airlift left little doubt how the Allied powers, especially America, would have responded to communist aggression in West Germany. According to Petra Goedde, the airlift “transformed America’s role from conqueror to protector” and fostered a postwar consensus that

¹³⁰ Konrad Adenauer, *Memoirs 1945-1953, Vol. 1* (Chicago: Henry Regnery Company, 1966), 271.

¹³¹ David Clay large cites several German newspapers that document increased public fear, see *Germans to the Front*, 66; New York Times Reporter Jack Raymond claimed the West German public followed developments in Korea so closely that maps of the peninsula were posted throughout its cities so that citizens could chart the war’s progress, see Jack Raymond, “Germany Views the Border,” *New York Times*, July 30, 1950, E5.

¹³² For a good description of the pre-war troubles in Korea, including the Cheju Rebellion that resulted in thousands of deaths, see Bruce Cumings, *The Korean War: A History* (New York: Random house, 2011), 127-135; Members of the (FDJ) Free German Youth often staged rallies and frequently clashed with state police officers; Adenauer complained to the HICOG the police were too weak even to take streamers and signs away from FDJ demonstrators, *ibid*, *Memoirs*, 274.

“deflected German and American attention away from Germany’s Nazi past towards an anti-communist future.”¹³³

Much to Adenauer’s frustration, however, neither the Allies nor the West German population was willing to accept swift changes despite anxiety caused by the Korean War.¹³⁴ Besides, the Allies had given him an unconditional external security guarantee during the London Foreign Ministers Conference.¹³⁵ But this meant very little to Adenauer because, as he later claimed, it was his belief that “the forces of the Western Allies in Germany were not strong enough [to deter the Soviets]”¹³⁶ Adenauer met with the Allied High Commission on 16 August 1950 and reiterated his demand for a federal police force – this time justified as a response to the East German *Volkspolizei*. He told the commissioners that neither the German people nor the decentralized *Länder* police demonstrated a willingness to resist foreign attacks.¹³⁷ He conflated the power of West Germany’s external enemies and hoped the commissioners would grant his request. Strikingly, he now asked for 150,000 men. The High Commission knew Adenauer’s post Korean War proposals still had the same objective as those before the war – that is to increase his executive power and the influence of his government in domestic security affairs. McCloy wrote to Secretary of Defense Dean Acheson that in his opinion, “Adenauer may only be seeking means to strengthen his government by the creation of a federal police force and using the Korean incident as a gambit for this purpose.”¹³⁸

While both McCloy and Acheson understood Adenauer’s underlying motives, after Korea they were both convinced West Germany was critical to European defense. Acheson later admitted, “Korea

¹³³ Petra Goedde, *GI's and Germans: Culture, Gender, and Foreign Relations, 1945-1949* (New Haven: Yale University Press, 2003), 170.

¹³⁴ See Michael Geyer, “Cold War Angst: The Case of West German Opposition to Rearmament and Nuclear Weapons” in Hanna Schissler, *The Miracle Years*, 379.

¹³⁵ Communiqué Agreed Upon by the Foreign Ministers, FRUS, Vol. III, Western Europe 1950, 1106-07.

¹³⁶ Adenauer, *Memoirs*, 274-75.

¹³⁷ *Ibid.*

¹³⁸ McCloy to Acheson July 14, 1950, FRUS Vol. IV, 1950, 696-97; McCloy was explaining Adenauer’s request for a force of 150,000 men.

had [sped] up the evolution” of rearmament.¹³⁹ Yet McCloy and Acheson preferred West German military contributions under supranational control rather than permitting the construction of a large, independent centralized police force.¹⁴⁰ They also knew convincing the French of any German armed force would be problematic since Germany had invaded France three times since 1870. Adenauer’s public rhetoric about impending doom from the east increased and soon found its way into newspapers. McCloy later told Acheson that he “took Adenauer to task” for these exaggerations because they heightened the “already anxious attitudes of the German people.”¹⁴¹ Nevertheless, Adenauer followed this censure by writing McCloy an embellished assessment of the threats facing West Germany to which, he argued a federal police force was the only solution.¹⁴² McCloy’s aide, Samuel Reber, called Adenauer’s assessment correct regarding the “East-West balance” but suggested “it was written and slanted to stress the alarming nature of the current military situation.”¹⁴³

¹³⁹ Dean Acheson, *Present at the Creation: My Years in the State Department* (New York: W.W. Norton and Company, 1969), 437.

¹⁴⁰ This was true for McCloy, especially since he had previously envisioned a federal police force limited to 5,000 men for the prestige of Adenauer’s government rather than as a clandestine effort to unilaterally rearm.

¹⁴¹ FRUS, Vol. IV, 1950, 710.

¹⁴² Letter from Adenauer to John J. McCloy, August 29, 1950, NARA RG 466, Records of the Office of the High Commissioner for Germany, Office of the Executive Director, General Hay’s Executive Files 1949 – 1951, Boxes 15-16, Box 2, folder: “Federal Chancellor Adenauer Intelligence Estimate, 1950.”

¹⁴³ *Ibid.*, Reber to McCloy, August 31 1950.



Figure 3.3
Truman with Acheson and McCloy, 23 January 1950

On 10 September 1950, just days before the Allied Foreign Ministers met in New York for a tripartite conference, McCloy wrote a lengthy letter to President Truman to which he attached Adenauer's exaggerated assessment of the Soviet threat. McCloy was careful in what he told the President whose attitude towards German policing was closely aligned with Acheson and others in the State Department opposed to a centralized, national police force.¹⁴⁴ He told Truman Adenauer's requests for federal police were confusing and mixed "together a genuine police for maintaining internal order and a disguised army to deal with the [*Volkspolizei*] threat from East Germany."¹⁴⁵ Scholars have cited these communications

¹⁴⁴ The State Department reflected President Truman's strong opposition to German rearmament and federal policing prior to the Korean War, see Robert H. Ferrell, *Harry S. Truman: A Life* (Columbia: University of Missouri Press, 1994), 357; This was also confirmed by the State Department's Director of German Political Affairs, Perry Laukhuff – see Oral History Interview, Perry Laukhuff, January 23, 1974, p. 169, Truman Library.

¹⁴⁵ Letter, "McCloy to President Truman," September 10 1950, The Papers of John J. McCloy, Amherst College, Box +HC6, Folder 18A: Correspondence: Truman, Harry S., 5.

with Truman and others as evidence that McCloy opposed Adenauer's federal police proposals.¹⁴⁶ But this contradicted McCloy's pre-Korean War attempt to secretly authorize a 5,000-man national police force disguised as a "Republican Guard." He had also recently directed the High Commission's Public Security Subcommittee to strike down the ban on members of Nazi Germany's *Wehrmacht* and paramilitary forces from serving in the civilian police.¹⁴⁷ There is no question he publicly opposed an independent German national army or militarized police force. But he also lobbied Truman to give Adenauer more control over domestic politics. McCloy told Truman that Adenauer was committed to western democracy and explained "we would now be justified in conferring additional authority on the Federal Republic, and relaxing our controls by progressive stages."¹⁴⁸ Providing Adenauer with a small national police force supported the concessions McCloy believed were necessary to guarantee Adenauer's long-term alignment with the west. Moreover, his aide, Lt. Colonel Edwards had already described policing as a "theoretical middle course" or platform on which to begin the process of rearmament. After Korea, this "theoretical middle course" appeared more convincing than it had before the war.

Adenauer's Struggle Against Internal Opposition

Despite McCloy's implicit support, the "Big Three" (Britain, France, and the United States) rejected Adenauer's federal police proposal during their tripartite meetings in New York on 19 September 1950. They did, however, authorize the reinforcement of *Länder*-based police forces by 30,000 men – 10,000 of which might be placed under federal jurisdiction in a state emergency. The New York agreements ensured West German rearmament, but only under the umbrella of a supranational defense

¹⁴⁶ Thomas Schwartz, "John J. McCloy," Ph.D. Diss., 331; Schwartz also makes this point in the book that emerged from his dissertation, *America's Germany*.

¹⁴⁷ Allied High Commission Public Safety Subcommittee Confidential Memorandum: "Employment in the German Police and Fire Services of Members of the German Armed Forces and Paramilitary Organizations," June 27, 1950, NARA RG 466 Records of the High Commissioner for Germany, Military Security Board: Military Division, Secret General Records, 1949-55, F-P, Box 2, Folder: German Police, Miscellaneous.

¹⁴⁸ Letter, McCloy to President Truman September 10, 1950, 6-9.

force.¹⁴⁹ Acheson's forceful demand for consensus on this policy took his British and French colleagues by surprise. French Minister Robert Schuman called Acheson's proposal "the bomb in the Waldorf."¹⁵⁰ It set the stage for the meeting of the North Atlantic Treaty powers in Brussels three months later, where the foreign ministers agreed Allied relations with West Germany should be reduced from direct oversight to a contractual basis. This reversal in relations was implemented to end demilitarization since the Allies now mutually agreed upon the importance of the Federal Republic for Western defense. The famous 1945 Potsdam Four Power decision to completely demilitarize and disarm Germany was superseded by Cold War strategic objectives.¹⁵¹

The Allies had removed themselves from the federal policing debate and now left the decision to West German lawmakers. The New York foreign minister's agreement helped West Germany's state police re-establish the militarized Weimar era *Bereitschaftspolizei* (Riot Police - BePo)¹⁵² The BePo provided the states with a response to public order disturbances, but limited federal control to a small portion of this force in cases where a national emergency was declared.¹⁵³ If a national emergency were declared, the federally controlled officers "would have no normal powers of arrest, and would not perform routine police duties, but would be trained and used solely for the preservation of public order."¹⁵⁴ Thus, Adenauer's attempt to establish a standing national police force through the intervention and consent of the Allies had failed. If his sole intent was to increase national security, as he repeatedly

¹⁴⁹ Robert L. Beisner, *Dean Acheson: A Life in the Cold War* (Oxford: Oxford University Press, 2006), 366.

¹⁵⁰ Ibid. The meeting was held at the Waldorf-Astoria Hotel in New York City.

¹⁵¹ The "Himmeroder Denkschrift" (memorandum), recording the secret meeting at the Himmeroder Monastery where former *Wehrmacht* leaders discussed rearmament followed a month later, on October 9, 1950, BA-MA BW 9/3119; For the minutes of the North Atlantic Treaty meetings in Brussels, see FRUS Vol. III, 1950, 584-607; These developments are memorialized in detail in: Memorandum from High Commissioner John J. McCloy to Colonel E.F. Thompson, Military Security Board, February 23, 1951, NARA RG 466, Miscellaneous Files Maintained by Colonel H.A. Gerhardt, Box 1.

¹⁵² The BePo was a Weimar Era police force banned under the terms of the Potsdam and Yalta demilitarization guidelines. All *Länder* police officers began their service in the BEPO where they received military training; See Erika Fairchild, *The German Police*, 24-25; Eugen Raible, *Geschichte der Polizei*, 125; Heiner Heinrich, *Vom Schutzmann zum Bullen*, 28-29.

¹⁵³ Transcript of New York Foreign Ministers Meeting, 1-2.

¹⁵⁴ Transcript of New York Foreign Ministers Meeting, September 19, 1950, "German Mobile Police Forces," NARA RG 466, General Hays Executive Files 1949-1951, Boxes 15-16, Box 2 – Tripartite Meeting, 1-2.

claimed after the Korean War, then the Allied decision to reinforce the existing *Länder* forces by 30,000 men would have been enough to meet these demands.¹⁵⁵ The New York Conference proved to be a temporary setback, however, since the North Atlantic Treaty meetings at Brussels significantly reduced the High Commission's role in and regulation of West Germany's internal legislative processes. Adenauer could now work with his own government on alternative methods of building the national police force he envisioned.¹⁵⁶ But his objectives could only be realized through a protracted internal process – a process that revealed the West German effort to re-civilize their security in the aftermath of dictatorship and war.

The Allied decision to end legislative oversight of West Germany's internal politics was decisive for Adenauer. His legal advisers had already been working behind the scenes to find exceptions in the Basic Law that might be used to justify his national police force. In November 1949, for example, Adenauer's Chief of Staff, Hans Globke, instructed Federal Justice Minister Thomas Dehler to research the Basic Law for provisions covering police powers. Dehler concluded, however, that Allied policies reestablishing Germany's pre-1933 practice of investing these powers with the *Länder* prevented national policing without amending the Basic Law.¹⁵⁷ He suggested a federal police force might be created under Article 73, Paragraph 10 of the Basic Law, which gave "exclusive rights for Constitutional protection" to the federal government. But he also cautioned that implementing these rights depended upon the severity and size of the threat. Article 73 also prohibited the federal government from intervening with or exerting direct control over *Länder* police forces.¹⁵⁸

¹⁵⁵ The Western Allies had already agreed to defend the FRG against foreign attacks before the outbreak of the Korean War at the 1950 London Foreign Ministers Conference – See footnote No. 37 above.

¹⁵⁶ Adenauer, *Memoirs*, 291.

¹⁵⁷ Thomas Dehler to Hans Globke, "Rechtsgutachten über Möglichkeit, eine Bundespolizei aufzustellen" BArch-K B144/229, Aufstellung einer Bundesbereitschaftspolizei - Verwaltungsabkommen mit den Ländern.

¹⁵⁸ *Ibid.*

Contrary to the claims in his memoirs that he supported the constitutional amendment process, Adenauer tried to establish his own police force outside of West Germany's Basic Law in 1950.¹⁵⁹ He did this by forming an 1800-man federal *Begleitskommando* (protection squad) for the security of his Bonn offices. He wanted his own security squad even though the *Länder* police were responsible for these duties.¹⁶⁰ His plans were discovered when the SPD Deputy and Basic Law framer Walter Menzel complained that Adenauer's squad was supplanting the *Länder* police. Menzel accused Adenauer of broadly interpreting the New York agreements to build a police force without following constitutional due process.¹⁶¹ He succeeded in embarrassing the Chancellor who was compelled to disband his *Begleitskommando* and replace it with forces from the newly established state riot police (BePo).¹⁶² At the same time, Adenauer had begun direct talks with representatives from the *Länder* to determine which portion of the 30,000 new officers authorized by the Allies could be designated for federal use. These talks failed, however, because neither side agreed on who was responsible for the costs of these officers. *Länder* politicians demanded complete control over recruitment, training, and deployment, but insisted Adenauer's government cover all the expenses. Moreover, neither side could reach an agreement as to who determined what constituted a state "emergency" under Article 91 of the Basic Law, which had to be invoked before the federal government got control of any state police forces.¹⁶³

Like his pre-Korean War proposals, Adenauer's later attempts to create federal police without involving the *Bundestag* showed that his main goal was to increase his executive power and influence of his government. Without an exclusively national instrument of coercive force, Adenauer's government would have to rely on the states or foreign allies to guarantee the security of his people – a fundamental

¹⁵⁹ Adenauer, *Memoirs*, 291.

¹⁶⁰ Correspondence between Bundesminister des Innern Robert Lehr to Chancellor Konrad Adenauer, November 13 1950, in "Gesetz über den Bundesgrenzschutz und die Einrichtung von Bundesgrenzschutzbehörden vom 16 März 1951," BArch-K B136/1927.

¹⁶¹ Deutsche Bundestag (BT), 97 Sitzung, November 7, 1950, 3540.

¹⁶² Correspondence from Lehr to Adenauer, BArch-K B136/1927.

¹⁶³ This is outlined in the document, "Ergebnis der gestrigen Konferenz der Länderinnenminister," October 14 1950, BArch-K B136/1927.

duty of the executive branch outlined in Article 56 of the Basic Law.¹⁶⁴ His attempts to act without *Bundestag* approval evoked the legacies of problematic political theorists like Carl Schmitt, Werner Weber, and others who emphasized executive over parliamentary rule.¹⁶⁵ Weber was Schmitt's student, but did not have the problematic links to the Third Reich that Schmitt gained through his writings and legal justifications of Nazi policies. Schmitt's philosophy was based on the premise that sovereignty is based on the necessity to make exceptions to the rule of law, thus "the sovereign is whoever decides what constitutes an exception." Moreover, Schmitt and his followers believed parliament debated rules while "decision making and protection of state secrets belong to the executive."¹⁶⁶ Weber was critical of the Basic Law because unlike the Weimar Constitution, it under emphasized executive power.¹⁶⁷ Both Weber and Schmitt challenged the Federal Republic's legitimacy and its ability to effectively defend itself, especially during domestic emergencies. While there is no direct evidence Adenauer ever read or endorsed the problematic ideas of Schmitt or Weber, Hendrik Christoph-Müller has argued that their ideas remained popular, albeit indirectly so, among some conservatives during the 1950s.¹⁶⁸

West German Domestic Politics and the Influence of Federalism

For West Germany's politicians, the core of the federal police debate came down to an internal power struggle between the state and national governments. The Social Democrats believed the 30,000 reinforcements proposed by the foreign ministers in New York were enough to increase security. The legacies of police violence still resonated with many West German lawmakers, especially SPD Party

¹⁶⁴ See Artikel 56 – "Amtseid," in *Grundgesetz für die Bundesrepublik Deutschland*, print copy (Berlin: Bundeszentrale für politische Bildung, 2004), 34-35.

¹⁶⁵ Jan-Werner Müller, *A Dangerous Mind: Carl Schmitt in Post-war European Thought* (New Haven: Yale University Press, 2003), 64.

¹⁶⁶ Carl Schmitt, *The Crisis of Parliamentary Democracy* (Cambridge: MIT Press, 1985), 43-45; Schmitt, a Catholic, had been publicly discredited for his support of the Nazis, but remained influential in postwar conservative-Catholic circles, see Tracy B. Strong, "Carl Schmitt and Thomas Hobbes: Myth and Politics" in Carl Schmitt, *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol* (Chicago: University of Chicago Press, 2008), vii-viii.

¹⁶⁷ Werner Weber, *Weimarer Verfassung und Bonner Grundgesetz* (Göttingen: Fleischer, 1949), 6-10.

¹⁶⁸ Hendrik Christoph-Müller, *West Germans Against the West: Anti-Americanism in the Media and Public Opinion in the Federal Republic of Germany 1949 – 1968* (New York: Palgrave-Macmillan, 2010), 89.

Chairman Kurt Schumacher, who was persecuted by the Nazi regime.¹⁶⁹ But Schumacher was also an anti-communist and it would have been politically damaging for his party to ignore Adenauer's warnings of communist conspiracies. Moreover, as Eric Weitz has suggested, "...the Chancellor was able throughout the 1950s to depict the social democrats as the party that would open the gates for the communists."¹⁷⁰ The postwar SPD thus faced what Falco Werkentin argues was, "the need to distance themselves within the working class not only against the Stalinist model of socialism, but also against the accusation of conservative forces that they had become a secret satrap of Moscow."¹⁷¹ Many SPD deputies nominally supported the idea of a federal police force as long as it was established by a constitutional amendment and remained legally bound to *Bundestag* decisions. SPD Deputy Alfred Gleisner, for example, told Interior Minister Gustav Heinemann that in his opinion Adenauer's secretive attempts to create his own *Begleitskommando* were illegal.¹⁷² Yet he also offered his support for an amendment, which he concluded was the only way to uphold the rule of law and prevent the creation of a "central registrar at the Palais Schaumburg...and with which to organically build from the bottom up with the greatest possible democratic security."¹⁷³

Many of West Germany's *Länder* politicians rejected meddling by the federal government, especially in matters of policing because it disrupted the traditional federalist balance of power.¹⁷⁴ Civilian policing in Germany was organized and administered by the *Länder* governments until the Nazis

¹⁶⁹ See Stefan Rammer, *Kurt Schumacher im Urteil der deutschen Nachkriegspresse: das Bild eines sozialdemokratischen Politikers in Ost- und Westdeutschland* (Winzer: Duschl, 2002), 22.

¹⁷⁰ Eric D. Weitz, "The Ever Present Other: Communism in the Making of West Germany," in Hanna Schissler, *The Miracle Years*, 220; See also, Patrick Major, *Death of the KPD*, 44.

¹⁷¹ Falco Werkentin, *Die Restauration*, 114.

¹⁷² Letter from SPD Representative Alfred Gleisner to BMI Dr. Heinemann, September 19 1950, BArch-K B106/83869; Heinemann opposed rearmament and also Adenauer's secret entreaties to the AHC; he resigned as the Bundestag debates over the BGS were just beginning, see, Thomas Schwartz, *America's Germany: John J. McCloy and the Federal Republic of Germany* (Cambridge: Harvard University Press, 1991), 147.

¹⁷³ Letter from Alfred Gleisner to BMI Dr. Heinemann, September 19, 1950.

¹⁷⁴ This was specifically expressed to HICOG by Robert Lehr during a conference over how to recruit for the BGS in April 1951, see Memorandum: Allied High Commission for Germany, Security Committee, April 20, 1951: "Armament, Recruitment, and Deployment of the Federal Frontier Protection Authority and the Federal and Special Laender Police Forces," NARA, RG 466, Colonel H.A. Gerhardt, Miscellaneous Files, Box 1; See also, Arthur Gunlicks, *The Länder and German Federalism* (New York: Manchester University Press, 2003), 56-65.

centralized it under the formidable *Reichssicherheitshauptamt* (Reichs Security Main Office - RSHA).¹⁷⁵ Adenauer's attempt to gain Allied approval for his plans, and later his decision to secretly form a *Begleitskommando* fueled these political tensions.¹⁷⁶ Bavarian officials, especially those in the Christian Socialist Union (CSU) were against a stronger, more centralized federal state. Bavarian SPD Chairman Wilhelm Hoegner accused the Adenauer administration of overplaying the east-west tensions to increase its own political power. Hoegner claimed West Germany's budget was already stretched to its limits providing for victims of the war and was insufficient to cover the costs of a new federal police force.¹⁷⁷ He rejected overtures by fellow SPD colleagues like Alfred Gleisner, who favored amending the Basic Law. Hoegner warned against centralizing the police, which he believed was a "trend about to go back to where the misfortune of Germany had begun."¹⁷⁸ The Bavarian *Bundesrat* representative, Dr. von Stralenheim, wrote a detailed legal analysis supporting Hoegner's position and submitted it to the *Bundestag*. In summary, von Stralenheim emphasized that only a heavily armed military force of 250,000 men was capable of dealing with the internal and external security threats Adenauer warned them about.¹⁷⁹ He concluded that:

As has been shown, neither the internal nor the external security of the Federal Republic would be strengthened through the establishment of a Federal police executive. Instead it would threaten its federal character and it would create an instrument whose dangerousness in the hands of other federal governments must not be underestimated by those currently in office. One should beware that the current inexplicable fear psychosis among the people is not used to destroy the federal character of the Federal Republic.¹⁸⁰

Adenauer's Interior Ministry employed its own legal experts to counter these criticisms. In the weeks leading up to and immediately after the New York Tripartite Conference, the administrative law

¹⁷⁵ The organization was a key to the perpetration of the Holocaust and was under the leadership of Reinhard Heydrich, Heinrich Himmler, and finally Ernst Kaltenbrunner, see Michael Wildt, *An Uncompromising Generation*, 5-7.

¹⁷⁶ See, "Landtagprotest gegen Bundespolizei," *Süddeutsche Zeitung* (June 6, 1950).

¹⁷⁷ Ibid., interview with Wilhelm Hoegner.

¹⁷⁸ Ibid. Hoegner was referring specifically here to Nazi centralization of all police under the RSHA.

¹⁷⁹ Dr. von Stralenheim, "Das Grundgesetz und die Errichtung einer Bundespolizei," September 5, 1950 BArch-K B144/229.

¹⁸⁰ Ibid.

expert Dr. Arnold Köttgen wrote lengthy memorandums outlining legal possibilities where the federal government might justify its own police force without a constitutional amendment. Köttgen personified the authoritarian, illiberal continuities still prevalent in postwar West German politics. He had been a committed Nazi and was openly critical of postwar liberal democracy.¹⁸¹ During the war, he served as the general police councilor at Auschwitz and in the Polish City of Katowice. Carola Dietze has argued he was “demonstrably involved in the local planning of Germanization policies that included...the deportation of Jews.”¹⁸² His reputation for dubious legal interpretations to justify increased state power was directly grounded in his work for the Nazis. Michael Stolleis’s study of Nazi Germany’s legal history shows Köttgen’s interpretations were a “prime example of how [legal justifications] could be constructed by taking advantage of the smallest maneuvering room for argument and using unassailable National Socialist vocabulary.”¹⁸³ Notwithstanding Köttgen’s Nazi past, his memorandums reveal his respect for the Basic Law, which led him to reject, contrary to his own personal anti-liberal background, any attempts to undermine the democratic constitutional framework.¹⁸⁴ How can we explain this remarkable contradiction—a man who once justified and carried out Hitler’s racist Jewish policies that now made the case for democratic rules of order? While there is no way to prove that Köttgen’s private beliefs changed, his actions showed that even someone with such a dubious illiberal past could adapt, at least in practice, to a new democratic form of government. Whereas the systemic expectation in Nazi Germany encouraged and demanded illiberal behavior from government officials and police, the Federal Republic was based on a respect for the rule of law. Thus, Köttgen and others like him had to embrace democracy, or at least give that impression in practice otherwise they might jeopardize their jobs. For this reason, many former Nazi officials who returned to public sector jobs kept their illiberal beliefs private or only shared them with other likeminded individuals. These new top-down systemic changes did not mean

¹⁸¹ Carola Dietze, *Nachgeholtes Leben: Helmuth Plessner 1892-1895* (Göttingen: Wallstein Verlag, 2013), 427.

¹⁸² *Ibid.*

¹⁸³ See Michael Stolleis, *The Law Under The Swastika: Studies on Legal History in Nazi Germany* (Chicago: University of Chicago Press, 1998), 114.

¹⁸⁴ *Ibid.*

everyone philosophically embraced democracy, but they were an important basis or framework for what became a protracted re-civilization process.

Nevertheless, Köttgen still sought shaky or weak legal exceptions to these limits. For example, in one analytical position paper he argued the right of national self-defense was “unwritten and natural to every nation.”¹⁸⁵ He implied the executive could build a federal police force without parliamentary consent. He described in great detail how Article 48 of the Weimar Constitution allowed the Reich President to suspend civil liberties and take direct control of state armed forces when there was a serious threat to public safety. During the 1920s, Article 48 was used to employ the *Reichswehr* against internal disturbances such as labor strikes.¹⁸⁶ He also pointed out that Article 9 of the Weimar Constitution placed responsibility for national defense exclusively under the jurisdiction of the Reich President. He went so far as to suggest that both articles might still be valid in West Germany since the Weimar Constitution was never formally repealed. He suggested Article 123 of the new Basic Law upheld all preexisting laws unless they directly contradicted contemporary legislation.¹⁸⁷ This was evidence of Köttgen’s preference for manipulative interpretation at its best. Despite suggesting these questionable and problematic legal maneuvers, however, he still argued against using them unless there was an actual threat to the state as defined by Article 91, or the government was prepared to “create” one.¹⁸⁸ This was true, he argued, even though the Allied High Commission had reduced its involvement in West Germany’s internal politics. Remarkably, considering Köttgen’s complicity with the crimes of Nazism, he also warned “silences” over security matters in the Basic Law “cannot be regarded as a waiver for passing a new federal law or a

¹⁸⁵ Arnold Köttgen to Bundesministerium des Innern, September 8, 1950, “Einsatzmöglichkeit eines Bundesschutzes,” 2, BArch-K B106/83869.

¹⁸⁶ Article 48 was also used by the Nazis to pass the Enabling Act of 1933, see Gert-Joachim Glaessner, *German Democracy from Post World War II to the Present Day* (New York: Berg, 2005), 22.

¹⁸⁷ Köttgen to Bundesminister des Innern (Heinemann), September 10, 1950, “Organisation einer Bundesverteidigung,” 3, BArch-K B106/83869.

¹⁸⁸ *Ibid.*, 4.

justification for continuance of the Weimar Constitution.”¹⁸⁹ Again, this reflected credible evidence that his respect for the Basic Law was genuine.

Köttgen also suggested that a national police could be created for border security under Article 87 of the Basic Law, which assigned jurisdiction for customs and border protection exclusively to the federal government.¹⁹⁰ He was among the first to suggest Article 87 as an alternative approach to creating a police force without a constitutional amendment. He pointed out, however, that federal management of the border was an administrative function, which the Customs Law of 1939 had assigned to the Federal Minister of Finance. West Germany’s borders were already patrolled by several law enforcement and military organizations. These included the U.S. Constabulary (a special unit of military customs police), West Germany’s *Zollgrenzschutz* (federal customs service), the 7751st U.S. Military Police Customs Unit, the Bavarian Border Police, the French Gendarmerie, and a variety of individual *Länder*-based border guards.¹⁹¹ The British and U.S. military authorities made elaborate operational plans code-named OSMUND and CONCOURSE, which in the case of a war, authorized their armed forces to completely replace the Germans stationed at the border.¹⁹² The inner-German border was already a high priority for both Allied and West German security forces. The most significant challenge there was not fighting communist infiltrators, as Adenauer argued, but rather arresting smugglers and petty black market criminals.¹⁹³ The Allies had already provided West Germany’s federal government with authority to monitor and regulate cross-border traffic using its *Zollgrenzschutz* (federal customs protection service).

¹⁸⁹ Ibid., 3.

¹⁹⁰ Ibid., September 8, 10, and November 20 1950 memorandums.

¹⁹¹ See Letter from General Hays to General Handy April 27, 1950, NARA RG 466 General Hays Executive Files 1949-1951, Box 1, HICOG/EUCOM Planning Committees, Operation Concourse, 1; William E. Stacy, “U.S. Army Border Operations in Germany 1945-1983” (Heidelberg: U.S. 7th Army Headquarters, 1984); For an analysis of the U.S. Constabulary forces, see George Hoffman, *Through Mobility We Conquer, the Mechanization of the U.S. Cavalry* (Lexington: University Press of Kentucky, 2006).

¹⁹² Ibid., General Hays to General Handy, Operation Concourse Planning.

¹⁹³ For a good overview of these problems, especially in occupied Berlin, see Paul Steege, *Black Market, Cold War: Everyday Life in Berlin, 1946-1949* (Cambridge: Cambridge University Press, 2007).

At the beginning of 1950, there were 14,000-armed federal customs officers assigned to deal with smugglers and check passports on West Germany's frontiers.¹⁹⁴

Adenauer had exhausted all of his efforts to establish a police force without the *Bundestag*. His negotiations with the *Länder* failed to secure federal control over a small portion of their riot police.¹⁹⁵ In spite of all his efforts, his only hope for success depended directly upon his ability to engage with and convince fellow West German lawmakers to support him. Creating new border control authorities under Article 87 was the only solution that precluded the politically risky amendment process even though the borders, especially those facing the east, were already heavily policed. Since Article 87 was part of West Germany's Basic Law, he could create the police force he desired with a simple majority vote instead of the two-thirds normally needed to pass an amendment.

The subject of federal policing was the focus of the *Bundestag* plenary session of 7 November 1950, when the new Interior Minister Robert Lehr argued dangers from internal and external communist enemies left no time for an amendment.¹⁹⁶ During the session, Lehr forcefully declared, "an amendment requires a two-thirds majority and the consent of the *Bundesrat*, and - let us not forget - the consent of the Allies. Informal inquiries have already shown that at the moment, such consent is, in any case, unobtainable."¹⁹⁷ Lehr's statement reflected Adenauer's repeated failures to gain Allied support for a federal police force. The SPD Deputy Walter Menzel recognized this and demanded Lehr and Adenauer "finally show their true colors" in policing matters.¹⁹⁸ Menzel suggested they were deliberately avoiding the *Bundestag* because their goal was to secretly "remilitarize" the police. He criticized Adenauer's

¹⁹⁴ Memorandum from Adenauer's Personal Assistant Herbert Blankenhorn to General Hays in regards to combating smugglers on West Germany's borders, June 17 1950, NARA RG 466, Box 2, Misc. Letters, 2.

¹⁹⁵ "Ergebnis der gestrigen Konferenz der Länderinnenminister," Oct. 14, 1950, BArch-K B136/1927.

¹⁹⁶ Robert Lehr had replaced Gustav Heinemann who resigned because of philosophical differences with Adenauer over rearming West Germany, See, Hans-Peter Schwarz, *Konrad Adenauer Vol. 2*, 559.

¹⁹⁷ Lehr knew that the Allies were against any police proposal outside of the BePo authorized by the Foreign Ministers in 1950 at New York – see Telegram: General Hays to Secretary Acheson, December 19, 1950, FRUS, Vol. IV, Central and Eastern Europe; The Soviet Union, 1950, 733; Deutsche BT, 97/Sitzung, 3544.

¹⁹⁸ 97/Sitzung, 3538.

“careless” interpretation of Article 91 because as “emergency” legislation Menzel feared it could be abused in the same way the Nazis had used Article 48 of the Weimar Constitution.¹⁹⁹

Menzel invoked the Nazi past to make his point, which reflected there was as much at stake in creating a national police force as there was in military rearmament. In his closing statement of the session he warned:

Ladies and gentlemen! Given the many problems associated with these questions, you will understand that we have made the request to appoint a special Parliamentary Advisory Council for all police matters. We have also requested this from a political-psychological perspective. We want to show those in the outside world, but also those here in Germany, that we do not intend to allow a remilitarization of the police. The cited press reports, and I mentioned particulars [Adenauer’s *Cleveland Plains Dealer* Interview], should be a warning sign for all of us - I want to stress that all of us - not go back in the direction we had gone after 1918. Also, the government should have an interest in preventing the image that they are trying to hide something.²⁰⁰

At the same time, Menzel agreed the federal government should have some type of police force at its disposal. During the original Basic Law debates of 1948-49, he supported the concept of national policing as a means of preventing power abuses by local police chiefs.²⁰¹ But under the present circumstances, he passionately argued against the manner by which Adenauer was attempting to carry out his plans. While other lawmakers supported his criticisms, most notably Bavarian representatives in the CSU, Bavarian Party (BP), and Communist Party (KPD), many moderate and conservative representatives sided with Adenauer. The Free Democratic Party (FDP) Deputy Dr. Max Becker, for example, alleged that communist fifth column agents infiltrating West Germany could only be stopped by a federal police force. He advised Lehr to use Article 87, which in his opinion already provided the

¹⁹⁹ Ibid., 3541.

²⁰⁰ Ibid., 3543.

²⁰¹ Menzel advocated national police as a centralized body to regulate the training and equipping of police at all levels of the state in order to prevent one entity from gaining too much independent power. See Wolfram Werner, *Der Parlamentarische Rat 1948-1949: Akten und Protokolle, Vol. 3, Ausschuss für Zuständigkeitsabgrenzung* (Boppard am Rhein: Harald Boldt, 1986), 174-176; A good discussion of the earlier position of Menzel and the SPD on federal policing can be found in Karrin Hanshew, *Terror and Democracy in West Germany* (Cambridge: Cambridge University Press, 2012), 42-43.

“basis for a decent federal police.”²⁰² The representatives from the German Right Party (DRP-Adolf von Thadden), the German Party (DP-Hans Ewers), and the conservative CDU (Dr. Dreisbach) all supported the use of Article 87. Adolf von Thadden rejected Menzel’s Police Advisory Board suggestion and expressed the opinion of many conservatives when he claimed there had already been “way too much talk and far too little being done.”²⁰³ While the plenary session ended without a final decision, Adenauer was convinced he at least had the nominal support to gain the simple majority needed to establish federal police under Article 87.

Overcoming the Final Obstacles

On 25 January 1951, Robert Lehr introduced the first reading of the law authorizing the federal government to create new border authorities under Article 87.²⁰⁴ In his introductory statement, he explained the government’s decision by claiming “a growing number of people has illegally entered across our borders, and indeed people of whom we know or which we assume, are not well disposed to the Federal Republic and are determined and even in part expressly mandated, to instigate or foment unrest in order to exploit their dark plans.”²⁰⁵ Lehr’s statement completed the ambiguous circle of internal and external security justifications by linking fifth column conspiracies directly to West Germany’s frontiers. He further complained that the failure of the *Länder* and federal governments to negotiate a written agreement about federal use of the riot police (BePo) left him with no other option than to invoke Article 87. He reiterated that West Germany faced an imminent threat from communist agitators. Lehr argued that establishing federal police to check passports and secure the nation’s borders was a constitutional right. He accused oppositional lawmakers of “blaming the government for the ambiguity of the term ‘federal authorities’ in the Basic Law.” In his closing statement he told fellow representatives that:

²⁰² 97/Sitzung, 3552.

²⁰³ Ibid., 3556.

²⁰⁴ Deutsche BT, 114/Sitzung, January 25, 1951.

²⁰⁵ Ibid., 4273.

The three months that I have been working on our internal security have been deeply disappointing. Obstacles and difficulties from all sides, insufficient understanding by the Allied authorities, insufficient understanding among the *Länder*, even though it is for their own safety; Difficulties and infinitely slow progress of the negotiations. Ladies and gentlemen, those against us [communists] are far more active, resolute and unified. The work in the East goes on methodically as planned with increased force, and its purpose is especially clear from the Grotewahl- letter.²⁰⁶

Lehr's claim that the government was acting to protect the "unappreciative" *Länder* for "their own safety" reflected internal tensions between Adenauer's government and the West German states over federal policing. On the one hand, Lehr's statements clearly show the paternalistic-authoritarian approach to security, which Ian Loader and Neil Walker have claimed are "bound up with the vices of state tradition."²⁰⁷ In other words, only the federal government knew best how to handle security matters and would protect the *Länder* in spite of their intransigence. Yet on the other hand, those opposed to the Adenauer administration interpreted this approach as evidence of the federal state's "illegitimate meddling without proper cause with individual [state] rights and interests."²⁰⁸ The Social Democrats aptly framed his lengthy federal policing campaign as an attempt to strengthen his executive power and the stature of his government. Walter Menzel agreed Lehr's request to use Article 87 was theoretically possible, but suggested it was highly suspicious.²⁰⁹ Archival evidence supports Menzel's suspicions that Adenauer's approach contradicted the spirit and intent of the Basic Law. As early as 1949, Federal Finance Minister Fritz Schäffer cautioned Secretary of State Ritter von Lex against discussing policing in connection with federal customs services. Schäffer wrote to Lex, "the more you talk about police and policing tasks, the more hazardous my own position [with the Allies] becomes."²¹⁰

²⁰⁶ Ibid., 4275; The Grotewohl letter Lehr refers to here was a written call by the SED received a few days before and which called for the unification of Germany under communist rule, see, Patrick Major, *The Death of the KPD*, 136-137.

²⁰⁷ Loader and Walker, *Civilizing Security*, 197, 200.

²⁰⁸ Ibid., 200.

²⁰⁹ BT 114/Sitzung, 4275.

²¹⁰ Letter from Fritz Schäffer to Ritter von Lex, March 20, 1950, BArch-K B136/1927.

Menzel asked his fellow lawmakers to consider why after all this time Adenauer and Lehr had only recently decided to invoke Article 87. After all, Adenauer had been lobbying the Allies since 1949 and never mentioned or asked for increased border security. There is no evidence he ever discussed this portion of the Basic Law with McCloy or anyone else from the High Commission in regards to establishing a national police force. Menzel emphasized the use of Article 87 reflected a “shameful” tactic to upset the traditional federalist balance of power in West Germany. He argued the Allies deliberately struck the word “police” from the 1949 draft of Article 87 for the very purpose of preventing a powerful, centralized executive.²¹¹ He insisted the border was already sufficiently policed and emphasized the existing security forces had never failed. For Menzel, the Adenauer Administration’s attempt to use Article 87 was an example of “selective” interpretation of the Basic Law. He told lawmakers that:

It makes no sense to demand and speak of the rule of law...when at the same time we abandon the law. Since this is not necessary and you can achieve the same goal you are trying to achieve correctly with the constitutional amendment, we reject the creation of police as border protection authorities.²¹²

Menzel recognized Adenauer had the support to go ahead with his plans and knew his attempt to fight the passage of a new law under Article 87 would likely fail. The proposed law was widely supported among representatives outside of the SPD, KPD, and Bavarian parties.²¹³ His counter-argument against Lehr revealed that simply exposing the underlying tactics of the Adenauer administration was insufficient to establish a violation of the Basic Law. With few options to stop Adenauer, Menzel attempted to use the high costs of his plans to dissuade his fellow lawmakers. The estimated cost of building a national police force exceeded 350 million Deutsche Marks (DM).²¹⁴ Menzel claimed in spite of this high cost, each individual officer would earn less than 45 DM a month. He argued

²¹¹ BT 114/Sitzung, 4276-4277.

²¹² Ibid., 4277.

²¹³ Werkentin, *Die Restauration*, 91.

²¹⁴ Lehr’s proposal included a statement from the Bundesfinanzministerium that 350 million DM was the estimated cost to build a federal police force, 114/Sitzung.

that pay this low would create a “new police officer proletariat.” Instead, he suggested it was better to increase the pay and benefits for those already in the state police service since it was better from a social and economic standpoint to have “fewer officers who were happy rather than larger numbers of grumpy underpaid officials.” He also emphasized the money would perhaps be better spent on improving the weapons of the police officers already serving in West Germany. He pointed to the recent tragic killing of an officer in Gelsenkirchen who was outgunned by criminals with better firearms.²¹⁵ Finally, he criticized spending such large amounts of money for internal security when from his perspective the “stingy” CDU consistently refused to fund social programs.²¹⁶ In closing, he reminded his fellow party members that “the world has never been happy with a policy that was based on bayonets; and it can only be unhappy with a policy of social oppression, based on police batons.”²¹⁷

On 15 February 1951, the law establishing federal border police under Article 87 was approved during its second and third readings in the *Bundestag*.²¹⁸ The Allied High Commission did not object or offer suggestions on the passage of the new law since it had already agreed to stay out of internal politics.²¹⁹ For the Allies, Cold War strategic concerns now outweighed the fears of resurgent militarism in West Germany. The only way members of the SPD could be convinced to support the new law was their forceful demands that the force had to be limited to a specific size and jurisdiction. To be sure, SPD representatives remained skeptical of the federal government’s plans, but since the loophole provided within Article 87 limited their ability to stop Adenauer from establishing the new force, they had no other choice but to find compromises. Intra-party motions 1881 and 1785 reflected these compromises and

²¹⁵ 114/Sitzung, 4278.

²¹⁶ *Ibid.*, 4277.

²¹⁷ *Ibid.*

²¹⁸ Minutes of Deutsche BT, 118/Sitzung February 15, 1951.

²¹⁹ Top Secret memorandum from Robert Lehr to Allied High Commission, February 15, 1951, BArch-K B136/1927; BT 118/Sitzung, 4516; The Allies were only aware of Adenauer’s use of Article 87 to justify the federal police force at the end of 1950. While This approach technically violated the intent of the Tripartite Agreements denying Adenauer’s federal police proposal, the Allies did noting to intervene – See Telegram: General Hays to Secretary Acheson, December 19, 1950, FRUS Vol. IV, 1950, 735.

were achieved in a collaborative effort by representatives of the CDU, CSU, FDP, and SPD.²²⁰ The agreements were decisive in shaping the eventual structure of the *Bundesgrenzschutz* and tamed the power of Adenauer's "chancellor democracy." The SPD lawmakers were decisive in limiting the *Bundesgrenzschutz* to 10,000 men, a fixed number that could only be increased with *Bundestag* approval. The force was also prohibited from exercising its authority beyond a thirty-kilometer radius of West Germany's borders and was required to cooperate with police departments in the affected *Länder*. Moreover, it also allowed each individual *Länder* to keep their own border police unless they decided to turn these duties over to the federal government.²²¹ This was especially critical for Bavarian politicians who had opposed the *Bundesgrenzschutz* because they wanted to maintain control of their own frontiers. On 2 March 1951, the law was approved by the *Bundesrat* with only the Bavarian representative abstaining.²²²

Conclusion

That Adenauer and his conservative administration took advantage of Cold War politics and shifting Allied responses towards rearmament for political reasons has already been emphasized in several previous studies. On the one hand, this can be explained as a clear manifestation of his leadership style – the "chancellor democracy" and executive power in its purest form. Yet on the other hand, his drive to establish a national police force also revealed the power of West German politicians to ensure that there were limits on how he could use it.²²³ It was proof that Germans could re-civilize their police forces in the aftermath of their abuse by the Nazi dictatorship. Moreover, it showed the great unifying power of postwar anti-communism in winning broad support from West German politicians, even without convincing evidence of an imminent attack or insurgency from the east. By stoking the fears of

²²⁰ Ibid., 4512-4513.

²²¹ Memorandum from Bundestag President Ehlers to Chancellor Konrad Adenauer announcing the terms of the BGS Law, February 15, 1951, BArch-K B136/1927.

²²² Werkentin, *Die Restauration*, 92.

²²³ A good overview of Adenauer and his use of the "Chancellor Democracy" concept is found in, Hans Mommsen, "The Origins of Chancellor Democracy and the Transformation of the German Democratic Paradigm," *German Politics and Society* 25, no. 2 (2007): 7-18; See also, Donald P. Kommers and Russel A. Miller, eds. *The Constitutional Jurisprudence of the Federal Republic of Germany* (Durham: Duke University Press, 2012), 152.

communist totalitarianism, Adenauer convinced the SPD to support his plans. Raising the specter of communism was also favorable for the Allied High Commission since they were determined to prevent any possibility of a German reunification under Soviet influence no matter how unlikely. There is little doubt Adenauer would have created a large, heavily armed federal police force had the Allies or West German lawmakers allowed him to sidestep the *Bundestag* by invoking his emergency powers. He avoided the constitutional amendment process nonetheless because he feared gaining the two-thirds majority was politically unpredictable. Instead, he and his colleagues used Article 87 of the Basic Law and created what at the time was a redundant or parallel border police force – the *Zollgrenzschutz* already handled these duties.

But what was he really trying to accomplish by establishing a federal police force? The chapter shows he was not attempting to construct a clandestine national army. A force of 10,000 men was insufficient to defend against an invasion or wage war. Instead, his motivation was based on his desire to increase his executive power and influence in West Germany's federalist system of government. The *Bundesgrenzschutz* was West Germany's first armed force. It extended the reach of his government into security matters previously consigned to individual states or the Allied powers. The control or monopolization of coercive force is fundamental to executive power in any form of government. Using the seminal symbolic power studies of sociologist Pierre Bourdieu, police scholars Ian Loader and Aogán Mulcahy argue policing “brings to the fore sensations of order, authority, and protection and makes it possible for people to believe that a powerful force for good stands between them and an anarchic world, that the state is willing and able to defend its citizens.”²²⁴ Absent traditional armed forces, the *Bundesgrenzschutz* was the only national symbol that Adenauer's government was willing to defend the free democratic order of the newly established Federal Republic.

²²⁴ Ian Loader and Aogán Mulcahy, *Policing and the Condition in England: Memory, Politics, and Culture* (Oxford: Oxford University Press, 2003), 44; Pierre Bourdieu, *Language and Symbolic Power* (Cambridge: Harvard University Press, 1991), 170.

Adenauer's creation of a federal police force demonstrated the underlying paternalistic "pathologies of modern security" at work in democratic West Germany. By demonizing communism to advance his proposals, Adenauer employed the classic "friend vs. foe" complex that Carl Schmitt claimed was "the true sign of power and sovereignty."²²⁵ But West Germany's return to this form of national policing did not signal a restoration of the anti-democratic or authoritarian models of power favored by Schmitt and his followers. Instead, West Germany's leaders turned to this particular model of policing because it was familiar. To be sure, it emerged from the legacies of much older continental forms of militarized policing – the gendarmerie. The *Bundesgrenzschutz* reflected the Prussian *Landgendarmerie*, which was established in 1812 as the German counterpart of the French *Maréchaussée* – a continental police force founded during the *ancien régime* to extend the power of absolutist rulers into the rural territories of France. The *Landgendarmerie* served the German state contiguously and largely unchanged from its foundation in 1812 through 1945.²²⁶ Civilian policing in 1950s West Germany, however, followed a significantly different path in spite of its strong structural and personnel continuities with these older models. Whereas Weimar and Nazi era forces emerged from within a public sphere of partisan instability, corruption, and competition, the *Bundesgrenzschutz* could only be created after a series of internal West German political debates and legal compromises. The parliamentary process Adenauer was compelled to endure reflected a different approach to national security issues after twelve years of war and dictatorship. This was critical since as Hendrik Christoph-Müller has suggested, the Federal Republic still "...had a strong and vocal undercurrent of anti-democratic and anti-parliamentary thought."²²⁷ According to Ian Loader and Neil Walker, in democracies, the "paradoxically self-defeating tendencies of the state which seeks to be both strong and freedom-endowing have to be squarely faced. Somehow security and liberty have to be reconciled."²²⁸ From this perspective, the intervention of West Germany's

²²⁵ Carl Schmitt, *The Crisis of Parliamentary Democracy*, 25.

²²⁶ Johannes Buder, *Die Reorganisation der Preussischen Polizei*, (Frankfurt am Main: Lang, 1986), 5, 37-40.

²²⁷ Hendrik Christoph-Müller, *West Germans Against the West*, 89.

²²⁸ Loader and Walker, *Civilizing Security*, 53.

political parties, especially the SPD, in limiting the size and jurisdiction of the *Bundesgrenzschutz* showed how national security was re-civilized in the aftermath of the Nazi dictatorship.

The federal policing debate was the first significant test of West Germany's postwar approach to national security. While the Allied powers encouraged West Germany's transition to parliamentary democracy, they also had significantly less influence in both the framing and interpretation of its Basic Law. This was underscored by the foundation of the *Bundesgrenzschutz* since Allied agreements ended strict regulation of West Germany's internal legislative process. The widespread fear of communism and its exploitation by Adenauer's government provided the ideal setting for West Germany's lawmakers suspend the Basic Law in the same manner previously used to usurp the Weimar Constitution. The presence of former Nazis in Adenauer's inner circle including Hans Globke and Arnold Köttgen, coupled with the influence of authoritarian political thinkers like Carl Schmitt could have provided the basis for the government to justify anti-democratic policies. Nevertheless, in spite of any privately held political beliefs, they advised against drastic emergency measures to achieve their aims. As Norbert Frei has suggested, even though former Nazis like Globke and Köttgen failed to adapt their previous authoritarian mindset, their actions were primarily shaped by the "pragmatic realities of the present."²²⁹ In part, the foundation of the *Bundesgrenzschutz* was also a success story for Socialist politicians, who, influenced by their own bitter experiences with the fascist dictatorship, were determined to avoid mistakes of the past. This was also the case for the framers of West Germany's Basic Law who empowered postwar legislators by giving the *Bundesrat* veto rights over the Executive's "emergency police powers." This was a complete reversal from the non-revocable emergency powers under Article 48 of the Weimar Constitution and reflected a new, self-motivated, civilized approach to national security. But the debate over federal policing was far from resolved after the foundation of the *Bundesgrenzschutz*. How the federal government staffed and used its newly established border police force created new controversies and

²²⁹ Norbert Frei, *Adenauer's Germany*, 56-65.

debates as the force came into being.

Chapter 2: Expansion

Border Policing and the Politics of the Nazi Past

Konrad Adenauer succeeded in establishing a federal border police because of the anxiety caused by the Korean War. Its effect on the Allied strategic defense of Europe and especially their decision to rearm West Germany helped him justify a new militarized national police. The founding of the *Bundesgrenzschutz* was thus a direct consequence of Cold War politics. But the new police force and its personnel remained controversial. Thousands of veteran Nazi soldiers and policemen applied to join its ranks. Border policing offered these men a chance for re-employment in professions where they could resume roles as armed servants of the state. A force of 10,000 policemen satisfied Adenauer's need to increase his executive and symbolic power in West Germany's federalist system of government. Why then did he and his ministers attempt to expand the force by an additional 10,000 men in 1952? How were so many former Nazis allowed to join the new force and what does this tell us about the course of West Germany's democratization? In what way were their skills and experiences useable to the new democratic government? What did a border policing career mean to these men? Finally, how did expanding the force influence the rearmament debates?

This chapter investigates the cause and effect of West Germany's unilateral effort to increase the strength of the *Bundesgrenzschutz*. It begins by exploring the personal backgrounds of the men who first joined and led the police force and why they were so controversial. The chapter argues that the proposed expansion was a consequence of the Allied decision to include German contingents in a European Defense Force. The early 1950s was a time of significant international and domestic change. But as the chapter will show, the decision to increase the *Bundesgrenzschutz* divided the Allied powers and undermined French ratification of the supranational European Defense Community (EDC) treaty.

Border Policemen and Germany's Authoritarian Pasts

Understanding the backgrounds of those who joined the new border police force helps to explain why expanding it caused so much controversy, even though the Allies had agreed in principle to rearm West Germany. Its first recruits were all *Wehrmacht* and police veterans. The German historian Eugen Kogon famously referred to Nazi Germany's veteran soldiers as the "men from yesterday."²³⁰ Border policing provided these veterans with an opportunity to earn a living in similar careers that they left behind when the Third Reich collapsed.²³¹ More than 65,000 candidates applied for the 10,000 vacant positions.²³² Most applicants had been career policemen or soldiers with some law enforcement experience during the Weimar and Nazi eras. The largest majority of them, however, were veterans of Nazi Germany's *Wehrmacht* – a major concern to the French who accused Adenauer of attempting to re-militarize the Federal Republic through his new federal police force. They believed the Germans might use the *Bundesgrenzschutz* as a catalyst to restore their pre-1945 military power. While they accepted that *Wehrmacht* veterans would be part of a supranational defense force, they feared their use in a national paramilitary force without foreign oversight.

Moreover, some men who joined the border police had been members of paramilitary and SS units, which the Allies had originally banned from police service. But U.S. High Commissioner McCloy's controversial decision to lift the ban allowed them back into civilian police service.²³³ The United States had already shown it was ready to overlook the Nazi pasts of individuals who they found to be useful in supporting their Cold War security policies. The French were much more careful when it came to German armed forces because they shared a border with the Federal Republic. Neither the United States nor Britain had suffered repeated invasion by the Germans. Whereas the British and United States wanted a rearmed West Germany to aid in countering the Soviet threat, the French approach was

²³⁰ Kogon, "Beinahe mit dem Rücken an der Wand," 641.

²³¹ Frank Biess, *Homecomings*, 117

²³² Werkentin, *Die Restauration*, 92.

²³³ See Chapter 1.

focused on containing German power in Europe. McCloy's controversial decision to lift the ban against SS and Gestapo men from serving in civilian police forces was part of a wider postwar process of shifting from defeat to reconstruction. Both Germany's aimed at re-employing veteran soldiers for Cold War security forces.²³⁴ Many *Wehrmacht* veterans, especially members of its officer corps, also demanded that their reputations as "honorable" career soldiers be restored as a condition of their cooperation with Allied rearmament plans.²³⁵ Joining the national border police was one way in which they could serve the new democratic state even if some of them might still secretly have authoritarian beliefs and ideals.²³⁶

General Dwight D. Eisenhower, then Commander-in-Chief of NATO, contributed to these Cold War policies of forgetting the Nazi past by signing a controversial declaration in 1951 acknowledging his previous condemnations of the *Wehrmacht* had gone too far. Instead, he publicly declared he was wrong about Nazi Germany's soldiers and suggested that most had fought an honorable war.²³⁷ Eisenhower had been an early proponent of restoring postwar German and Japanese military power, which he wrote in a private letter to President Truman, were the "traditional counterweights to Russia's long-held imperialistic ambitions."²³⁸ But he also warned that Germans should be restricted for "a long time" and "could do no more than produce for itself adequate police forces, border guards and a central constabulary."²³⁹ His declaration emphasizing the *Wehrmacht's* "honorable war" positively affected

²³⁴ Frank Biess, *Homecomings*, 97.

²³⁵ *Ibid.*, 115.

²³⁶ Norbert Frei, *Adenauer's Germany*, 56.

²³⁷ See Wolfram Wette, *The Wehrmacht: History, Myth, Reality* (Cambridge: Harvard University Press, 2006), 236-37.

²³⁸ He expressed these views in an unsent top secret letter he wrote to President Truman prior to his tenure as the Supreme NATO Commander, and only one-month before he travelled to Germany to sign his "clean Wehrmacht" declaration, see, Letter from Eisenhower to Truman, December 16 1950, Dwight D. Eisenhower Presidential Library, Papers, Pre-Presidential, 1916-1952, Box 116, Folder 2: Truman, Harry S. Jan. 1949 – Dec. 1950.

²³⁹ *Ibid.*

Allied-West German relations. McCloy wrote to Eisenhower thanking him for recognizing the service of Germany's veterans, which he said would "further cement their instinct for siding with the West."²⁴⁰



Figure 2.1
Adenauer inspects BGS troops, Die Parole 11, (28 May 1961)

Konrad Adenauer also propagated this "clean" *Wehrmacht* myth. On 5 April 1951, less than a month after establishing the *Bundesgrenzschutz*, he declared in the *Bundestag* that, "the percentage of those who are truly guilty is so insignificant and so exceptionally small, that I would like to say in this context, that they do not tarnish the honor of the former German armed forces."²⁴¹ He also worked to restore the public image of *Wehrmacht* veterans he intended to re-employ in West Germany's police forces. In September 1950, prior to the tripartite meetings in New York, Adenauer's Office of Homeland

²⁴⁰ Letter of Thanks from John J. McCloy to General Dwight D. Eisenhower, January 31 1950, Amherst College, Papers of John J. McCloy, Box +HC5, Folder 69, Correspondence, Dwight D. Eisenhower, Feb. 1950 – Oct. 1951.

²⁴¹ Deutsche BT, 130 Sitzung, 5 April, 1951, 4984.

Security (*Bundeszentrale für Heimatdienst*), compiled secret lists of former soldiers with law enforcement backgrounds, among them, Anton Grasser, who was eventually selected to be the first Chief (*Inspekteur*) of the *Bundesgrenzschutz* and later took over the state riot police (*Bereitschaftspolizei – BePo*).²⁴² Adenauer held a reception for these men at Bonn’s Palais Schaumburg on 25 August 1950, where he assured them that “the defamation of their character will stop and accordingly their recruitment would be made possible in the construction of the BePo.”²⁴³ Supporting these veterans was part of his wider policy of leaving the past behind. The Amnesty Law of 1949, which exempted thousands of suspected Nazi war criminals from prosecution, furthered these politics of memory.²⁴⁴ By 1951, the challenging denazification process had been symbolically and legally abolished. Just as the *Bundesgrenzschutz* was established, the *Bundestag* also passed the “Law Regulating the Legal Status of Persons Falling under Article 131 of the Basic Law.”²⁴⁵

Article 131 affected West German policing more than the other amnesty laws. The law required public and governmental service agencies to provide twenty percent of their paid positions to men – known as “131ers” – who lost their jobs because of denazification. For West Germany’s police forces, however, this twenty percent rule only applied to men who held senior leadership ranks.²⁴⁶ Article 131 also allowed men who had been members of the SS, *Gestapo*, or RSHA back into law enforcement careers.²⁴⁷ In general, historians have shown that many policemen working in West Germany avoided or ignored their complicity with or employment in National Socialist forces. According to Klaus Weinbauer, “even in normal times, extensive networks of comradeship cut the police off from the outside

²⁴² Vortagsnotiz, September 19, 1950, p. 2, BA-MA, BW 9/3106.

²⁴³ Aktennotiz, Bundeszentrale für Heimatdienst, October 11, 1950, p. 1, BA-MA, BW 9/3106.

²⁴⁴ For a detailed analysis of Adenauer’s legislation aimed at “leaving the past behind,” see Norbert Frei, *Adenauer’s Germany*, especially the first three chapters, 5-66.

²⁴⁵ *Ibid.*, 53; For the problematic issues in Denazification, see Lutz Niethammer, *Entnazifizierung in Bayern: Säuberung und Rehabilitierung unter amerikanischer Besatzung* (Frankfurt am Main: S. Fischer, 1972); David Messenger and Katrin Paehler, *A Nazi Past*, 3; Perry Biddiscombe, *The Denazification of Germany: A History, 1945-1950* (Stroud, UK: Tempus, 2007).

²⁴⁶ Klaus Weinbauer, “The Modernization of the West German Police,” 98.

²⁴⁷ *Ibid.*; Norbert Frei, *Adenauer’s Germany*, 50.

world.” Those who attempted to investigate the past activities of their colleagues were ostracized and considered to be troublemakers (*Nestbeschmutzer*).²⁴⁸ Personnel records for those who entered the federal border police at higher officer and non-commissioned officer ranks reflect that many candidates had gone from the Kaiser’s army to civilian policing careers in Weimar Germany and then into Hitler’s *Wehrmacht*.²⁴⁹ For these candidates, border policing was a continuation of their professional armed service to the state and for some of them, the fourth government to which they served. While they voluntarily served the Third Reich, many of their personnel records show the close ties between policing and the army that evoked continuities with Germany’s past that pre-dated Nazi Germany.²⁵⁰

Three key foundational leaders of the federal border police stand out for their history of state service, but also because their careers reflected similarities with their colleagues and subordinates.²⁵¹ Anton Grasser, Gerhard Matzky, and Kurt Andersen, exemplified the continuities with the many pasts of German policing and soldiering found among members of the *Bundesgrenzschutz*. All three began their law enforcement careers as veterans of the Kaiser’s army who joined police or paramilitary formations after the First World War. They were born in the last decade of the nineteenth century and were part of what Hans-Peter Schwarz has called “the war generation.”²⁵² They all fought in pivotal battles of World War I and were decorated for bravery. Grasser and Matzky were severely wounded many times and both served at the Somme River in 1916. Andersen was at Verdun and eventually on the Eastern front until the Russians surrendered in 1917. When the war ended, Grasser joined the *Schutzpolizei* (regular civilian police) in Freiburg-Breisgau and eventually was promoted to command the Heidelberg Police. Gerhard

²⁴⁸ Weinhauer, 99.

²⁴⁹ The candidate lists for BGS transfers to the armed forces includes a category for prior *Wehrmacht* and Police experience that describes their career histories before entering the BGS, see Transfer Lists A thru M, BA-MA, BW 1/5483, 5484.

²⁵⁰ See Herbert Reinke, “Armed as if for War,” 68; Alf Lütke, *Police and State in Prussia*, 140-145.

²⁵¹ The personnel evaluation files of these men were used to reconstruct their service to Germany outlined in the profile that follows - See General Andersen’s service record, February 2, 1945, BA-MA PERS 6/1042; General Matzky’s service record, February 5 1945, BA-MA PERS RH7/299; General Grasser’s full military service performance evaluations were seized by the Allies in 1945; See, German Army and Luftwaffe Personnel “201” Files, 1900-1945, NARA Microfilm Publication A3356, Box No. 237.

²⁵² Hans-Peter Schwarz, *Adenauer Vol. 1*, 93.

Matzky joined *Grenzschutz Ost* (Border Guard East), a violent ultra-nationalist Silesian paramilitary unit, which under the slogan “Protect the Homeland!” carried out a brutal postwar campaign against Polish insurgents.²⁵³ Matzky’s tenure in *Grenzschutz Ost* ended when he joined the *Reichswehr*. Andersen also joined an ultra-nationalist paramilitary or *Freikorps* unit known as the *Iron Brigade*. With the *Iron Brigade*, he participated in the ruthless irregular fighting against Bolshevik forces in Germany’s disputed eastern borderlands seized from Russia under the treaty of Brest-Litovsk.²⁵⁴ The *Iron Brigade* and its members committed atrocities against the civilian population in Riga, by executing 3,000 people as alleged Bolshevik sympathizers.²⁵⁵ Annemarie Sammartino has argued these soldiers were idealistic adventurers who, “spoke of the Baltic campaign as an opportunity to rescue lost German prestige and escape the strictures imposed by the lost war.”²⁵⁶ When the fighting in the Baltic region ended, Andersen joined another paramilitary unit, the Königsberg *Sicherheitspolizei* (security police).²⁵⁷

In 1935, Grasser, Matzky, and Andersen, like many other men of their generation, joined the *Wehrmacht*. All three men returned to combat in the Second World War and received Nazi Germany’s highest awards for bravery. Grasser’s commanding officers noted in his performance evaluations that he was “ruthless with the enemy and maintains a deeply personal National Socialistic conviction, which he indoctrinates into his subordinates.”²⁵⁸ During the Second World War, all three men fought Soviet forces on the eastern front. They were dynamic soldiers who led their men until the war’s final days when all

²⁵³ Jun Nakata, *Der Grenz- und Landesschutz in der Weimarer Republik 1918 bis 1933: die geheime Aufrüstung und die deutsche Gesellschaft* (Freiburg: Rombach, 2002), 65.

²⁵⁴ See for example, Robert Gewarth, “Fighting the Red Beast: Counter-Revolutionary Violence in the Defeated States of Central Europe,” in Robert Gewarth and John Horne, (eds.), *War in Peace: Paramilitary Violence in Europe after the Great War* (Oxford: Oxford University Press, 2013), 57; Vejas Gabriel Liulevicius, *War Land on the Eastern Front: Culture, National Identity, and German Occupation in World War I* (London: Cambridge University Press, 2000), 228-229.

²⁵⁵ Annemarie H. Sammartino, *The Impossible Border: Germany and the East, 1914-1922* (Ithaca: Cornell University Press, 2010), 48-49.

²⁵⁶ *Ibid.*

²⁵⁷ Georg Bitter, *Die Preußische Regierung zu Königsberg 1918-1945* (Bonn: Verlag Gerhard Lautenberg, 1988), 31-33.

²⁵⁸ See Grasser’s record, German Army and Luftwaffe Personnel “201” Files, 1900-1945, NARA Microfilm Publication A3356, Box No. 237.

were captured as POWs. The biographical details and backgrounds of these three individuals were indeed remarkably similar and in many ways their entire lives were grounded in Germany's authoritarian pasts. To be sure, when considering their service records alone, they appear as unlikely candidates to lead a democratic police force. But their military and policing experiences helped shape their ideological credentials and ultimately, their selection to lead West Germany's paramilitary border police.

These men and their careers were not necessarily unique, but reflected a generation of men who sought postwar careers in the border police. Anti-communism and loyalty to the state were deeply rooted in their personalities and their political ideologies fit easily with the anti-communism of West Germany's leaders. Writing for the *Bundesgrenzschutz* magazine *Die Parole* in 1952, Federal Minister of Justice Thomas Dehler warned that "the communist party is no German party; it is the official organ of the Kremlin...and must be ruthlessly eradicated if German democracy should live."²⁵⁹ The fervent anti-communism of men like Grasser, Andersen, and Matzky thus fit easily with the political framework of the Bonn Republic. Historians have shown that anti-communism was already firmly entrenched in West German political culture before 1945 and was the central marker of Bonn's political identity.²⁶⁰ Andersen and Matzky fought communists along Germany's eastern borders in the aftermath of the First World War while Grasser faced communist strikers as a police officer in interwar Germany's big cities. Their service against communists continued during the Second World War and found a renewed usable function in protecting the democratic Federal Republic as members and leaders of its border police force.²⁶¹

²⁵⁹ Dehler, Thomas "Der Feind steht links und rechts," *Die Parole* 2 no. 2 (February, 1952), 1.

²⁶⁰ For a useful analysis of postwar anticommunism in the FRG, see Stefan Kreuzberger and Dierk Hoffmann, *Geistige Gefahr und Immunisierung der Gesellschaft: Antikommunismus und politische Kultur in der frühen Bundesrepublik* (München: Oldenbourg Verlag, 2014), 2.

²⁶¹ The personnel evaluation files of these men revealed that they stood out for their fighting spirit and ability to lead men in battle – Andersen: BA-MA PERS 6/1042; Matzky: BA-MA PERS RH7/299; Grasser was also noted for using auxiliary border guards in anti-partisan operations on the Eastern Front, See Anton Grasser, "Fighting on the Narva Front: The Evacuation of Estonia and the Withdrawal to the Dvina," Department of the Army Office of the Chief of Military History, (Washington, D.C., 1947), 5.

Like many former soldiers, Grasser, Andersen, and Matzky, joined veterans organizations after the war.²⁶² While there is no information about their specific activities, some members of these organizations promoted radical and anti-democratic political views.²⁶³ Most if not all the first candidates to join the *Bundesgrenzschutz* had military and law enforcement experience - in many cases they had both. Border police Lieutenant Hans Stern, for example, was a civilian police officer from 1927 to 1936, entered the *Wehrmacht* from 1936 to 1943, and then joined the *Waffen* SS rising to the rank of *Obersturmbannführer* (Lieutenant Colonel). Dr. Otto Dippelhofer, Commander of *Bundesgrenzschutz Süd* (south), had been an SS *Sturmbannführer* (Major) with the *Ordnungspolizei* (Order Police) and *Feldgendarmerie* (Military Police) in Denmark and the Balkans where he commanded anti-partisan units. He briefly commanded Police Battalion 65, which after the war was heavily implicated in the murder of innocent civilians.²⁶⁴ Thereafter, Dippelhofer, a credentialed lawyer, was assigned to the SS and *Polizeigerichtsbarkeit* (SS and Police Court), which functioned as the disciplinary system for all SS troops. In 1943, the *Polizeigerichtsbarkeit* was also given jurisdiction over civilian legal matters in Germany's conquered territories.²⁶⁵ Border policeman Werner von Seeler had commanded *Waffen* SS police and gendarmerie companies including SS Police Regiments 17, 28, and 19. Hans-Joachim Glombitza, who joined the border police in 1951, served with the 12th SS *Hitlerjugend Division* in Normandy, where its members captured and brutally executed 156 Canadian POWs.²⁶⁶ In fact, membership in the SS was not considered grounds to automatically deny an applicant employment in the border police. The officer and non-commissioner officer lists for those chosen for leadership positions

²⁶² Their attendance at meetings of these organizations was reported in the press – See “Zusammenschluß der Soldatenverbände? Vorbereitende Besprechungen der Organisationen Treffen in Hannover” *Frankfurter Allgemeine Zeitung*, July 8, 1951.

²⁶³ See Bert-Oliver Manig, *Die Politik der Ehre: die Rehabilitierung der Berufssoldaten in der frühen Bundesrepublik* (Göttingen: Wallenstein Verlag, 2004), 117.

²⁶⁴ There are several works that provide good overviews of the *Ordnungspolizei* actions in civilian massacres – See Christopher Browning, *Ordinary Men*; Edward Westermann, *Hitler's Police Battalions*; Wolfgang Curilla, *Der Judenmord in Polen und die deutsche Ordnungspolizei 1939-1945* (Paderborn: Ferdinand Schöningh, 2011).

²⁶⁵ See Peter Longerich, *Heinrich Himmler: A Life* (Oxford: Oxford University Press, 2012), 486.

²⁶⁶ For an overview of the atrocities committed by the 12 SS in Normandy, see Howard Margolian, *Conduct Unbecoming: The Story of the Murder of Canadian Prisoners of War in Normandy* (Toronto: University of Toronto Press, 1998).

reflected 20 men at the rank of Lieutenant and 14 Captains all of whom fought with the SS during the war.²⁶⁷ Moreover, the marine component of the border police, known as the *Seegrenzschutz*, employed many of Nazi Germany's submarine and torpedo boat captains, including Hans-Georg Friedrich Poske and Klaus Scholtz. Poske commanded Hitler's personal yacht, the *Aviso Grille* and went on to sink 78,123 tons of allied shipping during the war while Scholtz was credited with 128,190 tons.²⁶⁸ To be sure, men with these service records do not seem like the ideal candidates to create a democratic police force. Nevertheless, any of them who might have still held onto radical or anti-democratic beliefs could not manifest them in their police duties without facing censure or worse, loss of employment. Thus, these radical views remained largely in the private sphere and were only shared in closed groups or among individuals with similar beliefs.

Allied Rearmament, Border Policing and the European Defense Community.

Dean Acheson's forceful proposal to rearm Germany during the 1950 tripartite meetings in New York was cautiously accepted by his British and French colleagues Robert Schuman and Ernest Bevin. Yet, the Allies were still philosophically divided over how and to what extent Germans would be used to support Western defense. As West Germany's first postwar national armed force, the *Bundesgrenzschutz* played a larger role in the rearmament question than historians have acknowledged.²⁶⁹ The debate over federal policing as an alternative or "theoretical middle course" to a new German army divided the tripartite bloc.²⁷⁰ The United States, which was internally divided over the issue between the State and

²⁶⁷ There were numerous BGS recruits with similar military and policing backgrounds, the listing of which are outside the focus of this chapter; See Name lists for BGS Officers Ranks provided by the *Bundesministerium des Innern*, BA-MA BW1/5484-5483.

²⁶⁸ See Rainer Busch and Jans-Joachim Röhl, eds. *Der U-Boot Krieg 1939-1945: Die Ritterkreuzträger der U-Boot-Waffe von September 1939 bis Mai 1945* (Hamburg: E.S. Mittler & Son, 2003), 276, 174.

²⁶⁹ See Chapter 1, "Foundations," which argues that the *Bundesgrenzschutz* has been ignored or overlooked by rearmament historians.

²⁷⁰ The phrase "theoretical middle course" was used by Lt. Colonel Edwards, an official on John J. McCloy's staff in a top-secret position paper, "Basic Considerations with Regards to Germany," 13 June 1949, NARA RG 466, Records of the Office of the High Commissioner for Germany, Office of the Executive Director, Misc. Files Maintained by Col. H.A. Gerhardt, Boxes 11-12, Box 2.

Defense Departments, had rebuked Great Britain over High Commissioner Brian Robertson's unilateral discussions with General Graf von Schwerin over his proposal for a mobile police force that could be the nucleus of a new army.²⁷¹ Although the Americans and their British counterparts favored some sort of police option, the French opposed any militarized German police force because they feared it might give the West Germans an instrument to rebuild their armed forces without foreign oversight.²⁷² Among the parties with a stake in rearmament, the French expressed the most reluctance to endorse Acheson's stance. According to William Hitchcock, "German rearmament presented far more than a military threat to France. It placed France's entire postwar strategy of recovery in grave jeopardy."²⁷³ Responding to these developments, the French Economist Jean Monnet and Premier Rene Pleven proposed a supranational European Defense Force as an alternative rearmament plan intended to contain Germany. Originally designated as the "Pleven Plan," it provided a framework for the European Defense Community (EDC), a treaty closely modeled after the tripartite Coal and Steel economic agreement.²⁷⁴ While an extensive analysis of the conflicting diplomacy involved in the EDC is beyond the focus of this study, a brief synopsis shows how it was influenced by the West German plans to expand their border police.

The Allies had competing ideas of how to rearm West Germany and, at least initially, the EDC seemed to offer a solution.²⁷⁵ For Great Britain and the United States, it was the easiest option to rapidly incorporate German military power into their strategic European defense plans. In 1951, President

²⁷¹ See Spencer Mawby, *Containing Germany*, 27-32.

²⁷² William Hitchcock, *France Restored*, 135.

²⁷³ Ibid.

²⁷⁴ The plan was primarily conceived by Jean Monnet, see Frederic J. Franssen, *The Supranational Politics of Jean Monnet: Ideas and Origins of the European Community* (Westport: Greenwood Press, 2001), 121; Michael Creswell, *A Question of Balance: How France and the United States Created Cold War Europe* (Cambridge: Harvard University Press, 2006), 29-30.

²⁷⁵ The diplomatic-political historiography on the EDC is indeed extensive, but for detailed explanations of these competing plans and compromises see David Clay Large, *Germans to the Front*, 95-107; William Hitchcock, *France Restored*, 133-168; John W. Young, ed. *The Foreign Policy of Churchill's Peacetime Administration 1951-1955* (London: Leicester University Press, 1988), 81-102; Roland G. Förster, *Anfänge westdeutscher Sicherheitspolitik 1945-1956, Band 2, Die EVG Phase*, Herausgegeben vom Militärgeschichtlichen Forschungsamt (München: R. Oldenbourg Verlag, 1990).

Truman signed NSC-68, a document popularly referred to as the “Truman Doctrine,” which outlined the U.S. Cold War strategy of aggressive containment.²⁷⁶ The British were not signatories of the EDC and believed it would ultimately fail, but they supported it nonetheless. Great Britain faced severe economic problems and international foreign policy challenges because of decolonization.²⁷⁷ Rearming West Germany thus promoted American strategic objectives for aggressive containment and also relieved British combat forces for duties elsewhere. France had postwar challenges of its own. Its military power was fragmented because of the wars of decolonization in Indochina and Algeria. Moreover, the French Fourth Republic was politically unstable following a series of leadership changes. The French Council of Ministers elected ten presidents between 1950 and 1954.²⁷⁸ Yet rather than encourage rearmament to relieve these military burdens like their British partners, the French feared German forces would dominate a European Army because they were unburdened by colonial entanglements. For France, the EDC was a strategic compromise that contained West Germany and offered an opportunity to re-assert their own power in continental European affairs.²⁷⁹

For the West Germans, the EDC offered rearmament and a chance to regain their sovereignty, but under terms that were unacceptable to most of its veteran *Wehrmacht* officers. They opposed it because it placed their personnel in small units under foreign leadership. This remained a major point of contention for the Germans even after U.S. officials proposed alternatives to gain their support.²⁸⁰ West Germany’s

²⁷⁶ Curt Caldwell, *NSC 68 and the Political Economy of the Early Cold War* (New York: Cambridge University Press, 2011), 17.

²⁷⁷ Hubert Zimmermann, *Money and Security: Troops, Monetary Policy, and West Germany’s Relations with the United States and Britain, 1950-1971* (New York: Cambridge University Press, 2001), 14.

²⁷⁸ Catherine Fieschi, *Fascism, Populism and the French Fifth Republic: In the Shadow of Democracy* (Manchester: Manchester University Press, 2004), 87-89; William Hitchcock “Crisis and Modernization in the French Fourth Republic: From Suez to Rome,” in Kenneth Mouré and Martin Alexander eds. *Crisis and Renewal in France, 1918-1962* (New York: Berghahn Books, 2002), 226.

²⁷⁹ John W. Young, *The Foreign Policy of Churchill’s Peacetime Regime*, 92-93; See also Maxime H.A. Larivé, *Debating European Security and Defense Policy: Understanding the Complexity* (Surrey: Ashgate Publishing Limited, 2014), 61-62.

²⁸⁰ The most important was known as the Spofford Compromise, which was a plan proposed by the U.S. North Atlantic Council Representative Charles Spofford as a modification of the Pleven Plan whereby the West Germans would be included as “nationally homogenized” combat forces in a European army under Supreme Allied control.

Wehrmacht officers had already outlined their own ideas during secret meetings held at the *Himmeroder* Monastery near Bonn.²⁸¹ Their plan, defined in the *Himmeroder Denkschrift*, called for 25 German Divisions greatly exceeding those envisaged by the French.²⁸² The German public was also wary of rearmament. Because of the war's catastrophic consequences, most young German men rejected military service. At this time, the "*Ohne Mich*" (without me or count me out) movement was underscored by the high-profile anti-military activism of Protestant Pastor Martin Niemöller. The surprising resignation of Adenauer's Interior Minister, Gustav Heinemann, added to the public sentiment against rearmament. Adenauer believed Niemöller's activism was a "decisive factor" in recent poor showings by his party in the *Landtag* (State Diet) elections.²⁸³ He also blamed "communist agitators" and the West German media for fomenting a pacifistic attitude about security within the population.²⁸⁴ But as Michael Geyer has shown, the rejection of rearmament by postwar West Germans was grounded in hardships associated with total defeat rather than Soviet and East German propaganda.²⁸⁵ Even though the EDC proved to be an unpopular approach on several fronts, Adenauer realized it was the only option available. After the United States and Great Britain publicly supported the EDC, it became, as David Clay Large has suggested, "The only way out."²⁸⁶

Nevertheless, there were still obstacles standing in the way of formal ratification and Adenauer was frustrated by the lack of progress.²⁸⁷ During the EDC negotiations, all parties agreed that police forces and armed forces deployed in foreign countries should remain exempt from supranational oversight. This was particularly important for the British and French, both of which had armies fighting

If the EDC failed, these forces would be incorporated into NATO – See David Clay Large, *Germans to the Front*, 96.

²⁸¹ Alaric Searle, *Wehrmacht Generals*, 57-58.

²⁸² Transcript of the *Himmeroder Denkschrift*, October 9, 1950, BA-MA BW 9/3119.

²⁸³ Adenauer, *Memoirs*, 301.

²⁸⁴ *Ibid.*, 302.

²⁸⁵ Michael Geyer, "Cold War Angst," 380.

²⁸⁶ David Clay Large, *Germans to the Front*, 112.

²⁸⁷ Adenauer, *Memoirs*, 350.

insurgencies.²⁸⁸ The decision to exempt police forces from the EDC was outlined in Article 11 of the treaty, which stated: “Police forces and forces of gendarmerie, suitable exclusively for the maintenance of internal order, may be recruited and maintained on territories of the member States.”²⁸⁹ The French had originally supported a small federal police force in West Germany on the condition that it was lightly armed.²⁹⁰ But West Germany’s plans to add another 10,000 men to the *Bundesgrenzschutz* before the EDC was ratified presented immediate problems for the French. It also returned federal policing to the center of West German domestic politics as the Adenauer administration faced challenges from oppositional parties going into the crucial elections of 1953.

The Decision to Expand the *Bundesgrenzschutz* and its Opponents

In spite of the political obstacles still standing in the way of the EDC, Adenauer traveled to Paris on 20 November 1951, to sign the preliminary draft. He confided in his memoirs that he was cautiously optimistic about overcoming any remaining difficulties with the French. Dean Acheson impressed him with his confident point of view that West Germany was already on a path to full sovereignty. Adenauer personally thanked Acheson for “the energy and sense of purpose with which the United States was meeting its responsibilities in the area of world policy and especially in Europe.”²⁹¹ At the same time, he criticized France for not following Acheson’s example. On 22 November 1951, Adenauer initialed a negotiated draft of the EDC. During the ceremony, French Foreign Minister Robert Schuman told him he would ensure the “successful cooperation” of his colleagues in France. This was a symbolic moment for West Germany, and Adenauer was clearly struck by its significance - he wrote in his memoirs: “on this

²⁸⁸ The British were fighting communist insurgents in Malaya from 1948 to 1960 and the Mau Mau Rebellion from 1952 to 1960, while the French struggled in Algeria and Indochina (Vietnam); For a general overview of these challenges, see Miles Kaher, *Decolonization in Britain and France: The Domestic Consequences of International Relations* (Princeton: Princeton University Press, 1984); Martin Thomas, *Fight or Flight: Britain, France, and their Roads from Empire* (Oxford: Oxford University Press, 2014).

²⁸⁹ Text of proposed European Defense Community Treaty, 170, Available at <http://aei.pitt.edu/5201/1/5201.pdf>, accessed May 26, 2015.

²⁹⁰ See Chapter 1, in reference to the French approval of McCloy’s recommendation for a 5000-man “Republican Guard.”

²⁹¹ Adenauer, *Memoirs*, 400.

day the Federal Government was beginning to speak with its own authority in association with the Western World.”²⁹²

Dean Acheson’s confidence and Robert Schuman’s encouragement gave Adenauer a positive outlook about his new standing with the west. He returned home believing that all major political questions had been settled. While there were still matters such as financing and organizational issues to work through, he believed the EDC would be finalized no later than January 1952. But his confidence was short-lived. Problems began when the Free Democratic Party (FDP) insisted they would only support the EDC if West German armed forces were included in NATO. At the same time, French opponents of the EDC symbolically created a diplomatic “Saarland” office in Paris. This irritated West German nationalists who rejected any French entreaties to retain control over the resource rich Saarland.²⁹³ As tensions in the Franco-German relationship increased, West Germany took its first steps to expand the border police.

The expansion was directly shaped by Adenauer’s belief that ratification of the EDC was inevitable. Here again, however, Adenauer and his Interior Ministry were taking advantage of external developments – in this case, the EDC – to influence domestic politics. During the Saar dispute, Interior Minister Robert Lehr wrote to *Staatsekretär* Otto Lenz requesting Adenauer’s permission to propose the increase in the *Bundestag*. Lehr claimed the federal government was too weak to deal with, “a growing threat to internal security.”²⁹⁴ He told Lenz the manpower of his border police units was insufficient and too widely dispersed to be effective. He also alleged that there had been a recent “influx of agents and propaganda material and imminent acts of sabotage” at the border.²⁹⁵ Lehr said the expansion would cost 144.7 million DM and could begin as early as 1 April 1952. He made sure to remind Lenz the *Bundesgrenzschutz* was a police force and not a military unit as would be eventually established under the

²⁹² Ibid., 402.

²⁹³ David Clay Large, *Germans to the Front*, 135.

²⁹⁴ Letter from Robert Lehr to Otto Lenz, 19 January 1952, BArch-K B 136/1929, Fiche 3, Slide Nos. 106-109.

²⁹⁵ Ibid.

EDC. Yet in closing, he claimed the Federal Minister of Finance, Fritz Schäffer, assured him the EDC would enable West Germany to fund the expansion “because of the important role of this police unit for the protection of the eastern border.”²⁹⁶ Lehr’s comments to Lenz revealed how the federal government attempted to use rearmament to achieve its own ends. He believed the EDC might help him pay for what was supposed to be a nationally controlled police force. But since Article 11 exempted national police forces from the EDC, he had to convince the Allies that border policemen were also useful for defending West Germany. He was attempting to fund his police force through the Allies, while keeping it free of supranational control.

On 26 January 1952, *Staatsekretär* Karl Gumbel presented Lehr’s arguments to the West German Cabinet.²⁹⁷ Gumbel told Cabinet members that unless the EDC signatories agreed to cooperate, Minister Schäffer would not have the means to fund the expansion “for a long time.” Gumbel explained that Lehr and Schäffer reached an agreement whereby the cost of approximately 145 million DM would only be available if Schäffer succeeded in placing the burden of financing on the “European Defense Community.” According to Gumbel, this was important for West Germany’s long-term national security interests because “The BGS is expected to remain the only power factor, which is immediately and always available to the federal government.”²⁹⁸ The Adenauer Administration wanted it both ways. On the one hand, they were unwilling to exchange their only instrument of national police power for a supranational defense force. On the other hand, however, they wanted the Allies to pay the bill without having oversight it how the *Bundesgrenzschutz* was used.

²⁹⁶ Ibid.

²⁹⁷ Vermerk für die Kabinettsitzung, Betr.: Personalvermehrung beim Bundesgrenzschutz, Bonn den 26. Januar 1952,, BAArch-K B 136/1929 Fiche No. 3, Slide No. 110.

²⁹⁸ Ibid.

Negative Public Relations and the Nazi Past

While the Allied powers tried to resolve their competing rearmament plans, the *Bundesgrenzschutz* was already stirring controversy in West Germany. SPD Deputy Walter Menzel publicly accused Lehr and Adenauer of deliberately recruiting former Nazis for their police force and the BePo units. Lehr replied to these accusations by outlining what he knew about the backgrounds of these first recruits. He told Menzel that, “officials of the *Bundesgrenzschutz* and police have to demonstrate by their entire conduct, a commitment to the democratic conception of the state and their service alone may not be regarded as a fulfillment of this conception. Rather, all officers must demonstrate a vibrant, positive attitude towards the state.”²⁹⁹ He assured Menzel that all eligible candidates were rigorously cleared through denazification proceedings. He admitted, however, that many of those recruited for the *Bundesgrenzschutz* had been in the *Waffen SS*, but deliberately omitted these facts from their applications. He said, however, that he “did not blame” them for omitting their SS service since, in his opinion, most of them were given SS ranks solely because of administrative decisions. As support, he cited the Nuremberg War Crimes proceedings, which, “held that police officers with such [SS] rank adjustments may not be criticized for politically bearable and other responsibilities that do not exist.” He told Menzel it was difficult to find men for police leadership positions that were “politically unencumbered” and yet still suitable for their professional qualities.³⁰⁰

Lehr’s response to Menzel reflected the real difficulties facing the federal government when it tried to find policemen without problematic backgrounds. But his position also underscored Adenauer’s objective of looking ahead to the democratic future instead of confronting the Nazi past. Lehr and Adenauer vigorously defended themselves against accusations by Social Democratic lawmakers that they had ignored the Nazi backgrounds of border policemen. The Hessian Minister President Georg August

²⁹⁹ Letter from Interior Minister Lehr to SPD Deputy Walter Menzel, March 22, 1951, BArch-K B 136/1929 Fiche No. 3, slides 25-29.

³⁰⁰ Ibid.

Zinn, for example, wrote to Adenauer in March 1951 complaining that a majority of border police recruits at the Northheim Police Academy were SS veterans. Zinn claimed these personnel threatened the democratic foundation of West Germany and were also a serious concern for the Hessian population. He believed their aggressive anti-Bolshevist sympathies “would pose a threat to the Federal Republic and the Western security system, especially under such leadership, on the Soviet zonal border.”³⁰¹ Adenauer asked Lehr to investigate these claims. On 23 March, Lehr reported that there was no border police academy in Northheim. Zinn had mistakenly believed members of the Niedersachsen State Border Guard were federal policemen. Lehr blamed the SPD, and especially Menzel for “stirring up trouble” in the media about the Nazi and SS pasts of men employed in the border police.³⁰²

But critics of the *Bundesgrenzschutz* found plenty of justification for their complaints. In September 1951, for example, newspapers reported that a group of seven border policemen based at the *Siegfried-Kaserne* in Braunschweig created a public disturbance after a night of heavy drinking. The policemen were overheard singing “Nazi” military songs, including the inflammatory *Horst Wessel Lied*.³⁰³ Singing Nazi songs was illegal in Niedersachsen and the state prosecutor promptly filed formal charges. The Interior Ministry investigated the allegations and learned they were credible. According to Lehr, the seven men responsible for the disturbance had consumed a large amount of schnapps. The local residents even heard one of them, later identified as Sergeant H., loudly chanting the neo-Nazi slogan “SRP”!³⁰⁴ Lehr’s report demonstrated his border policemen were not exactly free from all manifestations of National Socialism, especially when under the influence of alcoholic beverages. It also showed that

³⁰¹ Letter from Hessian Minister President Georg August Zinn to Chancellor Adenauer, March 10, 1951, BArch-K B 136/1929 Fiche No. 3, Slides 21-24.

³⁰² Letter exchange between Lehr and Adenauer March 19 and 23, 1951, BArch-K B 136/1929 Fiche No. 3, Slides 23-24.

³⁰³ This song was written by SA member Horst Wessel as a means to instigate street brawls with communists. When Wessel was killed by communists in 1930, he gained martyr status in the Nazi movement and his song became a second national anthem during the years 1933-45. See Daniel Siemens, *Horst Wessel: Tod und Verklärung eines Nationalsozialisten* (München: Siedler Verlag, 2010).

³⁰⁴ The SRP, or Socialist Reich Party was a neo-Nazi party banned by the Federal Constitutional Court in 1952. See Robert O. Paxton, *The Anatomy of Fascism* (New York: Vintage Books, 2007), 176.

there were men in the Bundesgrenzschutz who still privately held onto their illiberal political ideologies, which in this case only became an issue because they were overheard by members of the public. As long as these views were kept private or in closed groups, there was no way to really know how many men still had these ideological beliefs. For these policemen, discipline was swift and immediate. The Commander of the Division, a 45-year-old veteran of the Prussian *Schutzpolizei* and *Wehrmacht*, was fired. The investigation revealed he heard the disturbance, but did nothing to stop it. The seven policemen were fined and demoted. Incidents such as this were later cited by the SPD as reasons to oppose expanding the border police.³⁰⁵

The SPD was already suspicious of the overwhelming majority of *Wehrmacht* veterans employed as border policemen. The SPD *Fraktion* Leader Kurt Schumacher, for example, attacked the selection of Gerhard Matzky as a border police commander. On 14 July 1951, he told reporters from the *Frankfurter Allgemeine Zeitung* it was “incomprehensible that a former steward of the Americans, General Matzky, has been appointed commander of the border police.”³⁰⁶ He also dismissed government claims that a federal border police force could resist communist attacks because in his opinion “it was a silly illusion to create an anti-*Volkspolizei* force since an attack by the *Volkspolizei* would be led by the Red Army.” He argued, “what began as a police force should not end up as a military.”³⁰⁷ Lehr publicly defended his ministry and its policemen. He refuted Schumacher’s allegations that the *Bundesgrenzschutz* was becoming a clandestine army and claimed it would remain a police force “unless Article 91 of the Basic Law was invoked.”³⁰⁸ He argued West Germany’s border police were no different than the Italian *Carabinieri* or Japan’s mobile police forces.³⁰⁹ Gerhard Matzky also addressed Schumacher’s claims

³⁰⁵ See also “Bundesgrenzschutz: Ein Kasten Bier,” *Der Spiegel* (12 September 1951), 13-14.

³⁰⁶ “Schumacher Gegen Militär Surrogaten,” *Frankfurter Allgemeine Zeitung*, July 14, 1951, 1.

³⁰⁷ *Ibid.*

³⁰⁸ “Der BGS als Bundespolizei: Innenminister erklärt: kein Geheimnis Remilitarisierung,” *Frankfurter Allgemeine Zeitung*, July 20, 1951, 3.

³⁰⁹ This was a comparison made by Lehr on more than one occasion; See for example: Christopher Aldous, *Police in Occupation Japan: Control, Corruption and Resistance to Reform* (London: Routledge, 1997); Peter J.

during an interview with a radio station in Stuttgart. Matzky declared, “I can categorically state that all the rumors which indicated the border police is a precursor to a possible new German *Wehrmacht* are politically motivated and incorrect...every civilized country in the world have one serving police force for internal state security, and the BGS is nothing else, its main task is to secure the German border areas.”³¹⁰

Political tensions also emerged when Adenauer replaced the regular Nordrhein-Westfalen police officers that guarded his offices with border policemen. Even members of his party opposed this move since his Bonn offices were well beyond their jurisdiction. The CDU/CSU *Fraktion* Chairman, Dr. Heinrich von Brentano, wrote to Lehr complaining about the guards he and his driver observed in front of the Federal Chancellery in Bonn.³¹¹ Von Brentano, a strong ally of Konrad Adenauer’s, was a framer of West Germany’s Basic Law, but had also worked as a prosecutor for the National Socialists. He told Lehr that security of the Chancellor’s offices was not a job for border policemen and would undoubtedly “trigger new embarrassing situations.” He compared the officers to a Prussian Praetorian guard. Von Brentano argued, “I think we would do well to avoid embarrassing misunderstandings that must necessarily arise from such things and therefore simultaneously request that you and the Chancellor leave the care of the Palais Schaumburg to the regular police who have always done a fine job.”³¹² Again, here you have an example of an individual, like Adenauer’s legal expert Dr. Arnold Köttgen, who had served the Nazis,, but urged caution when it came to this controversial use of border policemen. Moreover, von Bretano was in the same political party as Adenauer and thus his attitude was not motivated by partisan rhetoric. The attitudes of officials like von Bretano and Köttgen reflected their adherence to West Germany’s democratic rule of law. Although it is impossible from evidence such as this to draw any concrete conclusions about their private ideological beliefs, it does show, at least nominally, that even

Katzenstein, *Cultural Norms and National Security: Police and Military in Postwar Japan* (Ithaca: Cornell University Press, 1996); For the *Carabinieri* see Emsley, *Gendarmes and the State*, 191-207.

³¹⁰ “BGS nicht militaristisch,” *Frankfurter Allgemeine Zeitung*, August 4, 1951, 3.

³¹¹ Letter from Dr. Heinrich von Brentano to Adenauer, October 12, 1951, BArch-K 136/1929 Fiche No. 3, Slides 74-75.

³¹² *Ibid.*

those who served the Third Reich were willing to tolerate and play by the rules of their new democratic system of government. To be sure, what these men and those with similar backgrounds did in practice, and more importantly, what they were not permitted to do, had a greater effect on the longterm success of West German democratization than any of the ideological legacies of the Nazi dictatorship they may have still privately believed.

The SPD also took a firm stance against Adenauer's watch battalion. Walter Menzel urged the Nordrhein-Westfalen *Landtag* (state diet) to censure Adenauer.³¹³ He said Adenauer violated the federal police law because members of the *Bundesgrenzschutz* had no legal jurisdiction beyond West Germany's borders. He claimed Adenauer's illegal actions placed the State Interior Minister and the young men of the border guard in a precarious position because the decision had the appearance of "legality." Menzel argued that Adenauer must be challenged otherwise what started as a small watch battalion might be used to justify further supplanting of state police with federal officers.³¹⁴ Dr. Adolf Flecken, the Interior Minister of Nordrhein-Westfalen had already written to Adenauer protesting this decision. He suggested these duties should have been assigned to the Chief of Bonn's municipal police.³¹⁵ He reminded Adenauer that Article 73 of the Basic Law mandated that policing remain an exclusive legislative power requiring cooperation between the federal and *Länder* governments. According to Flecken, Adenauer would have to formally amend the Basic Law before he could use federal police officers in Bonn.³¹⁶

The internal political tensions surrounding the government's plans to expand its national border police force reignited the federal policing debates. During the 166th session of the *Bundestag* on 10 October 1951, Walter Menzel accused Lehr of violating the Basic Law. He argued:

³¹³Kleine Anfrage Nr. 67 des Abgeordneten Dr. Menzel (SPD), Betreffend: Ablösung der Polizeibeamten von der Bewachung des Bundeskanzleramtes, Drucksache Nr. 67, Lantag Nordrhein-Westfalen – 2. Wahlperiode – Band 3, BArch-K 136/1929 Fiche No. 3, Slide 78.

³¹⁴ Ibid.

³¹⁵ Letter from Adolf Flecken to Konrad Adenauer, October 15, 1951, BArch-K B 136/1929 Fiche 1, Slide No. 78.

³¹⁶ Ibid.

Article 87 allowed for the establishment of border control authorities to handle passport control, but what have you made of it? A barracked police force! And now, as far as passport control is concerned, nobody in the federal government cares! What would members of the parliamentary council say today if they knew that your definition of border protection meant ten thousand or more quartered troops? I think they would have preferred to derail the entire constitution and thus the ongoing integration of the three western zones instead of accepting it! Why do we have a constitution, and what would be the gain from the disposal of National Socialism, when in the presence of alleged necessities the constitution can be pushed aside at any time!³¹⁷

He also claimed border policemen had engaged in “neo-fascist” activities and pointed to the recent scandals in Braunschweig. He blamed Lehr and his Interior Ministry because they overwhelmingly selected veteran *Wehrmacht* officers for leadership positions. Indeed, 62 percent of these posts were given to veteran soldiers while a further 37 percent were allocated to men like Anton Grasser and Kurt Andersen who transferred to the *Wehrmacht* from civilian police forces. Thus, only 7 percent of the *Bundesgrenzschutz* command staff included men dismissed from their civilian policing careers because they resisted service to the Nazi state.³¹⁸ Menzel said he believed the veteran soldiers selected thus far had clear backgrounds, but criticized Lehr for selecting soldiers for civilian policing duties. He claimed many excellent police veterans were rejected with the excuse that they were too old or deemed unsuitable for motorized operations. To the loud cheers of his fellow deputies, Menzel exclaimed, “Mr. Interior Minister, the members of this body wanted policemen and effective border control when they agreed to establish the BGS. Instead, you gave us soldiers and as long as you refuse to correct this, we will oppose you with any and all means!”³¹⁹

Lehr defended the government against Menzel’s accusations. He stated the *Bundesgrenzschutz* was not an army, but a police force without which the security of West Germany’s borders would be left

³¹⁷ Deutsche BT, 166 Sitzung, 6783-6784.

³¹⁸ Letter with attached statistical summary of leadership positions in the BGS from Bundesministerium des Innern Staatssekretär Ritter von Lex to Staatssekretär im Bundeskanzleramt Franz-Josef Wuermeling, June 21, 1951, BArch-K B 136/1929, Fiche No. 3, Slides 39-46; Also quoted by Dr. Menzel in his debate with Interior Minister Lehr, Deutsche BT, 166 Sitzung, 6785.

³¹⁹ Deutsche BT, 166 Sitzung, 6786.

“irresponsibly” in the hands of a variety of competing state and local agencies.³²⁰ Lehr dismissed Menzel’s allegations of neo-fascism in Braunschweig as a “drunken affair:”

I agree with you that what happened was completely out of order, but this depends on the extent to which it was tolerated – and through my sharp intervention you can see that I completely disapproved...keep in mind, even if I replace ten thousand men with a whole new line-up, there is always the possibility that one or two might fall through. We will screen all those that don’t belong here very quickly. We will separate the wheat from the chaff. But there are bound to be bad elements in such a large group of people...I cannot with my large ministry tell you that in twelve thousand personnel there aren’t some who misbehave. But believe me, I will emphatically eliminate these personnel as long as there must be order in the relationship between you and me.³²¹

Lehr admitted that *Wehrmacht* veterans did hold a majority of leadership positions in the *Bundesgrenzschutz*, but claimed this was only because soldiers already had the desirable technical skills such as radio operations and engineering. He pointed to the size and strength of Italian *Carabinieri* and Japanese mobile police forces, which were models for what he envisioned for West Germany’s border police.³²² He explained that Article 91 of the Basic Law gave him police powers equivalent to those held by the *Länder* whenever there was a serious emergency or threat against the federal government. Menzel interrupted Lehr and disputed his interpretation of Article 91 claiming it only gave him authority over a small portion of state police forces in national emergencies. Lehr replied that it would be “pointless to use state police forces if when my own house is on fire I can’t use my own police to put it out!” In closing, he explained that the East German *Volkspolizei* was growing stronger, yet his force of 10,000 border policemen was “neither an army nor have the chance of becoming one!”³²³

³²⁰ Ibid., 6787.

³²¹ Ibid., 6787-6788.

³²² See Christopher Aldous, *Police in Occupation Japan*; Peter J. Katzenstein, *Police and Military in Postwar Japan*; Emsley, *Gendarmes and the State*, 191-207.

³²³ Ibid., 6789.

The debate between Lehr and Menzel was national news; the *Frankfurter Allgemeine Zeitung* ran a two-day feature article, which included full transcripts of their statements.³²⁴ It was clear from Menzel's stance that he and his colleagues believed Adenauer and Lehr were blurring the lines between policing and soldiering. Evidence seemed to support these accusations since Lehr admitted they were deliberately giving preference for leadership positions to veteran soldiers. The embarrassing scandals in Braunschweig and the use of border policemen for duties away from the border complicated these political tensions. Nevertheless, Lehr demonstrated there were swift and severe consequences for those personnel who exhibited unprofessional behavior, whether or not it had been, as he described, simply a "drunken affair." His admission that he needed veteran *Wehrmacht* officers for technical and engineering skills revealed, however, a particularly militaristic approach to policing since engineering was not a typical duty for civilian policemen. And his references to the Italian and Japanese mobile gendarmeries undermined his claim that he wanted policemen rather than soldiers, since both of these were paramilitary forces.³²⁵

West Germany's Social Democratic politicians fought Lehr's plans to expand the *Bundesgrenzschutz*, but they were unable to prevent Adenauer's support for the EDC. On 27 May 1952, Adenauer signed the treaty on behalf of West Germany. The SPD Chairman Kurt Schumacher called it a "clumsy triumph of the Allied-clerical coalition over the German people."³²⁶ Schumacher also supported the renewed proposal for four-power talks by the Gaullist/Communist majority in the French Council of Ministers. The basis for these talks was the infamous "Stalin Note" of March 1952, which among other

³²⁴ See "Menzels Angriff gegen Lehr: Sind der Beamten des BGS Soldaten?," *FAZ*, October 23, 1951, 2; "Lehr's Antwort zu Menzel," *FAZ*, October 24, 1951, 2.

³²⁵ Japan's National Police Reserve was formed after the Korean War when its government used anti-communism to justify re-centralizing its civilian police into paramilitary formations; The *Carabinieri* were former soldiers overlooked by the Defascistization process largely because of their usefulness to the Italian government against communist and other leftist groups; See Christopher Aldous, *Police in Occupation Japan*, 212; Isobel Williams, *Allies and Italians Under Occupation* (London: Palgrave-Macmillan, 2013), 126-128.

³²⁶ See "German Socialist Attacks Accords: Schumacher Says his People Will Bear Most of Burden – Adenauer Faces New Rifts," *New York Times*, June 3, 1952, 7; Adenauer, *Memoirs*, 415.

concessions had offered German reunification and withdrawal of all Soviet Forces from German soil.³²⁷ Schumacher and his supporters rejected the EDC because it reinforced Germany's division by bringing it closer to the west. The French Council also rejected rearmament as it was outlined by the EDC because they feared it would strengthen West Germany and increase its continental power. These developments also increased the domestic political challenges facing Adenauer's Administration because the SPD had gained seats in several municipal elections; in Hesse, for example, SPD candidates won an overwhelming 38.5 percent of the popular vote against the 17.5 percent gained by the CDU.³²⁸

The day after Adenauer signed the EDC in Paris, the federal border police held a large and widely publicized mock exercise in Bonn. The Allied Military Security Board observers reported that its "principal aim was to smooth the way towards financial support to double the present size of the *Bundesgrenzschutz*."³²⁹ Observers noted that representatives from the KPD and SPD were absent, even though the purpose of the demonstration was aimed at convincing the Allies that border policemen were useful for national defense. The scenario consisted of armed insurgents pitted against two battalions of border policemen. The hypothetical problem was resolved with "minimal firing of weapons," but observers reported the equipment and tactics were definitely consistent with military rather than police units.³³⁰

Besides the challenge of financing, Adenauer and Lehr also had to overcome strong resistance from the CSU politicians in Bavaria. Bavarian legislators argued against expanding the federal border

³²⁷ The United States, France, and Great Britain rejected cooperation with Stalin, see David Clay Large, *Germans to the Front*, 145-146.

³²⁸ See "Socialists Win in Hesse Poll; Oppose Arming of Germany: Political Foes of Adenauer's Bonn Policy for European Defense Action Score Strongly in Frankfurt – Reds Lag," *New York Times*, May 5, 1952, 1.

³²⁹ Memorandum to Military Security Board from Military Division: "Bundesgrenzschutz Exercise of 28 May 1952," NARA RG 466 U.S. High Commission for Germany: Industrial Division (U.S. Element), Correspondence and Other Records Relating to the Regulation of German Industrial Companies, 1949-1955: "Bundesgrenzschutz thru Stahlbau Rheinhausen," Box 8, Folder: Bundesgrenzschutz.

³³⁰ *Ibid.*

police, which they feared might be a first step by the government to absorb their police forces.³³¹ Lehr complained to Adenauer that the Bavarian deputies had “overstated the emphasis on federalism while ignoring the vital questions of the larger aspects of strengthening the power of our federal state.”³³² Adenauer reassured him that he had already convinced the Bavarian deputies to drop their opposition. He accomplished this by promising the CSU he would reduce the strength of the *Bundesgrenzschutz* back down to 10,000 men as soon as he successfully created a new “*Wehrmacht*.”³³³ He confirmed the supportive position of the CSU in conversations he had with its Chairman Franz Josef Strauss. Adenauer told Strauss that the jurisdictional issues between the federal and state governments in Bavaria would be resolved. He wrote to Strauss and reiterated that the “strength of the BGS will again be reset to 10,000 men after the creation of a new *Wehrmacht*. The reductions of the BGS should begin no later than one year after entry into force of the EDC Treaty.”³³⁴ Adenauer’s correspondence with Lehr and Strauss shows how he used political leverage to gain support for the expansion. For Adenauer, the political ends - a larger national police force - justified the means, placating the Bavarians by claiming it was part of the EDC. Neither he nor his Interior Ministry ever intended to reduce the *Bundesgrenzschutz* after the EDC was ratified. The promise he made to Strauss guaranteed Bavarian support for the increase. His use of the term *Wehrmacht* instead of politically neutral terms such as *Streitkräfte* or *Bundesheer* (armed forces or federal army) is interesting since both he and Lehr repeatedly denied accusations they were trying to create a new *Wehrmacht*.³³⁵ Adenauer’s use of the word *Wehrmacht*, however, had more to do with its familiarity and was an oversight rather than a calculated plan to restore the defeated Nazi army.

³³¹ Deutsche Bundesrat, 94 Sitzung, October 24, 1952, Sitzungsbericht, 495.

³³² Letter from Lehr to Adenauer, October 24, 1952, BArch-K B 136/1929 Fiche No. 3, Slide No. 137.

³³³ Letter from Adenauer to Lehr, October 31, 1952, BArch-K B 136/1929 Fiche No. 3, Slide No. 139.

³³⁴ Letter from Adenauer to Franz Josef Strauss, February 4, 1953, BArch-K B 136/1929, Fiche No. 3, Slide No. 184.

³³⁵ See for example, Deutsche BT, 166 Sitzung, 6789

On 4 February 1953, members of the FDP and German Party (DP) introduced an official bill in the *Bundestag* proposing that the *Bundesgrenzschutz* be increased from 10,000 to 20,000 men.³³⁶ Here again, the justifications given by lawmakers who supported the increase show that they wanted a larger national police in spite of what happened with the EDC. Dr. Erich Mende (DP), for example, cited communist infiltrations on the Inter-German border to justify the increase. He claimed the existing police forces were insufficient to secure the entire border.³³⁷ His statements reignited the ongoing debate over centralized, national policing. Mende rejected the claim by Social Democratic politicians that reinforcing border patrol forces would remilitarize West Germany.³³⁸ Walter Menzel (SPD) repeated his familiar stance against the border police, but now attempted to alarm the CSU by alleging the federal government also intended to absorb Bavaria's State border police.³³⁹ According to Menzel, the Bavarian border police succeeded in reducing incidents along its frontiers because it stationed officers in close proximity to problem areas. He insisted that Lehr and Adenauer had failed to do this with their federal policemen and instead deployed them in barracks too far from frontier zones where they were needed most.³⁴⁰ As evidence, he pointed to the 300 *Bundesgrenzschutz* officers stationed far from the border at the Palais Schaumburg. He argued against expanding the number of border policemen until Adenauer and Lehr demonstrated they could correctly manage the personnel and resources they already had.³⁴¹

Lehr quickly defended Mende and was particularly critical of Menzel's statements aimed at the CSU.³⁴² He reassured his Bavarian colleagues that there was no plan or intention by his administration to interfere with or disband Bavaria's state police forces. He pointed to written agreements between Bavaria and the federal government that guaranteed it could retain its independent police forces.³⁴³ Lehr accused

³³⁶ See Deutscher Bundestag, 249 Sitzung, Bonn, Mittwoch, den 4 Februar, 1953, 11895.

³³⁷ Ibid., 11896.

³³⁸ Ibid.

³³⁹ Ibid., 11904.

³⁴⁰ Ibid., 11904-11905.

³⁴¹ Ibid., 11906.

³⁴² Ibid., 11908.

³⁴³ Ibid.

Menzel of trying to create tension in the relationship between the federal government and its CSU colleagues. He also dismissed Menzel's accusation that *Bundesgrenzschutz* units were stationed too far away from the border. He said the border police units were fully motorized and could rapidly move to any trouble spots. The current distribution of forces, according to Lehr, was simply a matter of finding suitable barracks to house them and not, as the SPD implied, an attempt to use them beyond West Germany's borders.³⁴⁴

Allied Reactions

Mende's proposal was passed by a margin of 188 to 144, but failed to gain the requisite majority needed for it to become legally binding. The deputies on the left supported by a Bavarian Party (BP) faction had decisively blocked it. Yet the vote was close enough to cause grave concerns among French High Commission officials and on 6 February 1953, they demanded an emergency meeting of the General Committee to discuss these developments.³⁴⁵ During the meeting, Assistant French High Commissioner Armand Berard announced that a West German attempt to increase its federal border police would be "catastrophic" to the chances of his nation ratifying the EDC.³⁴⁶ Berard accused Lehr of using the border police to build an independent army rather than supporting the plan of German contributions to a supranational force. Both the British Deputy High Commissioner Jack Ward and Acting U.S. High Commissioner Samuel Reber tried to downplay Berard's complaints. The responses by the British and Americans reflected their support for the expansion as a means to meet their own national interests. Ward told Berard that Britain supported the increase because it would "reduce the load on British military forces with regard to illegal border crossings." Reber believed Berard was overreacting and argued the United States would prevent West Germany from taking any actions with their police forces that

³⁴⁴ Ibid.

³⁴⁵ Telegram No. 138 from British High Commissioner Ivone Kirkpatrick to Foreign Office, Proposed Increase in Strength of Federal Frontier Police, February 5, 1953, TNA FO 371/104138.

³⁴⁶ Telegram from Acting U.S. High Commissioner Samuel Reber to U.S. State Department, February 7, 1953, FRUS Vol. II, 1952-1954, 400-403.

contradicted the EDC. He agreed with Ward that additional manpower on the Inter-German border would be useful because of what he described as “recent tensions.”³⁴⁷

But what sort of tensions was Reber referring to and was there really any evidence to support Adenauer and Lehr’s repeated claims of communist infiltrations? Black marketeering and refugees crossing the rural border were always a problem, but adding 10,000 more men was still insufficient to provide enough manpower to patrol the entire length of West Germany’s frontiers and contain all of these incidents.³⁴⁸ There were often disputes between officials on both sides of the border over the legal position of the actual demarcation line. On 22 June 1952, for example, members of the *Volkspolizei* arrested forty members of a West German coal mining crew near Hohnsleben claiming they had “illegally” entered East Germany.³⁴⁹ The workers were taken at gunpoint to a nearby residence and interrogated. Western newspapers reported that the *Volkspolizei* were attempting to influence disputes over the demarcation-line in this area because they wanted control over a vital power plant and water pipeline. When the *Bundesgrenzschutz*, reinforced by British armored cavalry units, arrived and took up their normal patrol stations, the *Volkspolizei* released the workers without incident.³⁵⁰ In another high-profile event, undercover Stasi agents brazenly kidnapped the outspoken anti-communist human rights activist, Walter Linse, from a street near his West Berlin home.³⁵¹ There was also an increase in reconnaissance flights by Allied and Soviet aircraft over disputed air lanes, which occasionally led to incidents.

³⁴⁷ Ibid., 401.

³⁴⁸ One of the significant issues on the inner-German border leading up to these debates was the East German forced clearance in June 1952 known as *Aktion Ungeziefer* (Action Vermin) and also ongoing tensions among the border population about agricultural lands and where the legal demarcation line actually existed. For a good analysis of these issues, see Edith Sheffer, *Burned Bridge*, 102-117; Sagi Schaeffer, *States of Division*, 120-137.

³⁴⁹ “Russian Soldiers Kidnap 40 Germans in Border Dispute: Seize Workers,” *New York Times*, June 23, 1952, 1.

³⁵⁰ Drew Middleton, “Adenauer Calls for Allied Troops to Help Guard Border with East,” *New York Times*, June 26, 1952, 8.

³⁵¹ Linse was never heard from again; See Klaus Bästlein, *Vom NS-Täter zum Opfer des Stalinismus: Dr. Walter Linse: ein deutscher Jurist im 20. Jahrhundert* (Berlin: Der Berliner Landesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der Ehem. DDR, 2008), 95.

While Reber and Ward disagreed with Berard, both believed a unilateral move by West Germany to increase the *Bundesgrenzschutz* might undermine French support for the EDC. The French accused West Germany of deliberately employing a liberal interpretation of the 1950 tripartite agreements, which had only authorized an increase of *Länder* police forces. Jean Sauvagnargues, a member of the French Delegation in London, told Britain's Deputy Under Secretary of State in the Foreign Office, Frank Roberts, that he had overwhelming evidence West Germany's government was building a clandestine armed force in violation of the rules outlined by EDC. Roberts told Sauvagnargues the West Germans should work through the High Commission for any increase, but admitted that he saw "practical advantages in increasing the frontier police force from 10,000 to 20,000 men as this should help the Americans and ourselves in fulfilling our heavy responsibilities on the zonal frontiers."³⁵² Roberts, a career diplomat, later admitted that many of his colleagues in the Foreign Office favored German armed forces as part of NATO rather than the EDC. According to Roberts, "there was no question of Britain joining in [the EDC], and least of all of the British Armed Forces, then still deployed worldwide, being part of any such scheme."³⁵³ Thus, according to Roberts, the small wars of decolonization were a higher priority to Great Britain than taking part in continental European defense.

While the Western Allies debated the advantages and problems of West German plans to expand the *Bundesgrenzschutz*, Adenauer appealed directly to U.S. High Commissioner James Conant for support. Conant, an academic and professional chemist, had recently left his post as the President of Harvard to replace McCloy.³⁵⁴ But Conant was much more skeptical of the West Germans than McCloy and did not share his congenial relationship with Adenauer. In fact, Adenauer often went around Conant

³⁵² Reports of talks with Jean Sauvagnargues of the French Delegation on the subject of the proposal to double the number of the German Frontier Police, February 20, 1953, TNA FO 371/104138, "The Arming of the BGS 1953: Papers 1-14."

³⁵³ Frank Roberts, *Dealing with Dictators: The Destruction and Revival of Europe 1930-70* (London: Weidenfeld & Nicolson, 1991), 158.

³⁵⁴ McCloy recommended Conant to President Eisenhower because he had the ability to speak German fluently; see: Letter from John J. McCloy to Chancellor Konrad Adenauer introducing Conant, January 22, 1953, Amherst College, Papers of John J. McCloy, Correspondence and Administrative Documents, Box GY1, Folder No. 1: Adenauer, Konrad.

and dealt directly with those in Washington D.C. he believed would be more sympathetic to his security needs, in particular, Eisenhower's Secretary of State John Foster Dulles.³⁵⁵ In his appeal to Conant, Adenauer said his federal administration had to take rapid action because, "conditions along the border with the Soviet Occupation zone...and the re-organization of the People's Police Force (*Volkspolizei*) make it necessary in the interest of internal security and the tranquility and protection of the population living in the border districts."³⁵⁶ Adenauer told Conant that Lehr's assessment of the *Bundesgrenzschutz* was that they lacked both strength and armament to counter Communist forces. According to Adenauer, "experience gained in the past 30 years has made it clear to the German security agencies that communist terrorist activities excel through particular violence and obduracy." He claimed security in the Federal Republic was much weaker than that of Weimar Germany when, "Communist insurrections in the former Reich could only be quelled by the police forces with serious losses and after the use of heavy arms." Adenauer provided Conant with a list of armaments Lehr had requested for his officers. These included: light armored vehicles equipped with 3.7 cm guns, medium mortars, fast patrol boats, and aircraft.³⁵⁷

Adenauer wanted the High Commissioners to believe the Bonn Republic was vulnerable to the same political violence that destabilized Germany's first democracy. Even though incidents did occur along the inter-zonal border, there was little evidence to support his comparisons with Weimar Germany. Adenauer and Lehr were attempting to arm their policemen with infantry weapons. The request for medium mortars, for example, was based on what Lehr claimed was a need for his border policemen to deal with "house-to-house or gang fighting as well as the firing at hidden targets, which due to communist tactics will have to be resorted to on a large scale" and which, he hoped would reduce the "sacrifices" of

³⁵⁵ For Dulles' reflections on Adenauer's strained relations with Conant see: Memorandum from Secretary of State John Foster Dulles to President Eisenhower, April 2, 1955, Dwight D. Eisenhower Presidential Library, Eisenhower, Dwight D.: Papers as President, 1953-61 (Ann Whitman File), Dulles-Herter Series, Box 5, Folder: Dulles, John Foster, April 1955 (2).

³⁵⁶ Letter from Chancellor Adenauer to U.S. High Commissioner Conant, February 21, 1953, TNA FO 371/104139, "The Arming of the BGS 1953: Papers 15-29."

³⁵⁷ Ibid.

his men.³⁵⁸ Lehr's justifications were evidence to the High Commission that he intended to use policemen as soldiers. Unfortunately for Adenauer and Lehr, it was not Conant, but rather the French High Commissioner, Andre François Poncet, who was the current sitting Chairman of the High Commission. Poncet promised to carefully consider the weapons requests, but reminded Adenauer that, "mobile police forces should not be transferred into organizations of a paramilitary nature."³⁵⁹ Adenauer complained to Poncet that continued delays and misgivings about West Germany's intentions with the *Bundesgrenzschutz* were "unthinkable." He also remarked that he was "all the more surprised by the attitude hitherto adopted by the Allied High Commission on this important matter, and...disconcerted at the resistance and numerous objections which have been voiced on the Allied side against the modest requests of the federal government."³⁶⁰

In his communications with Poncet, Adenauer justified the expansion based on the decision by the foreign ministers at the New York tripartite meetings in 1950, which had authorized an increase of 30,000 *Länder* policemen. He argued only two-thirds of this force had been recruited, which left room for adding 10,000 more men to the *Bundesgrenzschutz*.³⁶¹ The New York agreement permitted the recruitment of 30,000 additional men to reinforce the *Länder* police forces of which 10,000 would be made available to the federal government, but only if a national emergency was declared under Article 91 of the Basic Law. The foreign ministers had expressly forbidden a standing national police force. West Germany created the *Bundesgrenzschutz*, however, as a separate national border police force under Article 87 of the Basic Law. The High Commissioner at the time, Adenauer's friend and confidant John J. McCloy, chose not to intervene with this West German legislation because a majority of *Bundestag* deputies voted in favor of it. Adenauer was trying to justify expanding the *Bundesgrenzschutz* by invoking a poor interpretation of the New York agreement. The French protested and pointed out that his

³⁵⁸ Ibid., Attachment, Top Secret Memorandum written by Robert Lehr.

³⁵⁹ Ibid., Letter from French High Commissioner François Poncet to Konrad Adenauer, March 2, 1953.

³⁶⁰ Ibid., Letter from Konrad Adenauer to HICOG Chairman François Poncet, March 19, 1953.

³⁶¹ Ibid.

attempt to use the tripartite agreement to justify the expansion violated both the letter and spirit of what the foreign ministers intended.³⁶²

The Council of the High Commission met on 23 March 1953 to discuss Adenauer's requests for more manpower and heavier weapons. Over the previous ten days, tensions on the Inter-German border had increased because of two incidents involving Allied and Soviet patrol aircraft. On March 10, Soviet MIG fighters shot down a U.S. fighter plane near the Czechoslovakia border in what U.S. officials claimed was West German airspace. The pilot parachuted safely from his stricken jet.³⁶³ Two days later, Soviet MIGs shot down a British Lincoln Bomber flying a routine reconnaissance mission in the Berlin-Hamburg air corridor killing its entire five-man crew.³⁶⁴ Against this background, the High Commissioners denied Adenauer's requests.³⁶⁵ Deputy High Commissioner Jack Ward told the London Foreign Office that François Poncet accused Adenauer's government of trying to increase its power at the expense of West Germany's *Länder*. Ward also said Poncet called Lehr's linking of the border police to external defense "a shameless tactic" to fund it through the EDC. Poncet emphasized that expanding the *Bundesgrenzschutz* would give France the impression that West Germany was creating an independent army, which he argued would have "disastrous" effects on the ratification of the EDC.³⁶⁶

While West German requests for heavier weapons were denied, the High Commissioners took no further action. Council representatives jointly agreed to tell Adenauer that any attempt to reinforce or

³⁶² This misinterpretation of what had been decided by the Foreign Ministers at the 1950 New York Tripartite Meeting is covered in detail in Chapter 1.

³⁶³ Drew Middleton, "Two Czech MIG'S Down America Fighter in U.S. German Zone," *New York Times*, Special Edition, March 11, 1953, 1.

³⁶⁴ Associated Press, "Soviet MIG'S Down R.A.F. Plane, Kill 5 in Berlin Air Lane," *New York Times*, March 13, 1953, 1; Remarkably little scholarly attention has been paid to this and other incidents in the air lanes between Berlin and West Germany, at most there are only brief references that appear in popular histories, see Larry Tart and Robert Keefe, *The Price of Vigilance: Attacks on American Surveillance Flights* (New York: Ballantine Books, 2013); Scott Baron and James Wise Jr., *Dangerous Games: Faces, Incidents, and Casualties of the Cold War* (New York: Naval Institute Press, 2013).

³⁶⁵ Letter from U.S. High Commissioner Conant to Chancellor Adenauer, May 15, 1953, "Armament of the Federal Frontier Police and the Länder Mobile Police," 3, TNA FO 371/104139.

³⁶⁶ Letter from Deputy U.K. High Commissioner Jack Ward to Sir W. D. Allen, Foreign Office, London, April 10, 1953, "Arming of the BGS 1953," Papers 15-29, TNA FO 371/104139.

increase his border police forces would be “inopportune” and should not proceed before the EDC went into effect. Jack Ward was irritated with the French. He complained to his superiors in the Foreign Office that U.S. High Commissioner Conant had been convinced by Poncet’s arguments against the expansion. Ward supported the West German proposal because it would help reduce the workload on British soldiers stationed along the inner-German border. But Conant confided in his private journal that a “totalitarian government will always hang over this nation [Germany] as a threat for years to come. Minister Lehr’s proposal to arm the border police is not a good omen. A border police well armed of 60,000 men would be used in a putsch.”³⁶⁷ Ward also blamed Lehr for Conant’s suspicions because his “sloppy” request for heavy weapons had convinced him the *Bundesgrenzschutz* might be used to undermine or overthrow West Germany’s democratic government. According to Ward, Lehr had “overplayed his hand in the matter and made himself rather ridiculous...he has got the unfortunate BGS dubbed as *Die Lehrmacht*.”³⁶⁸ On 15 May 1953, Conant wrote directly to Adenauer and reiterated Poncet’s position. He told Adenauer that the weapons Lehr requested would convert the *Bundesgrenzschutz* units into organizations of a “para-military nature.”³⁶⁹ At the same time, Armand Berard also wrote to Adenauer warning him not to move forward with any plans to increase the border police without first obtaining approval from the High Commission.³⁷⁰

The Influence of the East Berlin Uprisings

Adenauer and Lehr were at a critical turning point. On the domestic front, they failed to convince the majority of West German lawmakers that adding 10,000 men to the federal border police would promote internal security. Social Democratic politicians opposed them because the force included too many former Nazi soldiers and they feared conservative politicians were trying to remilitarize civilian

³⁶⁷ James Bryant Conant, “James Bryant Conant’s Journal: Germany, 1953,” p. J-4, Conant Papers Harvard: Box 139 – Germany.

³⁶⁸ Ibid.

³⁶⁹ Conant to Adenauer, May 15 1953, TNA FO 371/104139.

³⁷⁰ Letter from French Deputy High Commissioner Armand Berard on behalf of François Poncet, June 10, 1953, “Strength of the Bundesgrenzschutz,” 2, TNA FO 371/104139.

policing. They also failed to convince the Allied powers that expanding the number of border policemen was necessary. For the French, the *Bundesgrenzschutz* evoked the Nazi past and they feared the West Germans were creating a national army disguised as a police force. Although the British and Americans needed help at the inner-German border, neither was willing to risk alienating their French colleagues by openly supporting the increase. They wanted to support the EDC at all costs because it was still the only multilateral solution on the table to rearm West Germany.

Events developing outside of West Germany, however, broke Adenauer's domestic opposition in the same manner as the Korean War helped him justify the *Bundesgrenzschutz* in 1951. On 16 June 1953, a construction strike in East Berlin erupted into a larger uprising against the entire communist government.³⁷¹ Rioting began in many of East Germany's largest cities and also spread to its smaller regions. There were more than 500,000 people who took part in the protests.³⁷² The *Volkspolizei*, in spite of its alleged strength, was unable to restore order without the help of Soviet armed forces.³⁷³ The number of protestors killed and injured is still largely unknown, but by far the most serious casualties occurred when Soviet tanks fired on the crowds. To restore order, Soviet forces executed protestors and with them, many Soviet soldiers who refused to fire on the crowds. Recently declassified documents claim 40 people were killed and more than 450 wounded; a further 6,521 were arrested.³⁷⁴ Konrad Adenauer used the uprising to advance his own domestic political agenda. With elections approaching in the fall, his struggle with Social Democratic politicians over national security issues continued.

³⁷¹ There is a growing body of literature devoted to the events of June 17, 1953, see for example, Ilko-Sascha Kowalczyk, *17. Juni 1953* (München: Verlag C.H. Beck, 2013), 36-48; Silke Satjukow, *Die Russen in Deutschland 1945-1994* (Göttingen: Vandenhoeck & Ruprecht, 2008), 68-70; Christian Ostermann (ed.), *Uprising in East Germany, 1953: The Cold War, The German Question, and the First Major Upheaval Behind the Iron Curtain* (New York: Central European University Press, 2001), 3-22; Christoph Klessmann and Bernd Stöver eds. *1953 – Krisenjahr des Kalten Krieges in Europa* (Köln: Böhlau Verlag, 1999), 20-26; Ilko-Sascha Kowalczyk, Armin Mitter, and Stefan Wolfe eds. *Der Tag X, 17 Juni 1953: die "Innere Staatsgründung" der DDR als Ergebnis der Krise 1952/54* (Berlin: Christoph Links Verlag, 1995).

³⁷² Kowalczyk, Mitter, and Wolfe, *Der Tag X*, 10.

³⁷³ Christoph Ostermann, *Uprising in East Germany, 1953*, 166.

³⁷⁴ Report from Vasilii Sokolovskii, Vladimir Semyonov, and Pavel Yudin "On the Events of 17-19 June 1953 in Berlin and the GDR and Certain Conclusions from These Events," 24 June 1953, reprinted in full and translated from the Russian in Christoph Ostermann, *Uprising in East Germany, 1953*, 283-284.

According to Christian Ostermann, “the uprising bolstered support for his policy of integrating the Federal Republic with the West in the hopes of some day negotiating with the East from a position of strength,” while for members of the SPD it “prompted calls for further immediate steps towards German reunification.”³⁷⁵ It worked in Adenauer’s favor when on 19 June 1953 the *Bundestag* voted on a second proposal to expand the *Bundesgrenzschutz* while events in East Berlin were still unfolding.

In spite of the violence in East Berlin, the debate over the second proposal exposed familiar competing political positions. The Bavarian parties, however, were the key swing vote for the majority needed to pass the law. Adenauer’s reassurance to the Bavarian Deputies that they could maintain their own police was decisive in gaining their support.³⁷⁶ Those in favor of the proposal used the crisis in East Berlin to justify their arguments. Erich Mende (FDP), for example, asserted the events in East Berlin now demanded that domestic politics be put aside.³⁷⁷ Mende, a former *Wehrmacht* officer, was known to use his position as a platform to assist veteran soldiers, especially those still held as POWs by the Soviets.³⁷⁸ He claimed there was a “blatant disproportion of forces” between the East German *Volkspolizei* and the *Bundesgrenzschutz* insofar as expanding the number of border policemen by 10,000 was a reasonable approach by the federal government.³⁷⁹ Robert Lehr also took advantage of the crisis in Berlin. He claimed the “cry from the eastern population makes clear how thin the line really is between peace and order in our internal and external security.”³⁸⁰ His position, as staked out in the original federal policing debates of 1951, remained unchanged. He claimed the government must act and act rapidly since danger from the east was inevitable. He argued that the violent suppression of East German strikers by the *Volkspolizei* was proof of what could happen in West Germany if the *Bundestag* failed to act.

³⁷⁵ *Ibid.*, xx.

³⁷⁶ Summary of the BT 166 Sitzung.

³⁷⁷ BT 274 Sitzung, 13597.

³⁷⁸ Jörg Echternkamp, *Soldaten im Nachkrieg: Historische Deutungskonflikte und westdeutsche Demokratisierung 1945-1955* (Oldenbourg: de Gruyter, 2014), 365; Erich Mende, *Die Neue Freiheit: 1945-1961* (München: Herbig Verlag, 1984), 251; See also “Erich währt am längsten,” *Der Spiegel* Heft 23, 1961, 21-28.

³⁷⁹ BT 274 Sitzung, 13597.

³⁸⁰ *Ibid.*, 13598.

Walter Menzel (SPD), by now the political arch-nemesis of Adenauer and Lehr, spoke on behalf of the opposition. He renewed his criticism of the Interior Ministry for stationing the existing border police units in barracks situated further than fifty kilometers from the zonal borders. He argued the government should first prove the officers it already had were insufficient before demanding 10,000 more.³⁸¹ He reminded his fellow lawmakers that the Finance Minister, Fritz Schäffer, was unable to fund the expansion which was estimated to cost anywhere between 95, 147, and 240 million DM. He proclaimed, “ladies and Gentlemen, what then is the cost?”³⁸² Lehr interrupted and insisted border policing, and any costs associated with its reinforcement, would be absorbed under the EDC as West Germany’s contribution to European defense. Menzel rejected this justification and argued correctly that the EDC did not contain a provision to fund the national police forces of signatory nations.³⁸³ He vowed to oppose with all means necessary “the federal government’s efforts to double its border police and the squandering of hundreds of millions of deutsche marks in the process.”³⁸⁴

The Bavarian representatives, Hugo Decker of the Federalist Union (FU) and Michael Horlacher (CSU) both spoke in support of the Adenauer Administration. They explained that their previous stance against the increase was based on their “mistaken” belief that Adenauer was using it “as an infringement on states rights.” But Decker and Horlacher now saw no conflict between the federal government and Bavaria over policing matters and claimed the events in East Berlin justified stronger national security measures.³⁸⁵ Finance Minister Fritz Schäffer spoke decisively to settle any remaining angst about the costs. Schäffer addressed two decisive questions raised by Menzel: First, was there a chance of funding the expansion through the EDC, and second, how did the federal government plan to cover any additional costs not included in the treaty? Schäffer explained that Menzel was correct in his assessment that national policing was not covered by the EDC. He also admitted there was currently no money available

³⁸¹ Ibid., 13600.

³⁸² Ibid., 13602.

³⁸³ Ibid., 13607; He was correct since Article 11 of the EDC exempted national policing from the treaty.

³⁸⁴ Ibid., 13602.

³⁸⁵ Ibid., 13604-13605.

to cover the costs of 10,000 more men. Yet Schäffer also said he would do his best to find the necessary funds if the *Bundestag* authorized the increase.³⁸⁶ As a prominent member of the CSU, Schäffer most likely placed party politics ahead of his earlier statements that funding was not available. He was, like many of his colleagues, strongly opposed to communism in any form and the Berlin uprisings must have played a role influencing his decision to throw his support behind Adenauer.³⁸⁷

When the voting began, *Bundestag* representatives were prompted to decide on three separate, but related measures. First, a proposal by the SPD to limit the size of the *Bundesgrenzschutz* to 10,000 men was defeated by 234 to 150 votes. The deputies then voted on the proposal by the CDU and CSU to expand the border police to 20,000 men, which passed by a majority of 228 to 147 votes. Finally, they voted on a proposal by the SPD requiring border police units to remain within at least 50 kilometers of the inter-German border. While the original *Bundesgrenzschutzgesetz* (BGS Law) of 1951 limited its operations to within 30 kilometers from West Germany's borders, this measure was surprisingly defeated by 207 to 156 votes. When the presiding *Bundestag* Vice President, Dr. Carlo Schmid, announced the defeat of the last proposal, Social Democratic lawmakers broke out into laughter to the point that Schmid had to restore order. Interior Minister Lehr immediately reacted by assuring Walter Menzel that although the measure was defeated, he would do everything possible to make sure at least 50 percent of the border policemen remained close to the border. Lehr's statement was met with more laughter and disorder in the chamber. The KPD deputy, Heinz Renner, got up to walk out and declared: "Heil Hitler! I was always here in spirit!"³⁸⁸

³⁸⁶ Ibid., 13608.

³⁸⁷ Schäffer had espoused anti-Semitic ideologies during the 1920s when he served in the Bavarian state parliament. He opposed the Nazi Party and ended up in Dachau for his support of the July 20, 1944 conspiracy against Hitler. He had been among the most outspoken members of Adenauer's cabinet against reparations to Nazi victims; see Christian Pross, *Paying for the Past: The Struggle Over Reparations for Surviving Victims of Nazi Terror* (Baltimore: Johns Hopkins University Press, 1998), 7-8.

³⁸⁸ BT 274 Sitzung, 13609.

The *Bundestag*'s passage of the law increasing the *Bundesgrenzschutz* to 20,000 men presented an immediate problem for the Allied High Commissioners since they had warned Adenauer it might undermine the EDC. The British and Americans decided not to challenge Adenauer because they believed additional security at the border would support their own forces. The French, however, demanded immediate intervention by the High Commission to block the increase. But with Adenauer facing difficult elections in the coming fall, neither Britain nor the United States chose to stop or intervene with West German legislation. Moreover, U.S. and British officials believed the *Bundesgrenzschutz* was a reliable means with which to begin the rearmament process because of ongoing delays with the EDC negotiations. After direct talks with the Americans and West German *Staatsekretär* Ritter von Lex, Sir Patrick Hancock of the British Foreign Office remarked that "since the German defence contribution seemed to be a long way ahead, it would be just as well to augment the *Bundesgrenzschutz*."³⁸⁹ Likewise, U.S. Secretary of State John Foster Dulles wrote to his embassy in London that "delays in ratification of the EDC by other nations, especially France, have only reemphasized the need from the German standpoint to take some security measures themselves...we feel HICOM intervention would be extremely ill-advised...Furthermore, we feel annulling this legislation might undermine the prestige of the Adenauer government and have an unfavorable effect in the coming elections."³⁹⁰

The French refused to budge from their position and nothing their British or American colleagues on the High Commission could say or do could change that. Their stance against expanding the *Bundesgrenzschutz* was based on their fear that it might be used as a secret armed force beyond the oversight of the supranational EDC.³⁹¹ Moreover, evidence suggests that once officials from the United States and Great Britain realized they could not convince the French to back down, they secretly began

³⁸⁹ Letter from Sir Patrick F. Hancock to Foreign Office, June 20, 1953, Proposed Strength of the *Bundesgrenzschutz*, "Arming of the BGS Papers 15-29," TNA FO 372/104139.

³⁹⁰ Cable from Secretary of State John Foster Dulles to U.S. Embassy London, June 23, 1953, FRUS, 1952-1954, Germany and Austria Volume VII, p. 476.

³⁹¹ *Ibid.*, p. 490.

supporting the *Bundesgrenzschutz* as an alternative form of rearmament. During a meeting of President Eisenhower's National Security Council, CIA Director Allen Dulles urged the President to support the expansion as a "matter of urgency."³⁹² British High Commissioner Ivone Kirkpatrick made a similar argument when he wrote to the Foreign Office that the uprisings in Berlin provided "some case for strengthening this force [Border Police] particularly if the creation of the EDC forces is likely to be delayed." Kirkpatrick also reported that Adenauer had given the High Commission his personal assurance that he would incorporate the additional manpower into the supranational European armed forces "if the EDC countries wish it."³⁹³ Based on Kirkpatrick's recommendations and the belief by some members of the Foreign Office that objecting to the increase might undermine Adenauer's government, the British decided against further action until the elections.

Yet many in the Foreign Office disagreed with Kirkpatrick. The Undersecretary, Sir Christopher F.A. Warner, for example, added the following handwritten note to Kirkpatrick's telegram: "Like [French Prime Minister] M. Bidault, I do not feel at all enthusiastic about this. It bears a terrible resemblance to the para-military forces with which we used to be familiar before the war and which were structurally, if I remember right, indistinguishable from the German armed forces."³⁹⁴ Once the British and American High Commissioners learned that West Germany was unable to finance the reinforcement, they decided against further talks with the French until the increase went forward.³⁹⁵ The British Foreign Office Counselor in Paris, Sir Anthony Rumbold, wrote to Undersecretary Warner that neither he nor his American counterparts were in any hurry to pressure French Prime Minister Bidault to withdraw his

³⁹² Minutes of Discussion at the 150th Meeting of the National Security Council on 18 June 1953, 19 June 1953, reprinted in its entirety in Christian Ostermann, *Uprising in East Germany, 1953*, 229.

³⁹³ Telegram from U.K. High Commissioner Ivone Kirkpatrick to the Foreign Office, Subject: The *Bundesgrenzschutz*, July 25, 1953, "Arming of the BGS 1953," Papers 30 to the End, TNA FO 371/104140.

³⁹⁴ *Ibid.*, handwritten notes added by Sir Christopher F.A. Warner.

³⁹⁵ News reports began surfacing in Germany of tension between Federal Finance Minister Schäffer and Lehr over financing the increase; See "Grenzschutz von 10.000 auf Papier - Schäffer übernimmt Rolle der Opposition," *Frankfurter Rundschau*, August 8, 1953; This article was cited by the British Office of the High Commission as justification in U.S. and British plans to take no action on the increase of the BGS; See letter from C.H. Johnston, Wahnerheide, to London Foreign Office, August 8, 1953, TNA FO 371/104140.

opposition because Adenauer did not have the funds to proceed. Warner agreed with this approach and told Rumbold “we [Foreign Office] would not wish you to speak to the French about the Bundesgrenzschutz in advance of the Americans. On the whole we are not particularly in favour of increasing this force; our sole preoccupation is that the High Commission should not be obliged to veto an increase at this stage.”³⁹⁶ All of this internal strife over the *Bundesgrenzschutz* exposed the competing interests of the Allied powers. While the United States and Great Britain were more supportive of Adenauer, they still recognized the divisiveness of the issue for their French colleagues. Border policing was one among many issues that reflected the differences in Allied policies towards postwar Germany.

While the increase of the *Bundesgrenzschutz* was stalled because of financing, the United States and Great Britain saw no immediate need for action. With decisive West German elections set to take place in a matter of weeks, the Allies believed that interfering in Adenauer’s domestic politics would politically damage his chances of retaining power, and thus might endanger their goal of guaranteeing his alignment with the west. Instead, the High Commission decided to send Adenauer a formal letter reminding him that he needed the consent of the High Commission before recruitment for the additional policemen could begin. The High Commissioners asked him to delay any action until the EDC was finally settled.³⁹⁷ Adenauer simply ignored the letter and the High Commissioners were reluctant to take further action without publicly embarrassing him. When the High Commission met on 31 July 1953, Adenauer agreed to delay further action on the reinforcement until after the elections, but requested permission to recruit and fill at least 300 leadership positions. He reassured the High Commissioners that he was not building a “private army” and that the reinforcements would eventually be incorporated into the EDC forces, “if and when the Treaty came into operation.” In justifying the 300 positions, Adenauer argued that the outcome of the election was far from certain and it would be important for him to select

³⁹⁶ Letter exchange between Sir Anthony Rumbold, British Embassy Paris, and Sir F.A. Warner, Foreign Office London, August 5-6, 1953, TNA FO 371/104140.

³⁹⁷ Letter from High Commission to Chancellor Adenauer, June 10, 1953, No. AGSEC(53)507, TNA FO 372/104139.

these men in case another government took power. The French High Commissioner, Andre François Poncet, agreed to “hold his fire” on Adenauer’s request as long as there was no evidence he was moving ahead with the main increase. Ivone Kirkpatrick thanked Poncet for his patience and explained to him that “it would be a bad policy” to attack Adenauer’s government ahead of the elections “since a trial of strength would profit no-one.”³⁹⁸

In spite of the Allied concerns over Adenauer’s chances for re-election, on 6 September 1953, he won decisively in both the popular vote and in the number of *Bundestag* seats gained for the CDU.³⁹⁹ Adenauer was empowered by his re-election and the Federal Republic was entering a new era of economic prosperity. In December, Time Magazine named him as its “Man of the Year.” According to Hans-Peter Schwarz, West Germany’s export industry had emerged as one of the strongest in Europe and 1953 marked the beginning of the postwar *Wirtschaftswunder* (economic miracle).⁴⁰⁰ Stalin’s death and the armistice in Korea produced a short period of détente in Cold War European politics that led to up to “Four Power” talks in Berlin beginning on 25 January 1954. For Adenauer, however, national security and fear of attack from the east remained a top priority.⁴⁰¹ When press reports surfaced in late 1953 that West Germany was budgeting for the additional 10,000 officers in fiscal year 1954/55, French Deputy High Commissioner Armand Berard again warned his Allied colleagues that Adenauer’s actions would create problems for French lawmakers in ratifying the EDC.⁴⁰² But by the end of 1953, Fritz Schäfer earmarked funds in the federal budget to increase the *Bundesgrenzschutz* and the Interior Ministry immediately began recruiting additional policemen in spite of the Allied demands that they consult the

³⁹⁸ See, Minutes of HICOG Meeting with Chancellor Adenauer, July 31, 1953, TNA FO 371/104140.

³⁹⁹ For a breakdown of the results see, Statistisches Bundesamt (Ed.), *Statistik der Bundesrepublik Deutschland, Band 100, Die Wahl zum 2. Deutschen Bundestag am 6. September 1953*, Heft 1: Allgemeine Wahlergebnisse nach Ländern und Wahlkreisen (Stuttgart: Kohlhammer, 1991); Clifton Daniel, “Adenauer Wins Decisively; Bonn Tie to the West Endorsed in Rout of ‘Neutral’ Parties, *New York Times* (September 7, 1953), 1.

⁴⁰⁰ Hans-Peter Schwarz, *Konrad Adenauer Vol. 2*, 35.

⁴⁰¹ Mark Kramer, “International Politics in the Early Post-Stalin Era: A Lost Opportunity, a Turning Point, or More of the Same?” in Klaus Larres and Kenneth Osgood (Ed’s.), *The Cold War After Stalin’s Death: A Missed Opportunity for Peace?* (Lanham: Rowan & Littlefield, 2006), xvii.

⁴⁰² Confidential Memorandum from UK Deputy High Commissioner Jack Ward to the Foreign Office, January 25, 1954, TNA FO 371/109719.

High Commission beforehand.⁴⁰³ The increase was scheduled to take place in phases with the first 3,000 men set to begin their six-month basic training in February 1954. According to British Deputy High Commissioner Jack Ward, Andre François Poncet confronted Adenauer directly about his decision to go ahead without High Commission approval. Ward reported that Adenauer was “non-committal” about the increase and would only agree to talk to his own security experts about the subject.⁴⁰⁴ Adenauer’s hubris in the matter was further evidence to the French that he might be planning to use the *Bundesgrenzschutz* as an independent armed force.

At the beginning of 1954, the British Frontier Inspection Service reported to the High Commission that there was credible evidence the West Germans had secretly begun increasing the *Bundesgrenzschutz*.⁴⁰⁵ On 22 January 1954, Deputy High Commissioner Jack Ward met with *Staatsekretär* Ritter von Lex and asked him directly if the intelligence was correct.⁴⁰⁶ Lex acted surprised by Ward’s question, but admitted that preparations were already taking place to double the size of the border police just as soon as the new budget credits were released. He told Ward that he was embarrassed by the revelation, but “could not tell a lie to an old friend.” Ward admonished Lex that West Germany was acting unilaterally without the consent of the High Commission and furthermore, risking the chances of French ratification of the EDC. Ward also explained that the decision to move forward on the expansion without Allied consent would embarrass the “Western position at the Berlin Conference,” which was already scheduled to begin in three days. Lex told Ward that he “was only an administrator carrying out Federal policy” and any changes would have to be addressed directly with Adenauer or *Staatsekretär* Hallstein.⁴⁰⁷ Yet Ward’s later meeting with Hallstein and attempts by the new High Commissioner, Sir Frederick Hoyer-Millar, to intervene directly with Adenauer through his influential

⁴⁰³ Deutsche Bundestag, Drucksache 200, 2. Wahlperiode, 23 December 1953, 10.

⁴⁰⁴ Ward to Foreign Office, January 25, 1954, TNA FO 371/109719.

⁴⁰⁵ Ibid.

⁴⁰⁶ Record of Conversation between State Secretary Ritter von Lex and Mr. Ward, January 22 1954, TNA FO 371/109719.

⁴⁰⁷ Ibid.

Foreign Officer, Herbert Blankenthorn, failed to alter West Germany's plans to expand the *Bundesgrenzschutz*.⁴⁰⁸ Again, Adenauer's hubris in going ahead with the expansion in spite of these Allied diplomatic entreaties was further evidence to the French that he was using his border policemen as an independent armed force.

While the funds for the increase were on hold until the federal budget went into effect on 1 April 1954, the West Germans were deliberately avoiding a direct confrontation with the Allied High Commission. According to British Embassy staffers in Bonn, *Staatssekretär* Hallstein deliberately cancelled meetings he had promised to have with the British and Americans to discuss the subject.⁴⁰⁹ But West Germany was proceeding with the expansion in spite of what they reported to the Allies. Interior Minister Lehr wrote to Adenauer on 30 June 30 1953 and requested that he be allowed to find sources of funding from elsewhere in his ministerial budget. Adenauer assured Lehr that Finance Minister Schäffer was doing everything possible to find an expedient solution.⁴¹⁰ But Lehr and later his successor, Gerhard Schröder appealed directly to the Federal Cabinet for emergency funding. According to the minutes of Cabinet meetings on the subject, Lehr justified the emergency funding by claiming that the *Bundesgrenzschutz* was critical in containing the mass border demonstrations by members of the FDJ. In the weeks leading up to the 1953 federal elections, FDJ agitators crossed the border to disrupt polling stations and were effectively rounded up by border policemen.⁴¹¹ The Cabinet agreed to fund 4000 new border police recruits beginning October 15 to be followed on 1 January 1954 by an additional 6000

⁴⁰⁸ Sir Frederick Hoyer-Millar met with Herbert Blankenthorn in Bonn on January 26, 1954 and Deputy High Commissioner Jack Ward met with Hallstein on February 1, 1954, see Confidential Letter from Ward to Foreign Office, CW 1646/4, February 2, 1954, TNA FO 371/109719.

⁴⁰⁹ British High Commission Counselor C.H. Johnston to P.F Hancock, Foreign Office Central Department, March 18 1954, TNA FO 371/109719.

⁴¹⁰ Correspondence between Lehr and Adenauer, June 30 – July 4, 1953, "Erhöhung der Gesamtstärke des Bundesgrenzschutzes auf 20.000 Mann, 1952-1953," BArch-K B 136/1927.

⁴¹¹ Minutes of Federal Cabinet meetings, September 1953, BArch-K B 136/1927; Clifton Daniel, "West Germans Bar Influx from the East: Report Hoodlum Bands Halted by Reinforced Border Guard to Prevent Poll Disorders," *New York Times*, September 4, 1953, 1.

men.⁴¹² The decision by the Cabinet to recommend this phased program led to a projected budget deficit of 13,466, 400 DM, which the Interior Ministry planned to absorb by cutting its budget for vehicles, munitions, telecommunications equipment, and marine vessels.⁴¹³ This decision contradicted the official position of Adenauer, Hallstein, and Ritter von Lex who repeatedly assured the High Commission that the expansion was temporarily stalled because of funding issues.

While in public, the British and American High Commissioners accepted the West German claims that the expansion was on hold, privately, they knew it was proceeding. On 4 April 1954, Major Anderson of the British Office of the Services Relations Adviser visited Border Police Northern Command (*Kommando Nord*). Border Police General Herbert Giese accompanied Anderson on inspection tours of his units stationed in Dedelsdorf, Brunswick, Goslar, and Clausthal-Zellerfeld. According to Giese, the phased expansion was moving forward on schedule even though there had been difficulties with the French.⁴¹⁴ Giese also told Anderson “that virtually all company and platoon commanders, and about half of the battalion commanders were ex-Wehrmacht officers [while] the other half of the battalion commanders were former police officers.”⁴¹⁵ During his visit, Anderson learned that there would be another large intake of recruits beginning in July 1954. Giese also told him that he was unsure what if any effect the EDC would have on the *Bundesgrenzschutz*, but said “the former officers in the Blank Office [defense ministry] would not welcome many officers senior to themselves, as that would be bad for promotion!”⁴¹⁶

British High Commissioner Hoyer-Millar’s assistant, Sir Charles Hepburn (C.H.) Johnston wrote to the Foreign Office reporting the results of Major Anderson’s visit to *Kommando Nord*. Johnston made it

⁴¹² Kabinettsbeschluss: “Verstärkung des Bundesgrenzschutzes,” Anlage zu BNr. 61 100/9 B 298/53, September 1953, BArch-K B 136/1927.

⁴¹³ Ibid.

⁴¹⁴ Intelligence Report Nr. SRA-M 84/4/3, from Major Anderson to Colonel Hall, April 4, 1954, TNA FO 371/109719.

⁴¹⁵ Ibid.

⁴¹⁶ Ibid.

clear that the increase was progressing to the extent that the force had already expanded to 14,500 men, or “halfway to doubling the permitted 10,000.”⁴¹⁷ Johnston expressed the opinion of High Commissioner Hoyer-Millar that the French should not be informed of these increases because it would undermine their ratification of the EDC. According to Johnston, “to tell the French and join with them in protesting to the Germans would gratuitously strengthen the French position in the future if, after the EDC has failed to go through, they should resist an increase of the BGS.”⁴¹⁸ Instead, he recommended finding a more “palatable” manner of explaining the increase to the French before acknowledging it was already halfway completed. Undersecretary of State Frank Roberts understood Johnston’s concerns, but cautioned against giving Bonn too much leeway:

Given our own readiness to agree to an increase, it was a dangerous principle to allow the Germans to do anything of this kind behind our backs. It would also be difficult for Ministers here to defend a policy of inaction if we were accused in Parliament of having winked at such behavior on the part of the Germans. Moreover, the advantages of having a few thousand more frontier police in the next few months were surely not great enough, even for the Germans, to outweigh the probability of giving the opponents of the EDC in Paris a very effective weapon.⁴¹⁹

Instead, Roberts suggested yet another meeting with Adenauer to try and convince him that his clandestine increase of the *Bundesgrenzschutz* might undermine the EDC once the French learned it was indeed taking place.

Nevertheless, top-secret documents show that neither Adenauer nor anyone in the West German Interior Ministry had any intention of ceasing the expansion because in their view the *Bundestag* had already approved it. Yet in February 1954, the High Commission made another attempt to dissuade Adenauer, this time through the West German Foreign Office. According to *Ministerialdirigent* Karl Gumbel in the Federal Chancellery, Dr. Brückner of the Foreign Office wanted copies of secret letters between Adenauer and Interior Minister Schröder, which discussed the expansion. Brückner wanted the

⁴¹⁷ C.H. Johnston to London Foreign Office, May 22 1954, TNA FO 371/109710.

⁴¹⁸ *Ibid.*

⁴¹⁹ Foreign Office Minute by Sir Frank Roberts, June 2 1954, TNA FO 371/109710.

letters so he could respond to the High Commission, which had “expressed misgivings to *Staatsekretär* Hallstein about the increase.” Gumbel reported that officially the letters did not exist and that they could only be traced from hand written notations by the Chancellery’s Registrar, Josef Selbach. According to Gumbel, Adenauer rejected any notion that the High Commission was unaware of his plans.⁴²⁰ Gumbel also reported that Interior Minister Schröder believed “it was not good to ask for fundamental clarification [about the increase] of the Allies now.” Instead, Schröder recommended allowing the increase to move forward while leaving it to Adenauer’s discretion “about how one must behave towards the further Allied resistance to matters of the BGS.”⁴²¹

While the expansion of the *Bundesgrenzschutz* reflected the confidence of Adenauer’s government after its triumph in the federal elections, it only added to the growing list of tensions in the Franco-German relationship that undermined the EDC. Against this backdrop was the unsettled debate over control of the Saar and what Andres François Poncet described as a latent Francophobia surrounding the campaign in West Germany against the Foreign Legion as a “white slave trade in which France would engage Germany for the purpose of the war in Indochina.”⁴²² Moreover, the fall of Dien Bien Phu on 7 May 1954 and with it the conservative French government of Joseph Laniel, led to a further polarization of French domestic politics and increased angst over the EDC. The leftist government of Pierre Mendes France, which replaced Laniel was already opposed to the EDC before assuming power.⁴²³ Nevertheless, once in power, Mendes France acknowledged the pragmatic benefits of European unification, but was unable to build a consensus between his political challengers or overcome the public opposition in France to rearmament. In the days leading up to the ratification vote in the French National Assembly, Pierre Mendes wrote to Jean Monnet “one may question public opinion, but no one can argue about the

⁴²⁰ Memorandum No. -5-21102-2324/53-, from Ministerialdirigent Karl Gumbel recording the request by Dr. Brückner for personal letters between Adenauer and Schröder, July 20 1954, BArch-K B 136/1927.

⁴²¹ Ibid.

⁴²² Andre François Poncet, *Les Rapports Mensuels D’Andre François Poncet: Haut-Commissaire français en Allemagne 1949 – 1955, Tome II 1952-1955*, Commission De Publication Des Documents Diplomatiques Français Institut Historique Allemand (Paris: Imprimerie Nationale, 1996), 904.

⁴²³ Ibid, 1191; David Clay Large, *Germans to the Front*, 209.

prevailing sentiment in parliament. Whether one agrees or not, there is a strong majority against ratification.”⁴²⁴ Thus, in spite of the efforts by moderate French politicians such as François Poncet, Jean Monnet, and Georges Bidault, On 30 August 1954, the EDC was defeated by a margin of 319 to 264 votes in the National Assembly.⁴²⁵

Conclusion

This chapter has shown that the decision by Konrad Adenauer and members of his administration to expand the *Bundesgrenzschutz* played a greater contributing role to the failure of the EDC than previously acknowledged by rearmament scholars. It exposed a variety of tensions, both within the postwar western alliance and among West Germany’s competing political parties. Different interests motivated each party with a stake in the debate. But the opposition of France and Social Democratic lawmakers was ultimately grounded in the politics of the Nazi past. Although the United States and Great Britain took no action and quietly supported the expansion to satisfy their own national interests, France never accepted its legitimacy. Revisionist historians have argued that French diplomats privately supported West German rearmament, but were forced to publicly oppose because it was very unpopular among French citizens.⁴²⁶ On its face, this argument is convincing in terms of German military contributions to a supranational European Defense Force, but not the *Bundesgrenzschutz*, which was not covered by the EDC. France supported a limited rearmament of West Germany, but not to the extent where it could once again exercise continental military power.⁴²⁷

⁴²⁴ Letter from Pierre-Mendes France to Jean Monnet, 16 August 1954, Archives Jean Monnet, Fonds AMI. 26/2/14.

⁴²⁵ Tony Judt, *Postwar: A History of Europe Since 1945* (New York: The Penguin Press, 2005), 245.

⁴²⁶ This argument is the core of a highly debated revisionist thesis advanced by Michael Creswell and Marc Trachtenberg as a challenge to William Hitchcock’s thesis in *France Restored*, which asserts the French fears of a restored Germany were based on the legacies of the Nazi past; see “France and the German Question, 1945-1955,” *Journal of Cold War Studies* 5, no. 3 (2003): 5-28.

⁴²⁷ *Ibid.*

It was precisely because national police forces like the *Bundesgrenzschutz* were exempt from the EDC that France stood against any plans to expand it. The Germans had attacked their nation three times in less than 100 years. French politicians worried Adenauer was repeating a familiar cycle of secret rearmament masked by paramilitary forces even though he already agreed to support the EDC. They believed the *Bundesgrenzschutz* with its ranks of former Nazi personnel might eventually gain enough power to undermine or overthrow West Germany's democratic government – or worse, become the nucleus for a powerful new army. The French High Commissioner Andre François Poncet, for example, accused Adenauer of trying to build a 20,000-man “Black Reichswehr in the margins of the Bonn and Paris agreements as a professional army disguised as police.”⁴²⁸ When François Poncet attended a state dinner at the Palais Schaumburg, he was shocked to be greeted at the entrance by border policemen of Adenauer's watch battalion wearing *Wehrmacht* uniforms and steel helmets.⁴²⁹ Minor details like this were stark reminders of the Nazi past and reason enough for France to suspect a resurgence of German militarism. Although the EDC failed for a variety of political reasons, Adenauer's decision to expand his border police force complicated the French attitude towards the EDC because of their persistent concerns over a new German military..

West Germany's long-term democratization and the politics of the Nazi past also played a central role in the contentious domestic debates over federal policing. Encouraged by postwar amnesty and employment legislation, such as Article 131, veteran soldiers flocked to the *Bundesgrenzschutz*. Policing provided them with new opportunities to use their skills and experience, but this time serving a new democratic state. As border policemen, they found new space where they could re-shape their individual pasts. This was reflected in the widespread anti-communism of the 1950s, a political ideology that because of the Cold War was as useable in the Federal Republic as it had been in the Weimar Republic

⁴²⁸ Andre François Poncet, *Les Rapports Mensuels*, 906.

⁴²⁹ See “Adenauer Sentries Early With Old German Helmets,” Special to the New York Times, *New York Times*, June 4, 1952, pg. 3.

and the Third Reich. Yet as Michael Hayse has argued in his analysis of postwar West German elites and civil servants, re-employment did not automatically equate renazification.⁴³⁰ So in spite of the misgivings many politicians expressed over the Nazi pasts of Adenauer's border policemen, their investiture as servants of the new democratic state helps explain, in part at least, the taming or control of any illiberal political ideologies they might still have. While many of them may have maintained these ideologies privately, there is no evidence that they manifested them in their practices. What these men did in practice, or rather what they were allowed to do, was more important for West German democracy than what they might have believed in private. To be sure, the type of police practices that were permitted under a dictatorship had no place in a democratic political system. Thus, illiberal beliefs or ideologies would have to remain in the private sphere or in closed networks of likeminded individuals. Border police leaders like Anton Grasser, Kurt Andersen, and Gerhard Matzky had served as armed public servants under the framework of four divergent political regimes in less than thirty-five years; their careers show how easily civil servants often recast themselves to fit the changing political landscapes. The individual backgrounds of these men and of the countless others that served with them shows how civilian policing in 1950s West Germany shared continuities with the militarized policing models of the early nineteenth century. Their careers also shed light on the long-term moral consequences of ignoring the Nazi past whereby many of those who committed war crimes either escaped responsibility altogether or remained largely unknown until the later years of their lives. There was no universal reckoning and many perpetrators returned to good jobs and families without ever accounting for their crimes.

With the failure of the EDC, border policing was beginning to look like Adenauer's only option to rearm until the United States and Great Britain took decisive steps to incorporate West Germany into NATO. As the Ministry of Defense began the process of constructing a new national army, it relied exclusively on border policemen and the organizational structure of their units as the primary basis for its

⁴³⁰ Michael R. Hayse, *Recasting West German Elites: Higher Civil Servants, Business Leaders, and Physicians in Hesse Between Nazism and Democracy, 1945-1955* (New York: Berghahn Books, 2003), 184.

foundation. The government intended to transfer as many border policemen as possible into the new *Bundeswehr*, but this left the future of the *Bundesgrenzschutz* and its personnel in doubt. Now that a new West German army was becoming a reality, many politicians argued there was no longer any need for a separate national border police force. The decision over what to do with those personnel who declined transfer to the *Bundeswehr* produced an entirely new national security debate.

Chapter 3: West Germany's Shield

The failure of the EDC was a personal defeat for Konrad Adenauer. When news of the French National Assembly's decision reached him at his Black Forest retreat near Bühlerhöhe, his Press Secretary, Felix von Eckardt, recalled that he had never seen the Chancellor so dismayed.⁴³¹ But the collapse of the EDC proved to be a temporary setback for the advocates of West German rearmament, even though its demise caused significant angst at the time. Once Adenauer realized saving the treaty was hopeless, he and his inner circle immediately began working on alternative rearmament plans. British Prime Minister Winston Churchill wrote to Adenauer and encouraged him to have confidence that a new way forward would be found. The Chancellor welcomed Churchill's confidence and assured him that he was already working in the same direction.⁴³² With this in mind, he began negotiating with the Allied Powers to create armed forces under the framework of the North Atlantic Treaty Organization (NATO), a process that eventually led to the establishment of the *Bundeswehr* (federal army) in 1956. As we saw in the second chapter, Adenauer and some in his administration had already been looking to the *Bundesgrenzschutz* as an alternative in the event a supranational solution failed. These plans were making press headlines before the French National Assembly met for its final vote on the EDC and this added to the tensions between both nations. Vice Chancellor Franz Blücher, for example, told a reporter from the Sydney Morning Herald that increasing the number of border policemen would provide West Germany with a strong national security force if the EDC or NATO failed – the very thing French lawmakers feared.⁴³³ Blücher told reporters, “it is almost ridiculous that our border guard has only 10,000 men. If we have no strong border guard and inner forces, the population will feel without protection and

⁴³¹ Felix von Eckardt, *Ein unordentliches Leben: Lebenserrinerungen* (Düsseldorf: Econ-Verlag, 1967), 301.

⁴³² Rudolf Morsey and Hans-Peter Schwarz, *Adenauer Rhöndorfer Ausgabe, Stiftung Bundeskanzler-Adenauer-Haus: Adenauer: Briefe 1953-1955* (Berlin: Siedler Verlag, 1995), 142-143.

⁴³³ Staff Correspondent, “West German Fears: Move for Stronger Border Force,” *Sydney Morning Herald* (August 20, 1954), 2.

this will paralyze their courage and their working initiative.”⁴³⁴ Less than a month after the EDC collapsed, however, Allied delegates at the Nine-Power Conference in London tentatively agreed to incorporate West Germany into NATO, a decision Adenauer readily embraced. These agreements were outlined in what came to be known as the Paris Treaties, which were approved by the *Bundestag* on 2 February 1955.⁴³⁵ By this time, the *Bundesgrenzschutz* had already exceeded 17,500 men and was the only national armed force available to the federal government.

This chapter explores the effects of West Germany’s entry into NATO and the construction of its first army – the *Bundeswehr* – on the policemen in the *Bundesgrenzschutz*. How did the decision to build a new army affect the men already employed in border police units? Why did the government still maintain a paramilitary national police force even though it now had an army? Since almost all border policemen were veteran soldiers, why did many of them ultimately reject transfer to the military? Finally, how did West Germany’s politicians envisage a new role for the *Bundesgrenzschutz*? While a large body of postwar scholarship already deals with the creation and development of democratized armed forces in West Germany, a detailed exploration of what happened to the *Bundesgrenzschutz* and its men in the aftermath of these changes is still lacking.⁴³⁶ This chapter argues that while the federal government relied on border policemen to build a new army, it never intended to disband their original organization. The *Bundeswehr* – a force under supranational control – did not address all of West Germany’s national security issues. Thus, the government wanted to maintain what had been, from its perspective, a critical national instrument and symbol representing the democratic state.

⁴³⁴ Ibid.

⁴³⁵ David Clay Large, *Germans to the Front*, 217-223.

⁴³⁶ Recent examples include, Detlef Bald, *Die Bundeswehr: Eine kritische Geschichte 1955 – 2005* (München: Verlag C.H. Beck, 2005); Helmut R. Hammerich and Rudolf J. Schlaffer (eds.), *Militärische Aufbaugenerationen der Bundeswehr 1955 bis 1970: Ausgewählte Biografien* (München: R. Oldenbourg Verlag, 2011); Zoltan Barany, *The Soldier and the Changing State: Building Democratic Armies in Africa, Asia, Europe, and the Americas* (Princeton: Princeton University Press, 2012).

Border Policemen and the NATO Option

While Adenauer publicly advocated the EDC, his support was shaped by his hope that West Germany would eventually be granted admission into NATO as an equal partner.⁴³⁷ Since France influenced the terms of the EDC, Adenauer believed NATO provided a better opportunity for equality in a supranational organization. But surveys of the German public conducted by the Allied High Commission's *Gesellschaft für Markt und Meinungsforschung* (Society for Market and Opinions Research) demonstrated that most West Germans had little confidence in NATO, or, for that matter, the fighting abilities of Allied soldiers. Respondents claimed that they trusted German soldiers and feared the presence of Allied Armed Forces on their territory as a provocation to the Soviets.⁴³⁸ Over forty percent of the West German population believed NATO forces might provoke a third world war.⁴³⁹ Nevertheless, forty-three percent of Germans supported increased security methods because they believed the Soviets were more likely to be the aggressor in any conflict that erupted along the Iron Curtain.

Once the Allies included West Germany into NATO, it was expected to immediately contribute at least three combat ready infantry divisions to its supranational defense force and eventually a 500,000-man army.⁴⁴⁰ At that time, the *Bundesgrenzschutz* was the only available source of personnel with military experience in which to rapidly build up these divisions. David Parma has recently argued that the decision to use the *Bundesgrenzschutz* to construct the *Bundeswehr* was a "logical and necessary consequence" of West Germany's incorporation into NATO.⁴⁴¹ But the decision to use border policemen to staff West German military contingents was nothing new. They would have been used in the same way

⁴³⁷ Konrad Adenauer, *Memoirs*, 406.

⁴³⁸ Office of the United States High Commissioner for Germany Office of Public Affairs Reactions Analysis Staff, "German Evaluations of NATO with Other Opinions on European Defense Issues," Report Nr. 120, Series Nr. 2, January 29 1952, Dwight D. Eisenhower Presidential Library, Dwight D. Eisenhower: Papers, Pre-Presidential, 1916-1952, Box 75, Folder: McCloy, John J. (1) [Jan. 1950 - May 1952].

⁴³⁹ *Ibid.*, 20-22.

⁴⁴⁰ Rachel E. Utley, *Major Powers and Peacekeeping: Perspectives, Priorities and the Challenges of Military Intervention* (Aldershot: Ashgate Publishing, 2006), 70.

⁴⁴¹ David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 245.

if a European army had been created through the EDC.⁴⁴² Almost all border policemen were *Wehrmacht* veterans and the government believed they could make the transition to the *Bundeswehr* with minimal additional training. Besides, *Bundesgrenzschutz* units were already responsible for protecting the borders against external threats and trained with infantry weapons and light armored vehicles.

For West Germany's politicians, however, deciding what to do with the *Bundesgrenzschutz* as an organization once a new army was established was less certain. This question reflected many of the same competing internal controversies that shaped issues of postwar national security and policing since the Federal Republic was established. After the government accepted the terms of the Paris Treaties, the SPD, led by the outspoken critic of federal policing, Dr. Walter Menzel, demanded the *Bundesgrenzschutz* be absorbed into the *Bundeswehr* and disbanded as a stand-alone force.⁴⁴³ He recommended that those border policemen who rejected army service be reassigned to *Länder* (state) police forces. Menzel's recommendation was supported by the public employees trade union representing all *Länder* policemen (*Gewerkschaft Öffentliche Dienste, Transport und Verkehr* - or ÖTV). The ÖTV opposed centralized policing because its members feared federal policemen might supplant their state police jobs.⁴⁴⁴ But Adenauer's government, especially the influential Interior Ministry under Robert Lehr's successor, Gerhard Schröder, was unwilling to give up the police power it wielded through the *Bundesgrenzschutz*. This was already demonstrated as early as 1952 when *Staatssekretär* Karl Gumbel in the Interior Ministry wrote to the Federal Cabinet that once a future armed force was created, "the

⁴⁴² Adenauer made this perfectly clear during the debates to expand the BGS in 1952-53, when he assured his opponents that he was only seeking to build military contingents for the EDC and would return the force to its authorized 10,000-man strength just as soon as the EDC went into effect – See Ch. 2.

⁴⁴³ "Wohin mit dem Rest des Grenzschutzes?" *Frankfurt Allgemeine Zeitung* (November 8, 1955), 5; "Gegen Militärische BGS Aufgaben," *Frankfurt Allgemeine Zeitung* (October 28, 1955).

⁴⁴⁴ The ÖTV was a strong opponent of federal policing; see Hans-Jürgen Lange and Jean-Claude Schenck, *Polizei im Kooperativen Staat* "Verwaltungsreform und Neue Steuerung in der Sicherheitsverwaltung" (Wiesbaden: Springer Fachmedien, 2004), 126.

Bundesgrenzschutz is expected to remain the only power factor that is immediately and always available for the exclusive use of the federal government.”⁴⁴⁵

Schröder reinforced this same position in a letter he wrote to Adenauer on 26 January 1956 pleading with the Chancellor to recognize the importance of border policemen for West Germany’s national security. He was uneasy that some members of the CDU/CSU had supported the SPD call to disband the *Bundesgrenzschutz* and redistribute its members to the *Länder* police. Dr. Friedensburg, *Fraktionschef* (leader) of the CDU/CSU coalition in the *Bundestag*, had recently expressed his support for this solution during a discussion in the Committee for Administrative Affairs concerning the future of federal policing.⁴⁴⁶ Schröder told Adenauer he recognized the priority of rearmament, but appealed for him to intervene with those in his ruling party who backed the SPD plan:

I must ask for your strong support Dear Chancellor. The Importance of the *Bundesgrenzschutz* for national security can hardly be overestimated. Between the NATO divisions on the one side and the state police on the other, it will be the only force available for the exclusive use of our Federal Government. It is an instrument with which our Federal Government cannot do without. The eventful and well-known tactics of the East will always give rise to situations on the zonal border over which the Federal Government can only resist with its police forces. It is also the only available force with which to deal with internal disturbances. If we dissolve the *Bundesgrenzschutz*, then we would have to use the military, which has always been problematic in matters of internal unrest, or rely on the weak, decentralized state police forces.⁴⁴⁷

Indeed, for Adenauer and his political allies, nothing had really changed in either the external or internal security situation that would justify disbanding the force. Their fear of communist aggression, especially from the *Volkspolizei*, was central to their strategic thinking and many believed border police units provided a versatile “police buffer” against minor incidents escalating into larger military conflicts or even nuclear war. Those who advocated this approach feared that replacing policemen with soldiers

⁴⁴⁵ Staatssekretär Karl Gumbel to Federal Cabinet, 26 January 1952, BArch-K B 136/1929, Fiche No. 3, Slide No. 110.

⁴⁴⁶ Kurzprotokol 49. Sitzung des Ausschusses für Angelegenheiten der inneren Verwaltung, 18 November 1955, BArch-K B 136/1928.

⁴⁴⁷ Letter from Interior Minister Gerhard Schröder to Chancellor Konrad Adenauer

might militarize the border to a greater extent than it already was.⁴⁴⁸ For West Germany's Social Democrats, however, the *Bundesgrenzschutz* had always been a police force in name only. Opponents of its paramilitary structure believed there was no justification to maintain it since its external defense duties would likely be taken over by the *Bundeswehr*. The SPD remained suspicious of the federal government's motives in maintaining a parallel national defense/police force.⁴⁴⁹

At its core, the tension between the SPD and Adenauer's government over centralized policing was fueled by what sociologists have called the "state as meddler" critique.⁴⁵⁰ In other words, Adenauer's government might, in the name of national security, negatively wield its federal police power to infringe upon or "meddle" in the basic rights of individuals. According to Ian Loader and Neil Walker, "policing has always been a special target of those fears and criticisms which see the Hobbesian impulse of the state to protect the security of the individual as a standing threat to all of his or her other natural freedoms."⁴⁵¹ While the ongoing skepticism of the SPD with federal policing was certainly grounded in the contemporary legacies of Nazi persecution, the executive power of Adenauer's "chancellor democracy" and especially his re-employment of former Nazi officials and policemen also contributed to their general opposition. This was of particular concern since in West Germany's "militant democracy" (*wehrhafte Demokratie*) the Basic Law gave the Chancellor broad powers to act against those he determined were "enemies of the free democratic" order of society.⁴⁵² Militant democracies are those regimes that deny the rights and freedoms of the democratic state to those groups or individuals who engage in anti-democratic activities. In the aftermath of Germany's Nazi dictatorship, the framers of the Basic Law gave

⁴⁴⁸ This "Police Buffer" argument was forcefully made by FDP Chairman Dr. Mende in the Bundestag as a support for the government's plans to expand the BGS, see Deutsche BT, 274 Sitzung, June 19, 1953, 13953-57.

⁴⁴⁹ SPD Representative Walter Menzel pointed out to Interior Minister Schröder that his predecessor, Robert Lehr, had previously denied the *Bundesgrenzschutz* was a cadre for an army – see Kurzprotokol 49. Sitzung des Ausschusses für Angelegenheiten der inneren Verwaltung, BArch-K B 136/1928.

⁴⁵⁰ Loader and Walker, *Civilizing Security*, 35.

⁴⁵¹ *Ibid.*, 51.

⁴⁵² Jan Werner-Müller, *A Dangerous Mind*, 66-67.

the government broad powers to act against political parties that would use the freedoms of democracy to overthrow the state.⁴⁵³

Obstacles to Using Policemen as Soldiers

In spite of their plans to use the *Bundesgrenzschutz* as a source of personnel for the new army, officials in Adenauer's Interior and Defense Ministries grossly overestimated the number of policemen who would voluntarily transfer to the armed forces and miscalculated the difficulties of such a massive undertaking. During a secret ministerial meeting held on 8 November 1955, delegates believed at least 16,000 border policemen would voluntarily select military over police service.⁴⁵⁴ When the transfer finally took effect, however, only 9,572 men agreed to join the army – a figure much lower than expected or hoped for.⁴⁵⁵ Transferring border policemen to the army also required a complete revision of their legal status under the existing *Bundesgrenzschutz* Law of 1951, which meant any changes would have to be authorized by the *Bundestag*. Yet from a logistical perspective and to meet its new military commitments under NATO, the Federal Interior and Defense Ministries began secretly planning the transfer before a new law was debated and passed.⁴⁵⁶ The federal ministries created a special committee (*Übernahmeausschuss*) as a central organ to efficiently facilitate the anticipated transfers. Under the supervision of this committee, three sub-committees were established to carry out specific tasks. The Formation Committee, headed by former Border Police Inspector now Ministerial Director Gerhard Matzky, would decide which units would be transferred while keeping the basic infrastructure of the *Bundesgrenzschutz* intact. Adenauer's Watch Battalion in Bonn, for example, was exempt because it was still needed to guard the Federal Chancellery. The Administrative Committee, led by Ministerial Director

⁴⁵³ Udi Greenberg, *The Weimar Century: German Émigrés and the Ideological Foundations of the Cold War* (Princeton: Princeton University Press, 2014), 169-170.

⁴⁵⁴ Vertraulich Vermerk über Staatssekretär-Besprechung über Bundesgrenzschutz v. 7.11.1955, BA-MA BW1/17960.

⁴⁵⁵ Mathias Molt, "Von der Wehrmacht zur Bundeswehr," 342.

⁴⁵⁶ Top Secret minutes of planning meeting held between representatives from the Interior Ministry and Federal Ministry of Defense regarding transfer of border policemen to the armed forces, 17 November 1955, BA-MA BW1/17960.

Dr. Mosheim, was responsible for all budgetary, procurement, and equipment needs. Lastly, but most critically, the Personnel Committee, under the former Prussian Police Commissioner Ministerial Director Ludwig Dierske, had the complex task of recommending which military ranks and pay grades would be assigned to each policeman who transferred to the army. To be sure, personnel matters over pay and benefits coupled with the prestige of rank proved to be a significant factor preventing more border policemen from joining the *Bundeswehr*.⁴⁵⁷

Policemen who had achieved high ranks as members of the *Wehrmacht* during the war expected to be brought into the *Bundeswehr* at an equivalent or higher grade because of their experience. The problem for many of these men, however, was proving their last service rank when records were lost or destroyed at the end of the war.⁴⁵⁸ Some of them had already exceeded their *Wehrmacht* ranks while serving in the *Bundesgrenzschutz*, thus, joining the *Bundeswehr* might actually result in a demotion. Ministerial Director Matzky argued that it would be unfair to bring these men into the new army and expect them to accept lower ranks than they previously held in the *Wehrmacht*.⁴⁵⁹ Border policemen also resisted transfer because after eight years of police service, they were entitled to the coveted status of *Beamter auf Lebenszeit* (lifetime civil servant) whereas in the new army, they would be reclassified to the status of either *Berufssoldaten* (career soldiers) or *Soldaten auf Zeit* (fixed period of service). This was a disadvantage because as opposed to a career soldier, the grade of lifetime civil servant guaranteed its holder opportunities for advancement in the civilian police or, for that matter, in a variety of other civil service professions.⁴⁶⁰ The Federal Civil Service Act guaranteed civil servants social benefits and a protected status or tenure that would ensure their position and right to employment in West German society was virtually inviolable.

⁴⁵⁷ Ibid.

⁴⁵⁸ Ludwig Dierske, *Der Bundesgrenzschutz*, 45-46.

⁴⁵⁹ Minutes of Top Secret planning meeting 17 November 1955, BA-MA BW1/17960.

⁴⁶⁰ Michael Hayse, *Recasting West German Elites*, 101; Curt Garner, "Public Service Personnel in West Germany in the 1950s: Controversial Policy Decisions and Their Effects on Social Composition, Gender Structure, and the Role of Former Nazis," *Journal of Social History*, Vol. 29, No. 1 (Autumn, 1995), 25-80, 28.

The maintenance of social benefits was a major factor for policemen considering whether they should transfer to the *Bundeswehr*. The *Bundesgrenzschutz* Association (border policemen's union) employed legal experts to help its members understand the social ramifications and differences of choosing to join the army or remaining in their current police profession. These interpretations were published in the Association's journal, *Der Grenzjäger*.⁴⁶¹ Under existing law, border policemen received free medical care for themselves and their immediate families if they were married with children. Pursuant to the Military Personnel Act, however, soldiers were only entitled to medical care for themselves as individuals.⁴⁶² For those soldiers who only served for fixed periods, *Soldaten auf Zeit*, their social benefits expired when their service terms ended. Thus, Border policemen with families who chose to join the army as either career soldiers or as a *Soldaten auf Zeit* faced the loss of coverage for their families since section 62, paragraph 2 of the *Soldatengesetz* only entitled soldiers to individual coverage. For older, married border policemen closer to retirement age, it made more sense to stay put since they were entitled to keep their family medical plans.⁴⁶³ The federal salary law attempted to address this shortcoming by providing plans where new border policemen could get low cost family medical coverage. While new border police recruits could not marry until the age of twenty-seven, many older, higher-ranking policemen already had families covered by these medical benefits. Thus, many experienced policemen had no incentive to transfer to the army because they still benefitted from the no cost family plans. For border policemen, benefits and pay were of greater concern in shaping their decisions to stay or transfer than personal preferences over the differences in duties between soldiers and policemen. Another concern for policemen in deciding whether to transfer involved their pensions. Unless they decided to join the army and become career soldiers, they were not entitled to receive military pensions whereas in the *Bundesgrenzschutz*, many already had secure pension rights as civil servants.

⁴⁶¹ See for example, Dr. Brill, "Die Rechtsstellung des Soldaten und des GS-Beamten: Ein aufschlußreicher Vergleich - von Dr. Brill, Geschäftsführer unseres Verband," *Der Grenzjäger* 6, no. 6 (June 1956), 11-14.

⁴⁶² *Ibid.*, 12.

⁴⁶³ *Ibid.*, 12.

Higher-ranking policemen could retire with a full pension at the age of fifty-two, but career soldiers had to be sixty years of age before collecting their pensions.⁴⁶⁴ To be sure, in its rush to build armed forces, West Germany's government failed to consider all of these nuanced short-term and long-term social consequences facing individual policemen. It would take a significant amount of time-consuming legislation and debate before all of these concerns could be efficiently addressed.

Policemen serving in the *Bundesgrenzschutz* also resisted transfer based on ideological grounds. For these men, especially those shaped by the conservative Prussian traditions of the Weimar police, *Reichswehr*, or Nazi Germany's *Wehrmacht*, they were better off remaining with likeminded colleagues in border police units rather than joining a new, reformed version of the armed forces. The ideals of postwar military reformers such as Generals Wolf von Baudissin and Johann von Kielmansegg, for example, emphasized new concepts such as *Innere Führung* (internal leadership or moral compass) and the *Staatsbürger in Uniform* (citizen in uniform).⁴⁶⁵ These ideological foundations intended to separate West Germany's new soldiers from the Prussian ethos of rigid discipline and obedience. Baudissin and Kielmansegg, among others, envisioned an army that was antithetical to these Prussian models, which many believed emphasized a blind or unquestioning obedience from subordinates.⁴⁶⁶ While the new democratic soldier was expected to loyally follow orders, he was also expected to challenge orders from superiors that on their face were illegal or immoral. Military reformers believed that instilling the ideal of *Innere Führung* in their soldiers was especially critical now that nuclear weapons were a major influence in foreign policy.⁴⁶⁷ The stakes of nuclear annihilation left no room for blind obedience since the consequences for Germany would be self-destruction. Whereas blind obedience to orders from above led

⁴⁶⁴ Ibid., 13.

⁴⁶⁵ For a useful analysis on *Innere Führung* and its effect on the Bundeswehr, see Friederike Bruehoefener, "Defining the West German Soldier: Military, Masculinity and Society in West Germany, 1945-1989" (Ph.D. dissertation, University of North Carolina at Chapel Hill, 2014).

⁴⁶⁶ Klaus Naumann, "The Battle Over *Innere Führung*" in James S. Corum, *Rearming Germany*, 206.

⁴⁶⁷ Frank Nägler, "Zur Ambivalenz der Atomwaffe im Blick auf Baudissins frühe Konzeption der Inneren Führung," in Rudolf J. Schaffler and Wolfgang Schmidt, *Wolf Graf von Baudissin 1907-1993: Modernisierer zwischen totalitärer Herrschaft und freiheitlicher Ordnung* (München: Oldenbourg, 2007), 153.

many soldiers to commit acts they should have known were immoral during the war, the same behavior with nuclear weapons might have far greater consequences. Concurrently, Baudissin emphasized the “citizen in uniform” model as a break from the Weimar era *Reichswehr* as a state within a state. Instead, the new German soldier would be trained to recognize he was part of rather than apart from the society he served.⁴⁶⁸

Many *Wehrmacht* veterans criticized these new ideals because they conflicted with their own experiences and self-images of soldierly behavior – namely, as tough, disciplined, and above all else, obedient. Thus, many of those men who chose to stay with the *Bundesgrenzschutz* formed a sort of conservative *Schicksalsgemeinschaft* (community of fate), whose members viewed these reforms as too idealistic or weak against their own individual frame of reference as tough, disciplined soldiers forged by previous service in the *Reichswehr*, the militarized police forces of the Weimar Republic, and later in the *Wehrmacht*. Many critics of the new reforms were also active in veterans’ organizations and expressed their views in periodicals such as *Soldat im Volk* (Soldier in the People), *Alte Kameraden* (Old Comrades), and *Der Deutsche Soldat* (the German Soldier) to name just a few.⁴⁶⁹

Evidence of these attitudes and the general ideological unease many border policemen expressed towards the new army and its reforms appeared in their own union journal, *Der Grenzjäger*. In the article “*Wer will die Soldaten?!?*” (Who wants to be a soldier?!), for example, the author, A. Shrotberger, argued the *Bundeswehr* would be nothing like the old *Wehrmacht*, and thus recommended each man carefully consider his own individual decision to join.⁴⁷⁰ Schrotberger emphasized that the attempt to find a balance between a democratic army on the one hand, and one that could provide a reliable defense against communist aggression on the other, would be challenging. As an example, he used the popular postwar

⁴⁶⁸ Wolfgang Schmidt, “Die bildhafte Vermittlung des Staatsbürgers in Uniform in den Anfangsjahren der Bundeswehr,” in Rudolf J. Schlaffer and Wolfgang Schmidt, *Wolf Graf von Baudissin 1907-1993*, 165.

⁴⁶⁹ Donald Abenheim, *Reforging the Iron Cross: The Search for Tradition in the West German Armed Forces* (Princeton: Princeton University Press, 1988), 99; David Clay Large, *Germans to the Front*, 186.

⁴⁷⁰ A. Shrotberger, “Wer will unter die Soldaten!?,” *Der Grenzjäger* 6, no. 1 (January 1956), 6-7.

novel and film trilogy *08/15*, which portrayed *Wehrmacht* soldiers as hyper-disciplined and blindly obedient to superiors. The soldiers depicted in *08/15* were an extreme example of what military reformers wanted to avoid in the new army.⁴⁷¹ But Schrotberger also suggested that abandoning all of Germany's past military traditions, particularly its discipline, was a naïve approach. From his perspective, not all that was new was good and the Third Reich's armed forces, especially as depicted in *08/15*, were a poor example of the Prussian military values he believed the idealistic reformers were mistakenly rejecting. In conclusion, he explained, "it is up to us whether we can speak today of an actual breakdown of German soldiery tradition...we want to be soldiers who consider military service as an honorable part of their civic duties and rights that are internally and externally ready to stand with arms for home, people, and freedom."⁴⁷² In another article titled "Atomic War with Icing" (*Atomkrieg mit Zuckerguss*), the author used nuclear war as an argument to attack Baudissin as a naïve idealist for trying to "equip German soldiers with democratic and civic angel's wings" in an era where nuclear annihilation was a real possibility. According to the author, ignoring the value of Prussian military tradition, especially its "hard discipline," would only invite attack and spread weakness among the troops. He emphasized that trying to "sweeten" atomic war with democratic principles was ultimately a failed enterprise.⁴⁷³

Thus, for many veteran soldiers in the *Bundesgrenzschutz*, some of whom fought the Soviet army during the war, notions of *Innere Führung* were foolish – preserving democracy against communism depended upon hard discipline and fighting spirit. Gerhard Matzky, an influential figure among this milieu of border policemen, expressed what many of them believed about military reform during a lecture

⁴⁷¹ *08/15* – or *Null acht 15*, a standard issued pistol in the German army – was originally a novel by Hans Kirst turned into a three part film about the experiences of German soldiers during the war. The film was a reflection on the rigid militarism in the *Wehrmacht*, but came at a time when the new concept of the "citizen in uniform" was debated in context of rearmament and the creation of the *Bundeswehr*. While the film fundamentally rejected Nazism, it also ignored the victims of Nazism; see Robert Moeller, "Fighting to Win the Peace: *08/15* and West German Memories of the Second World War," in Biess, Roseman, and Schissler, *Conflict, Catastrophe, and Continuity*, 318-321.

⁴⁷² A. Shrotberger, "Wer will unter die Soldaten!?" 7.

⁴⁷³ Gösta von Üxküll, "Atomkrieg mit Zuckerguss," *Der Grenzjäger* 6, no. 1 (January 1956), 15.

he gave to the Committee on Questions of European Security.⁴⁷⁴ As a founding leader of the *Bundesgrenzschutz* (see chapter 2), Matzky embodied the ideal battle-hardened soldier many of these particular men revered. For Matzky, what the reformers were suggesting, especially their criticism of traditional discipline, was a direct attack on their military masculinity. As a *Reichswehr* veteran, he often invoked the philosophies of military discipline expressed by his former *Reichswehr* Chief, Hans von Seeckt. Seeckt, a Prussian aristocrat, rejected civilian control of the military, emphasized strict discipline, and expected unquestioning loyalty from his subordinate commanders.⁴⁷⁵ Matzky spoke directly to the Security Committee members about the topics of discipline and hardness in training that military reformers like Baudissin wanted to change. Like Schroterberger, he pointed to the film series *08/15*, which in his opinion emphasized negative stereotypes for German soldiers and reflected a poor example on which to judge Prussian military traditions. Instead, he argued discipline, especially from his own experience training veteran border policemen, actually held the organization together. The discipline Matzky referred to was antithetical to its negative framing in *08/15*, which he described as a “trendy example where unfortunate exceptions to supposedly universal experiences and value judgments were falsified.”⁴⁷⁶ He believed that drill routines were absolutely necessary to develop good habits in men whereas in *08/15* they reflected “a method to turn off independent behavior.” He argued “hardness” in training prepared young men for the stress of cold nights on the border, confrontations with smugglers, difficult terrain, and performance in natural disasters. It was this particular style of discipline, he claimed, that made border police veterans into the ideal candidates for the new army. Matzky said he often admired the thinking of military reformers like Baudissin, but criticized them for what he believed were

⁴⁷⁴ Vortrag vom Gerhard Matzky vor dem Ausschuss für Fragen der europäischen Sicherheit am 13. Juli 1954, BA-MA N245-32.

⁴⁷⁵ See Matthias Strohn, *The German Army and the Defence of the Reich: Military Doctrine and the Conduct of the Defensive Battle 1918-1939* (New York: Cambridge University Press, 2011), 95; F.L. Carsten, *The Reichswehr and Politics 1918-1933* (Berkeley: University of California Press, 1973) 103-104.

⁴⁷⁶ Ibid.

attitudes “bordering on romantic idealism in trying to achieve their goals.” Instead, he concluded that it had always been the main focus of border police training to simply “produce decent guys.”⁴⁷⁷

Border policemen were also irritated by what they believed was an unjust or added level of scrutiny for members of their organization. They were especially bothered by criticism in the press and from the Social Democrats alleging the force and its members were in some manner anti-democratic. The SPD sternly opposed the reconstruction of the *Bundesgrenzschutz* and renewed its criticisms against the ruling majority for allegedly blurring the lines between policing and military service. SPD representatives called for the immediate reassignment of any border policemen who rejected military service to the state riot police (BePo).⁴⁷⁸ An anonymous author in *Der Grenzjäger* argued, “now that the decision to use the BGS as a cadre for the new army has been made, voices suddenly rose accusing the BGS of outdated militaristic education and training procedures. One went so far as to refer to the proposed takeover of the BGS by the armed forces as undesirable because its inner structure would not correspond to that of the future armed forces making any new [democratic] reforms useless.”⁴⁷⁹ Moreover, the author blamed the SPD for fostering the majority of this criticism arguing they had ignored that “the unconditional and blind slavish obedience that Hitler erected in the German Wehrmacht is not only rejected by the BGS, but has already been successfully overcome.”⁴⁸⁰ Indeed, as part of their foundational training, border policemen completed several hours of coursework and had to pass qualifying exams in civics, democracy, and professional ethics before they were allowed to begin their service.⁴⁸¹

⁴⁷⁷ Ibid.

⁴⁷⁸ Press Release, SPD Presse Dienst, 1 February 1956, BAarch-K B 136/1928, Fiche No. 1, Slides 87-88.

⁴⁷⁹ Anonymous author, “Unrichtige und ungerechte Kritik am Bundesgrenzschutz,” *Der Grenzjäger* 6, no. 1 (January 1956), 21.

⁴⁸⁰ Ibid.

⁴⁸¹ Training in the BGS is covered separately in chapter 5; See also, Ottmar Stöcker, *Die Bundesgrenzschutz-Fibel für den Unterführer und Anwärter* (Coburn: Bücher-Luthardt, 1960).

Adding to their growing list of grievances was the Ministry of Defense requirement that border policemen at the rank of colonel or above had to be screened for suitability by the *Personalgutachterausschuss* (Personnel Evaluation Committee – or PGA) before being accepted into the army. The committee was officially established by a multi-party legal agreement in the *Bundestag* on 11 July 1955.⁴⁸² It consisted of thirty-eight members all with different political backgrounds from a variety of civilian, military, and government professions.⁴⁸³ The overarching objective of the PGA was to ensure each candidate was “unconditionally committed to the democratic form of government.” Its members were also tasked with establishing procedures to guarantee that officers and men below the rank of Colonel conformed to these democratic principles.⁴⁸⁴ Many border police leaders believed it was an injustice that they might be required to undergo examination by the PGA. After all, they viewed themselves as the first and only guardians of the democratic West German state in the years before their government was permitted to rearm under NATO.⁴⁸⁵

The philosophical approach of the PGA was established during a meeting held in Bad Tönisstein on September 16 and 17, 1954 – a month after the collapse of the EDC. Among the delegates at Bad Tönisstein were seventeen participants later selected for service on the PGA.⁴⁸⁶ During the two-day meeting, delegates debated a variety of topics ranging from the characteristics that were desirable for the army’s new officer corps to the problems associated with staffing and equipment procurement.⁴⁸⁷ One of the liveliest debates held during the meeting concerned the drafting of a mission statement for the “citizen

⁴⁸² Deutscher BT, 2. Wahlperiode, Drucksache 1595; See also *Anfänge westdeutscher Sicherheitspolitik 1945-1956, Band 3, Die NATO-Option*, Herausgegeben vom Militärgeschichtlichen Forschungsamt (München: R. Oldenbourg Verlag, 1993), 1022-23.

⁴⁸³ Deutscher BT, 2. Wahlperiode, Drucksache 1619.

⁴⁸⁴ Deutscher BT, 2. Wahlperiode, Drucksache 1595.

⁴⁸⁵ BGS Master Sergeant F.L., “Brief eines Kameraden: Beschwerdeamt schon vor der Wehrmacht?” *Der Grenzjäger* 6, no. 1 (January 1956), 14.

⁴⁸⁶ Donald Abenheim, *Bundeswehr und Tradition: die Suche nach dem gültigen Erbe des deutschen Soldaten* (München: Oldenbourg Verlag, 1989), 91.

⁴⁸⁷ “Tagung in Bad Tönisstein – Auszug,” Bonn, September 2, 1955, BA-MA BW27-28.

in uniform” as a guiding principle for future soldiers.⁴⁸⁸ General Baudissin’s ideas were the central focus of these debates. The delegates argued over the differences between what some suggested was idealistic rhetoric common to all mission statements versus what was actually useable or relevant in pragmatic terms. According to the minutes of these debates, the participants agreed “The new mission statement must be based on reality and above all, contain a clear analysis of the current social situation in political, economic, and technical terms.”⁴⁸⁹ They believed the changing social circumstances of the West German people should also be reflected in the social position of army officers. In this respect, their objective was to align the army with the values of the democratic community it was supposed to serve.⁴⁹⁰ The goal was to ensure that the army was representative of and administered by the civilian government it served.

The delegates at Bad Tönisstein also discussed the topic of how to approach continuities with strong Prussian military traditions in the new army. And while many of them agreed it was impossible to abandon all of these traditions, most argued against the return of what they defined as “outdated” models. Above all, they agreed that a soldier should not be politicized, but rather must “clearly show his face to the public as a positive example of democratic government.”⁴⁹¹ More importantly, while tradition and unity among the troops had its place, West Germany’s new soldiers were expected to have their own personal opinions so that “a malicious party influence would be prevented at all costs.”⁴⁹² Many participants were concerned that these strong Prussian traditions were particularly prevalent among border policemen. Thus, Dr. Leonhard von Renthe-Fink, a Psychologist assigned to the Federal Police Academy at Lübeck-St. Hubertus, was invited to give a presentation on the psychological problems of personnel selection in the *Bundesgrenzschutz*.⁴⁹³ According to Dr. Renthe-Fink, influences from Prussian militarism did exist within various “comradely circles” of border policemen, especially those he said were shaped by

⁴⁸⁸ Ibid.

⁴⁸⁹ Ibid.

⁴⁹⁰ Ibid.

⁴⁹¹ Ibid.

⁴⁹² Ibid.

⁴⁹³ Vortrag von Dr. Leonhard von Renthe-Fink, “Aufgaben und Probleme der Psychologischen Personalauslese im Bundesgrenzschutz,” (Transcript), Tagung in Bad Tönisstein, September 16-17, 1954, BA-MA BW27-28.

years of war and captivity.⁴⁹⁴ Yet he also stressed that it was scientifically impossible, even with the best methods of psychological screening, to answer the question of whether these older traditions would re-emerge and influence their behavior in the new army.⁴⁹⁵ Dr. Renthe-Fink concluded that while there were a variety of screening methods to identify men who held or were vulnerable to opinions shaped by strong militarism, it was unethical to probe the “hidden impulses and secrets of a man’s soul” as long as these ideals were not reflected outwardly in his police duties.⁴⁹⁶

Dr. Renthe-Fink’s lecture, however, was largely inconclusive in terms of providing a definitive answer about the suitability of border policemen for the new army. Thus many of the delegates at Bad Tönisstein later supported the parliamentary decision to require leading members of the *Bundesgrenzschutz* at the rank of colonel and above to undergo screening before the PGA. The end result of the Bad Tönisstein meetings was a philosophical roadmap or set of working guidelines for the PGA in its approach to evaluating army officers. This took the form of a thirty-three-page draft mission statement based primarily on the ideals put forth by General Baudissin’s ideals on the “citizen in uniform.”⁴⁹⁷ While historians often point to the significance of the 1950 *Himmeroder Denkschrift* as the philosophical beginning of the *Bundeswehr*, the discussions and mission statement drafted at Bad Tönisstein were also influential to its long-term development, especially for border police candidates.⁴⁹⁸

The decision requiring policemen to undergo evaluation by the PGA was unpopular among most members in the *Bundesgrenzschutz*. But even veteran *Wehrmacht* officers in the Ministry of Defense had to undergo PGA screening, thus high-ranking border policemen were treated equally. This was little consolation for men who believed their loyal state service had already proven their acceptance of

⁴⁹⁴ Klaus Naumann argues that older veterans, especially POWs returning from Soviet captivity, still evoked traditions associated with the Nazi Past, and thus struggled to accept democratic reforms – See Klaus Naumann, “Brave Nazis’ für die Bundeswehr? Russlandheimkehrer als Generäle und Offiziere der bundesdeutschen Streitkräfte,” *Zeitgeschichte* Vol. 30, Nr. 4, (2003), 211-224.

⁴⁹⁵ Vortrag von Dr. Leonhard von Renthe-Fink, BA-MA BW27-28, 6.

⁴⁹⁶ Ibid.

⁴⁹⁷ “Staatsbürger in Uniform- Das Leitbild des Zukünftigen Soldaten,” 17 September 1954, BA-MA BW27-28.

⁴⁹⁸ Himmeroder Denkschrift, 9 October 1950, BA-MA BW 9/3119.

democratic reforms. The President of the *Bundesgrenzschutz* Association, Friedrich von Stülpnagel, complained to the SPD parliamentary coalition on behalf of his members that it was unconscionable their democratic characters would be called into question.⁴⁹⁹ He argued that all border policemen had already undergone rigorous screening and proven their loyalty to the democratic state by guarding the “Iron Curtain” for the past five years. Moreover, he suggested that most, if not all of these men had endured at least one denazification proceeding. According to Stülpnagel, it was “absurd to now demand that another standard be applied in evaluating the men who had been solely responsible for upholding and guaranteeing the free democratic order of the Federal Republic.”⁵⁰⁰ In a letter to *Staatssekretär* Dr. Wilhelm Rombach, Chairman of the PGA, Stülpnagel pleaded with him to speak out against the unfairness of subjecting high-ranking *Bundesgrenzschutz* officers to another examination of their characters. He told Rombach that, “border police officers have already embraced the principles of the citizen in uniform, both individually and in the internal structure of the organization.” Stülpnagel argued that they had already distinguished themselves by fostering a positive working relationship with the democratic West German state.⁵⁰¹

The general criticism of *Innere Führung* among some groups of border policemen, however, was based more on the years of experience and traditions these men brought to their new profession and it proved to be part of the contested issues between traditionalists and reformers that also affected the *Bundeswehr*.⁵⁰² A 1955 lecture by border police colonel Heinrich Müller to the Protestant Social Academy in Friedwald, for example, sheds further light on the importance of democratic principles in the *Bundesgrenzschutz*. Like Gerhard Matzky, Müller was a *Wehrmacht* veteran who was highly respected by the rank and file. His lecture, “The Position of the Officer in the Social Fabric of Democracy,”

⁴⁹⁹ Open Letter from Friedrich von Stülpnagel to the SPD *Bundestagsfraktion*, 13 December 1955, BArch-K B 136/1928, Fiche No. 2, Slides 61-63.

⁵⁰⁰ *Ibid.*

⁵⁰¹ Letter from Friedrich von Stülpnagel to PGA member Dr. Wilhelm Rombach, 29 December 1955, BArch-K B 136/1928, Fiche No. 2, Slides 59-60.

⁵⁰² See Doanld Abenheim, “The Citizen in Uniform: Reform and its Critics in the Bundeswehr,” in Stephen F. Szabo (ed.), *The Bundeswehr and Western Security* (New York: Palgrave Macmillan, 1990), 40-43.

provides insights into the organization's place in the state and shows that the thinking of its leaders was influenced by and similar to the philosophical ideals of *Innere Führung*.⁵⁰³ Müller's lecture was delivered at a time when tensions between the Defense (*Amt Blank*) and Interior Ministries over the requirement that border policemen at the rank of colonel or above had to be cleared by the (PGA) before joining the army.⁵⁰⁴ He argued, "virtually out of nowhere, without any preparation, we [BGS] have created in a very short time an organizational means to enforce the will of the state that appeals to a liberal spirit and is capable of measuring up with any force in the world. We have remained silent and practically worked without any expectation of recognition."⁵⁰⁵ His main objective was to refute the image of border police leaders as backwards, or blindly obedient reactionaries who rejected liberal democracy. He argued that border policemen fully understood that there could be no turning back to the past and were not "blind to the damage that occurred and the errors that were committed [during the Third Reich], but were rather determined to prevent a repeat...it painfully affects us that recently voices have been raised, which claim the BGS has been swept up by restorative forces."⁵⁰⁶ Müller took these accusations seriously and like other border policemen wanted to emphasize that the Bundesgrenzschutz had never done anything but support and defend democratic West Germany. Although there was no evidence that border policemen were backwards, Müller's claim showed that there were different voices in this debate.

Revising the Legal Status of the BGS

The debate about whether border police leaders should be subjected to evaluation by the PGA was one of many significant issues facing West German lawmakers as they worked to revise the *Bundesgrenzschutz* law of 1951. Those responsible for establishing new legal guidelines also had to outline new duties for border policemen now that external defense appeared to be an exclusive

⁵⁰³ BGS Colonel Heinrich Müller, "Die Stellung des Offiziers im Socialgefüge der Demokratie," gehalten am 9.12.1955 an der Evangelischen Sozialakademie Friedwald vor Offizieren des Bundesgrenzschutzes, BArch-K B106/20765.

⁵⁰⁴ This tension and the role of the PGA at this time is discussed in more detail in Chapter 3.

⁵⁰⁵ BGS Colonel Heinrich Müller, "Die Stellung des Offiziers," BArch-K B106/20765.

⁵⁰⁶ *Ibid.*

responsibility for the army. And the new law would also have to address many of the concerns expressed by border policemen about their service ranks, pay, and benefits if they chose to transfer. While some of these issues had already been discussed in secret, they remained largely unresolved when Konrad Adenauer wrote to the Presidents of the *Bundestag* political parties requesting they add the new law to the agenda for early February 1956.⁵⁰⁷ The draft of the second *Bundesgrenzschutz* law was a revision of the existing law passed on 16 March 1951. Representatives from the Chancellor's Office and ministries of the Interior, Defense, Justice, and Finance worked collaboratively to produce the draft on 22 November 1955.⁵⁰⁸ The Federal Minister of Defense was legally designated to manage the construction of the new armed forces and was given the responsibility to carry out the transfer of units from the *Bundesgrenzschutz* to the *Bundeswehr*. After it was approved by the *Bundestag*, the draft was submitted to the Federal Council on 28 November 1955 and approved in content on 30 November. The decision of the Council directed the Minister of Defense to work closely with the Interior Minister to build three infantry divisions out of various border police forces with a priority, if possible, to transfer whole units instead of individual personnel.⁵⁰⁹

The proposed law changed the status of border policemen who transferred to the army from civil servants to that of career soldiers or soldiers for fixed terms (*Soldaten auf Zeit*). This change of status was scheduled to take effect one month after the new law was passed. Policemen assigned to the Passport Control Service were exempt because even though they were technically part of the *Bundesgrenzschutz*, their duties were limited to administrative passport checks at border crossings. Policemen would be brought into the armed forces at a rank equivalent to that which they already held at the time of their transfer. In cases where a military equivalent was unavailable, the Ministry of Defense assigned

⁵⁰⁷ These preliminary meetings took place in November 1955 between representatives of the Interior and Defense Ministries – see BA-MA BW1/17960; Letter from Adenauer to Presidents of the German Bundestag, 25 January 1956, BArch-K B 136/1927, Fiche No. 3, Slide No. 90.

⁵⁰⁸ Letter and draft of second *Bundesgrenzschutz* law from Staatssekretär Ritter von Lex to Hans Globke, 22 November 1955 BArch-K B 136/1004, Fiche No. 1, Slide No. 24.

⁵⁰⁹ Kabinettsbeschluss: Vorbereitung der Ausführung des Zweiten Gesetzes über den Bundesgrenzschutz, BArch-K B 136/1004, Fiche No. 1, Slide No. 35.

policemen a rank that closely matched their existing responsibilities. Thus, a Lieutenant in the border police would begin service in the *Bundeswehr* as a Lieutenant, while a Police Commander, which had no military equivalent, would be automatically brought in as a Brigadier General.⁵¹⁰ The law also gave individual policemen the option to reject military service and remain in their current posts, but they had to do this in writing within thirty days after the law took effect. Finally, it recognized the authority of the PGA to screen any senior border police candidate at the rank of colonel or above and to dismiss any man it deemed unfit for service in the new army.⁵¹¹

Many border policemen complained that the law unfairly compensated those who transferred as soldiers by offering higher pay for specific positions. A sergeant in the army, for example, was paid slightly more than a sergeant who remained in the border police even though the ranks were technically equivalent. Higher pay provided one incentive for more men to leave their current police careers. The *Bundesgrenzschutz* Association, however, lobbied *Bundestag* deputies forcefully to address this disparity in pay grades prior to the adoption of the law. Their efforts were rewarded on 1 January 1956 when the *Bundestag* agreed to revise the Civil Service Remuneration Act of 1927 by equalizing the salaries of soldiers and border police officers holding the same ranks.⁵¹² In the meantime, those who chose to stay in the *Bundesgrenzschutz* were paid a supplemental allowance that raised their salaries to match those of soldiers with equivalent ranks. As an added benefit, these supplemental allowances were counted towards the final compensation of their pensions and retroactive back to 1 November 1955 when the plans for a new army began.⁵¹³ The retroactive clause meant that border police officers would receive a large bonus

⁵¹⁰ Anlage zum zweiten Gesetz über den Bundesgrenzschutz, BArch-K B 136/1004, Fiche No. 1, Slide No. 27.

⁵¹¹ Draft of Second Bundesgrenzschutz law, BArch-K B 136/1004, Fiche No. 1, Slide No. 24.

⁵¹² The details of these changes were published in the Bundesgrenzschutz Association's Journal; See Friedrich von Stülpnagel, "Rückblick und Ausschau: die Entwicklung unseres Berufes Vertrauen in die Zukunft Zweites Gesetz Ober den Bundesgrenzschutz," *Der Grenzjäger* 6, no. 1 (January 1956), 3-6; Dr. Brill, "Unsere Berufsorganisation: Jetzt und in Zukunft - Wirkungen des Tätigkeits-Wechsels auf den BGS-Verband," *Der Grenzjäger* 6, no. 1 (January 1956), 5-6.

⁵¹³ See Deutscher Bundestag, Drucksache 2306, "Schriftlicher Bericht: des Ausschusses für Beamtenrecht (9. Ausschusses) über den Entwurf eines Gesetzes zur Angleichung der Dienstbezüge von Vollzugsbeamten des

once the revision took effect. While ideological tensions certainly remained one of the considerations in transferring to the army, the efforts by the *Bundesgrenzschutz* Association on behalf of the welfare of its members reflected the importance of postwar social benefits to individual policemen in deciding whether to transfer to the army or stay in their present law enforcement careers.

The Cabinet approved the draft of the second *Bundesgrenzschutz* law, but there was still grumbling among border policemen about the PGA. In January 1956, Interior Minister Gerhard Schröder's legal staff conducted a detailed analysis of the draft approved by the Federal Cabinet.⁵¹⁴ According to the analysis, the requirement for border police leaders to submit to evaluation by the PGA was unfair since it was formed on 23 July 1955 – five months before a decision was made to use the *Bundesgrenzschutz* for the armed forces. Moreover, the PGA was supposed to evaluate former officers seeking to join the *Bundeswehr* from other professions whereas border policemen had already proven their loyalty in the armed service of the West German state as leaders of its national police force.⁵¹⁵ The analysis argued that the Federal Office for Constitutional Protection (*Bundesverfassungsschutz*) had already done extensive background checks of these men, which included reviews of criminal records and military personnel files. Border policemen had to obtain two letters of reference from persons of high standing in public life to successfully pass these background checks. More importantly, border police candidates had to pass written and oral psychological screenings that dealt with “multiple individual points concerning personal suitability, character, behavior as soldiers during the war, behavior in captivity, and family situations during the immediate postwar period.”⁵¹⁶ Under these stringent guidelines, many candidates seeking employment in the *Bundesgrenzschutz* were disqualified – only the very best succeeded in becoming policemen. The analysis also pointed out that border police leaders

Bundesgrenzschutzes an die Besoldung der Freiwilligen in den Streitkräften (Besoldungsangleichungsgesetz für den Bundesgrenzschutz),” 13 April 1956.

⁵¹⁴ Gutachtliche Stellungnahme zu dem “Entwurf eines 2. Gesetzes über den Bundesgrenzschutz,” 23 Januar 1956, BArch-K B 136/1927 Fiche No. 2, Slides 77 – 82.

⁵¹⁵ Ibid.

⁵¹⁶ Ibid.

rejected by the PGA would most likely face personal humiliation in public and from subordinates making it difficult to return and lead their units. In conclusion, the authors recommended that the requirement for border police leaders to undergo evaluation by the PGA should be stricken from draft of the second *Bundesgrenzschutz* law.⁵¹⁷ Nevertheless, this suggestion was ignored and the *Bundestag* ultimately decided on the final contents of the law when it was later submitted for its second and third readings.

The draft was introduced for its first reading in the *Bundestag* during the 127th Session on 3 February 1956. SPD Representative Fritz Eschmann, a former member of the *Reichswehr* who also had served as a police sergeant and highly decorated *Wehrmacht* veteran, spoke on behalf of his party to oppose the law. He accused the CDU/CSU coalition of attempting to force it through the *Bundestag* too fast.⁵¹⁸ He claimed the law was much too general in its present form and, more problematically, it left questions about the future of West Germany's border policemen unanswered. From Eschmann's perspective, the *Bundesgrenzschutz* was Schröder's "child" and rushing the law through in its present form would be a discredit to the men Schröder held so dear. But Eschmann's attempt to postpone the reading of the second law was firmly rejected by a majority of the deputies.⁵¹⁹ He pointed out that the SPD supported the formation of the *Bundesgrenzschutz* in 1951 because they were given assurances by then Interior Minister Robert Lehr that it was strictly a police force and not, as many then believed, an ersatz army. Under these circumstances, Eschmann questioned the fairness of transferring border policemen who never intended to be soldiers into the new army. He also emphasized that many of these men would lose their status as civil servants, which in his opinion had negative consequences unless they chose to become career soldiers.⁵²⁰

⁵¹⁷ Ibid.

⁵¹⁸ David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 272; deutsche BT, 127 Sitzung, 6617.

⁵¹⁹ BT, 127 Sitzung, 6617.

⁵²⁰ Ibid, 6648.

In spite of Eschmann's concern over the future career prospects of individual border policemen, his opposition to the government's plan to maintain the *Bundesgrenzschutz* once a new army was established reinforced familiar tropes in the SPD's ongoing political campaign against centralized policing. SPD representatives accused the government of using its national police force to increase its domestic power. Eschmann argued that if Schröder were allowed to go ahead with his plans, there would be no limit on further attempts to militarize additional civilian institutions. He suggested fire departments or the state riot police brigades would be the next objects of the government's "militarization campaign," which he warned had all been done before during the Third Reich.⁵²¹ And unlike previous SPD critics of border policing, such as Eschmann's colleague Walter Menzel, Eschmann's extensive police and military background gave him a certain level of credibility, which he readily invoked to support his arguments. This was particularly apparent in his attempt to show that Adenauer's government was copying the Third Reich by mixing the duties of policemen with soldiers. He argued, "from my own experience I know that in the transfer of the National Police to the Wehrmacht in 1936, individual policemen were exposed to similar moral pressure and thus were compelled to join the Wehrmacht. Many young policemen were forced into this decision, and in my own case, this decision had to be made in a matter of hours."⁵²² Eschmann suggested that if the government proceeded with its plans to build the armed forces with border policemen, then the *Bundesgrenzschutz* should be disbanded and its remaining personnel and border guarding duties be transferred to the state police forces. To proceed otherwise, he argued, required an amendment of the Basic Law.⁵²³

Eschmann's claim of being forced to abandon his police career for the *Wehrmacht* provoked loud outbursts from the government's representatives. In response to Eschmann, the CDU/CSU coalition turned to Fritz Berendsen, himself a veteran *Reichswehr* Officer who also led *Wehrmacht* Panzer

⁵²¹ Ibid.

⁵²² Ibid, 6649.

⁵²³ Ibid, 6650.

Divisions during the Second World War.⁵²⁴ Berendsen dismissed Eschmann's suggestion that the government was using pressure tactics to force civilian policemen into the new army. Instead, he claimed to have reliable information from the *Bundesgrenzschutz* Union President, Friedrich von Stülpnagel, that over eighty percent of border policemen had already indicated their willingness to transfer to the army. But the thrust of Berendsen's counterargument focused on Eschmann's call to disband the *Bundesgrenzschutz* and transfer its duties to state police forces. He claimed that neither the political nor security situations on West Germany's borders had changed to any extent that might justify Eschmann's suggestion. Berendsen emphasized a temporary weakening of border security was to be expected until more border policemen could be recruited to backfill those who transferred to the army. Nevertheless, he insisted that maintaining a strong national border police force was critical to West Germany's security. He demanded that in order to rebuild the force, "everything and anything must be done in order to make the career of border policing more attractive to young men."⁵²⁵

Berendsen's call to rapidly rebuild the *Bundesgrenzschutz* was also echoed by Interior Minister Schröder and Representative Erich Mende (FDP) who also spoke in support of the second law. Both Schröder and Mende reflected the general fear by West Germany's federal government of losing influence over its own national security. On the one hand, participating in NATO by rearming and contributing military forces to a supranational army seemed to address the looming threat of a conventional Soviet attack.⁵²⁶ Yet on the other hand, relying exclusively on supranational military forces for external defense came with its own set of negative consequences if war erupted between the superpowers at the Inter-German border. Chief among these consequences was the real threat of nuclear

⁵²⁴ Berendsen served as a cavalry officer in the *Reichswehr* from 1923 until 1936 when he was taken into the *Wehrmacht*. During the war, he led armored Panzer units until his capture by American forces in May 1945. He served in the Bundestag from 1953 until 1959 when he resumed his military career by joining the Bundeswehr. See Rudolf Vierhaus, Ludolf Herbst (Ed.'s), *Biographisches Handbuch der Mitglieder des Deutschen Bundestages, 1949-2000*, Band 1: A – M (München: Saur, 2002), 56; *Anfänge westdeutscher Sicherheitspolitik 1945-1956*, Band 3, *Die NATO-Option*, 1102.

⁵²⁵ BT, 127 Sitzung, 6651.

⁵²⁶ *Ibid.*, 6651-6652.

annihilation. For West Germany, as the central front in the confrontation between east and west, nuclear weapons would destroy entire regions. Both Schröder and Mende argued that disbanding the border police would leave security along the Iron Curtain to military forces under NATO, meaning West Germany would lose its agency in preventing minor border conflicts from erupting into general, and most likely, nuclear war. Mende pointed out that incidents involving FDJ activists or *Volkspolizei* forces were matters better addressed by federal police because they involved national borders. State police forces, he suggested, were too weak and decentralized while engaging armed forces under NATO for minor disturbances could have “catastrophic” outcomes. What Mende and other supporters of the *Bundesgrenzschutz* were trying to argue was that police forces were better suited to contain minor border incidents without the need for an army. Disbanding the border police, the government’s only instrument of coercive force, thus meant that West Germany would have to rely exclusively on and be at the mercy of forces outside of its direct control. The potential consequences of a nuclear war were too great to leave minor incidents under the control of powers or entities who did not answer directly to the federal government.”⁵²⁷

Alternative Plans: Border Policing and Territorial Defense

The biggest strategic dilemma facing the West German government was how to take part in the defense of the West without having the superpowers resort to using nuclear weapons and what would mean the total destruction of the nation in the process. The importance of rebuilding and maintaining the *Bundesgrenzschutz* as West Germany’s only unilateral symbol and instrument of its national will was also reflected in the strategic thinking and alternative planning of its officer corps. Senior border police leaders such as Gerhard Matzky, Kurt Spitzer, and Friedrich von Stülpnagel proposed alternative plans and advocated the use of border policemen to supplement NATO forces as part of West Germany’s overall strategy for territorial defense. The strategic thinking popular in the pre-war *Reichswehr*

⁵²⁷ Ibid., 6652.

particularly influenced Matzky and Von Stülpnagel. To increase its limited manpower, many of the senior planners in the *Reichswehr* advocated the secret use of private paramilitary border guarding associations staffed by veteran soldiers to protect the eastern borderlands of Prussia. In his detailed study of border guarding in the Weimar Era, Jun Nakata has argued that military historians have largely overlooked the role played by border guard associations in these secret rearmament plans.⁵²⁸ Matzky was a veteran of both the *Reichswehr* and the radical paramilitary *Grenzschutz Ost* (See Chapter 2). Friedrich von Stülpnagel's favorite uncle, Joachim, was one of the main advocates of using the private border guards as a secret arm of the *Reichswehr*, a concept that placed him in direct conflict with Chief of Staff General Hans von Seeckt who opposed mixing policing with military matters.⁵²⁹ It is rather unsurprising then, that similar ideas resonated among these particular men at a time when Germany again faced strict limitations on its postwar armed forces. They argued against disbanding the *Bundesgrenzschutz* because they believed it helped prevent minor border incidents from escalating into a potential nuclear war. They were determined to find alternative conventional strategies for national defense and were heavily influenced by the ideas of former *Reichswehr-Wehrmacht* General Bogislaw von Bonin. Bonin, who also advocated the use of private border guards in the 1920s,⁵³⁰ was a member of Theodor Blank's Federal Ministry of Defense since 1952 and led its operational planning staff. In Blank's Ministry, he had a reputation as a traditionalist with opinions similar to men like Gerhard Matzky and other former *Wehrmacht* generals who viewed military reformers as idealists.⁵³¹ Bonin argued against the existing NATO defense strategy because it was based on stopping Soviet forces on the Rhine and thus sacrificed large regions of German territory.

⁵²⁸ Jun Nakata, *Der Grenz- und Landesschutz in der Weimarer Republik*, 6.

⁵²⁹ *Ibid.*, 191; Friedrich von Stülpnagel claimed Joachim was his favorite uncle in a 1955 biographical story on his family by the magazine *Der Spiegel*; See "Bundesgrenzschutz: Stülpnagel, der silberne Igel, *Der Spiegel* 9, no. 45 (11 February 1955), 14-26, 16.

⁵³⁰ As a Colonel von Bonin was the Chief of Staff of the Reichswehr's First Division and also advocated secretly using border guards to increase the manpower of the Reichswehr; See Jun Nakata, *Der Grenz- und Landesschutz*, 282.

⁵³¹ James S. Corum, *Rearming Germany*, 41; Alaric Searle, *Wehrmacht Generals*, 127.

Instead, Bonin and his supporters proposed a strategic defense plan aimed at stopping the Soviets at West Germany's eastern border with a combination of static anti-tank guns and armored reserves for counterattacks. His plan was outlined in what became known as the Bonin *Denkschrift* (memorandum).⁵³² He suggested a strategy similar to the *Wehrmacht's* massive battle against Soviet armored forces at Kursk – Operation Citadel – during the Second World War.⁵³³ The *Bundesgrenzschutz* featured prominently in these plans because it was already organized to guard key points at the inner-German border. Bonin also feared that NATO's offensive plans stood in the way of recent Soviet proposals for German reunification and like many of his colleagues, feared that the introduction of nuclear weapons would destroy large regions of Germany.⁵³⁴ He discussed these ideas openly among several other prominent generals in the Blank Office as West Germany was in the process of rearming under the framework of NATO. He created a significant scandal, however, when he spoke openly to the press about his ideas and these comments later appeared in *Der Spiegel* and the *Frankfurter Rundschau*.⁵³⁵ Bonin's revelations and the public relations disaster that followed embarrassed Adenauer and his Ministry of Defense in the middle of its efforts to construct West Germany's first postwar army. While he was well respected by colleagues, especially General Heusinger, Bonin was forced to resign as a

⁵³² Bogislaw von Bonin, "Wiedervereinigung und Wiederbewaffnung – kein Gegensatz," February 1955, BA-MA, MSG 162/17; For a detailed treatment of the Bonin case see Heinz Brill's two volume study, *Bogislaw von Bonin im Spannungsfeld zwischen Wiederbewaffnung – Westintegration – Wiedervereinigung: Ein Beitrag zur Entstehungsgeschichte der Bundeswehr 1952-1955* (Baden-Baden: Nomos Verlagsgesellschaft, 1987); I requested Dr. Brill's original collection of documents and correspondence, which are available at the Bundesarchiv-Militärarchiv, Freiburg under MSG 162/32 and MSG 162/26, but unfortunately was denied access to any of the originals by Dr. Brill without explanation during my visit on November 13, 2013. Instead, Dr. Brill directed me to the second volume of his study, which reprinted some of the documents; a limited number of additional documents including Bonin's *Denkschrift*, however, were located as duplicates in other related files.

⁵³³ There is an extensive body of literature on the Battle of Kursk, which was the largest tank battle on the Eastern Front during the second World War, see for example, Rolf-Dieter Müller and Gerd R. Ueberschär, *Hitler's War in the East, 1941-1945: A Critical Assessment* (New York: Berghahn Books, 2002), 127, 180; David M. Glantz and Jonathan House, *The Battle of Kursk* (Lawrence: University Press of Kansas, 1999).

⁵³⁴ Lutz Unterseher, "Defending Europe: Toward a Stable Conventional Deterrent," in Henry Shue, *Nuclear Deterrence and Moral Restraint: Critical Choices for American Strategy* (Cambridge: Cambridge University Press, 1989), 312-314; Jan Hoffenaar, Bruno Thoss, "Aims and Realities: NATO's Forward Defense and the Operational Planning Level at NORTHAG," in Jan Hoffenaar and Dieter Krüger (eds.), *Blueprints for Battle: Planning for War in Central Europe, 1948-1968* (Potsdam: Military History Research Institute – MFGA, 2013), 25-26.

⁵³⁵ Der Spiegel Staff Writer, "Verteidigungs-Pläne: Was sag' ich meinem Sohn?," *Der Spiegel* 9, no. 14 (30. März 1955), 7-12; James S. Corum, *Rearming Germany*, 42

result of the scandal he brought on himself. Nevertheless, the traditionalist leaders in the *Bundesgrenzschutz* embraced his ideas, especially men like Gerhard Matzky who criticized the reforms guiding the founders of the *Bundeswehr*.

For these leaders, the reform-minded men in the Blank Office undervalued the *Bundesgrenzschutz* as an instrument of national defense and unfairly labeled its personnel as “reactionary” or too stubborn to adapt or modernize. General Johann von Kielmansegg had gone so far as to claim “the border police must not be used, not even thought of, as cadres to establish a new army or with the understanding that they will be transferred at a later date.”⁵³⁶ Men like Matzky supported the efforts by the conservative government to reform border police units and they outlined alternative plans for their use in national security. While border police units were certainly too weak to resist a full-scale Soviet invasion without the assistance of NATO, they might successfully delay or hinder an attack until stronger forces arrived. Border policemen could also perform important military security tasks that would otherwise have to be handled by NATO soldiers needed for combat. Matzky argued that the government should avoid stripping the *Bundesgrenzschutz* of its personnel and resources in its “hasty” drive to construct a new army. From his perspective, border policemen had already proven their worth for national security and should be retained at all costs by the West German state.⁵³⁷

Matzky’s alternative plans for the *Bundesgrenzschutz*, like those of his colleagues, was heavily influenced by Bonin’s thinking and his own personal experience fighting Soviet forces during the Second World War. He explained his ideas in a 1955 article he wrote as the federal government proceeded with rearmament.⁵³⁸ A central theme of his article, which was written in the style of a *denkschrift*, was a

⁵³⁶ 1976 Letter from Matzky to Dr. Heinz Brill, Band II, *Documente und Materialien*, 163; many members of the Blank Office believed BGS Officers were too reactionary for the new army – see Gerd Schmückle, *Ohne Pauken und Trompeten: Erinnerungen an Krieg und Frieden* (Stuttgart: Deutsche Verlags-Anstalt, 1982), 144; Kielmansegg is quoted from Günther Kiessling, *Versäumter Widerspruch* (Mainz: Hase & Koehler, 1993), 129-139.

⁵³⁷ Ibid.

⁵³⁸ Gerhard Matzky, “Bundesgrenzschutz und Landesverteidigung,” *Soldat im Volk*, 1955, reprinted in Heinz Brill, *Documente und Materialien*, 164-167.

concern that West Germany was sacrificing its only “peacetime, non-NATO-bound national security force.” His opinion reflected the same unease expressed by conservative politicians and federal officials like Interior Minister Schröder who lobbied against the efforts by Social Democratic politicians to do away with federal policing altogether. Yet in Matzky’s analysis, the *Bundesgrenzschutz* was “useless” or redundant as a police force since at the inner-German border, state policemen, federal customs officers, Bavarian border guards, and passport control personnel already carried out law enforcement duties efficiently.⁵³⁹ And he argued against replacing border police units with military security forces because it would “increase the danger of war in local border conflicts.” Moreover, he emphasized building a new army would take valuable time that in his estimate, would not be available for national defense until at least 1960. Instead, he suggested that the *Bundesgrenzschutz* be increased in strength to at least 50,000 men so that it could defend West Germany as a “covering force” while the new army was built. The advantage of this approach, he argued, was that it kept border police units intact while ensuring the defense of West Germany began at its eastern border regardless of NATO’s defense on the Rhine strategy.⁵⁴⁰

Matzky, like Bonin, envisioned an interlocking system of anti-tank units equipped with armor piercing ammunition extending west from the inner-German border to a depth of at least fifty kilometers. NATO’s armored forces would be stationed behind these static defensive lines at key strategic points where they could be used to counter-attack any Soviet armored forces that managed to penetrate into West Germany. He claimed these border defenses would certainly not stop a full-scale Soviet invasion, but might slow it sufficiently enough until heavier NATO reserve forces could be moved into the areas of greatest danger. According to Matzky, the *Bundesgrenzschutz* was best suited for this anti-tank border defense force because its personnel were already familiar with the terrain in regions where the Soviets were most likely to attack. These ideas were grounded directly in his own personal experiences with anti-

⁵³⁹ Ibid., 166.

⁵⁴⁰ Ibid., 167.

tank warfare in the Second World War.⁵⁴¹ He emphasized, “perhaps it is worth considering that the best battle cavalry of the Second World War should be abandoned and changed in favor of greater integration and unification of our other combat units.”⁵⁴² His alternative plans, which strongly advocated a reinforced *Bundesgrenzschutz* of 50,000 men equipped with armor-piercing weapons for static border defense, were already creating controversy before the Bonin scandal. In 1954, while the Allied powers still debated the EDC, Matzky spoke about these ideas to a reporter observing a large-scale border police “war games” exercise. He told the reporter that he needed more men and armor piercing ammunition to be effective against the *Volkspolizei*.⁵⁴³ When the French High Commissioner, Andres François-Poncet, and SPD representatives protested against using policemen in this manner, Matzky claimed the press misrepresented his comments.⁵⁴⁴ Nevertheless, as his alternative plans later demonstrated, his denials to the press reflected the fragile politics surrounding the ratification of the EDC rather than a true expression of his thinking about the *Bundesgrenzschutz* and national defense.

Kurt Spitzer, a *Wehrmacht* veteran who served as Matzky’s former Chief of Staff, advocated a similar hybridization between NATO and border police forces in his plan “Sword and Shield.”⁵⁴⁵ Spitzer, like Bonin and Matzky, was motivated to propose alternatives to NATO defense strategies for many of the same reasons. For Spitzer, however, a more pressing concern behind his plan was the decision by the Adenauer Administration to re-introduce conscription for the *Bundeswehr*, which he believed would

⁵⁴¹ Matzky held many commands during the Second World War, but was awarded the Knights Cross for his actions leading German artillery units to stop a Soviet tank attack in the Pleskau region – see Walter Fellgiebel, *Die Träger des Ritterkreuzes des Eisernen Kreuzes 1939-1945*, 249.

⁵⁴² Gerhard Matzky, “Eine Neue Verteidigungskonzeption?” *Soldat in Volk*, Nr. 12, Dezember 1966, reprinted in Heinz Brill, *Documente und Materialien*, 168-171.

⁵⁴³ “Erstauben über Matzky: Französische Vorstellungen in Bonn,” *Frankfurter Allgemeine Zeitung* (December 1, 1954), 1.

⁵⁴⁴ “Matzky Falsch Verstanden,” *Frankfurter Allgemeine Zeitung* (December 2, 1954), 3.

⁵⁴⁵ Kurt Spitzer, “Der Spitzer Plan: Schwert und Schild,” 1955, reprinted in Heinz Brill, *Documente und Materialien*, 174-187; Spitzer later rose to the rank of General in the *Bundeswehr*; Spitzer’s plan should not be confused with the NATO doctrine “Sword and Shield” – where the sword was a nuclear strike and the shield was conventional forces – see for example, *Anfänge westdeutscher Sicherheitspolitik 1945-1956, Band 3, Die NATO-Option*, 405; Bruno Thoss, *NATO-Strategie und nationale Verteidigungsplanung: Planung und Aufbau der Bundeswehr unter den Bedingungen einer massiven atomaren Vergeltungsstrategie 1952 bis 1960* (München: R. Oldenbourg Verlag, 2006), 55.

make Germany's reunification impossible.⁵⁴⁶ To be sure, conscription underscored Adenauer's rejection of disarmament – a condition for reunification outlined by the Soviets at the Geneva Conference in 1955.⁵⁴⁷ Talk of conscription in government circles also raised numerous social concerns, especially among West Germany's rebellious male teenagers, or *Halbstarke* as they were popularly known. Thus, conscription was one of many responses by the conservative state to reign in what many viewed as unruly influences from American popular culture. As work by Ute Poiger has aptly demonstrated, "*Halbstarke* ran counter to the new masculinity that West German authorities were constructing in the aftermath of National Socialism and in the face of the Cold War."⁵⁴⁸ Yet conscription was also a response by the West German government to address conservative concerns about the feminization of young men who adopted this countercultural lifestyle. Service in the army was thus one approach that conservatives believed would be positive in helping turn young men from *Halbstarke* behaviors and shape them into responsible, God-fearing husbands and fathers.⁵⁴⁹ While Spitzer supported conscription, he recognized the social problems it raised and thus his plan called for contemporary modifications that framed it as a defensive versus offensive measure. This defensive framing of conscription was problematic, however, because it relied upon the unlikely condition that the Soviets would view it the same way.

Spitzer's alternative plan was far more extensive than Matzky's and significantly more explicit about the fears of nuclear destruction if U.S. and Soviet forces clashed in West Germany. According to Spitzer, the state had to defend itself regardless of how NATO used its armed forces and thus, his use of the term "shield" was at the core of his thinking about border police units and their importance to national defense. He called for stationary border police forces to be kept numerically strong in order to fight from

⁵⁴⁶ Spitzer explained this in correspondence and conversations with Dr. Heinz Brill between 1974 and 1977 – see Heinz Brill, *Documente und Materialien*, 172.

⁵⁴⁷ Joost Kleuters, *Reunification in West German Party Politics from Westbindung to Ostpolitik* (New York: Palgrave Macmillan, 2012), 61-64.

⁵⁴⁸ Ute Poiger, "Rebels with a Cause? American Popular Culture, the 1956 Youth Riots, and New Conceptions of Masculinity in East and West Germany," in Reiner Pommerin (Ed.), *The American Impact on Postwar Germany* (Providence: Bergahn Books, 1997), 109; For a more extensive treatment see Ute Poiger, *Jazz, Rock, and Rebels*; See also Friederike Bruenhoefener, "Defining the West German Soldier."

⁵⁴⁹ See Friederike Bruenhoefener, "Defining the West German Soldier," 64.

fixed positions and “protect gaps in the territory of the Federal Republic.”⁵⁵⁰ These forces would be armed solely with conventional armor piercing weapons and housed in nuclear proof shelters. Besides anti-tank defense, he suggested border policemen should protect the civilian population near the Iron Curtain in case atomic weapons were used. Policemen would direct civilians to pre-designated shelters where food and supplies would be stockpiled. More importantly, Spitzer emphasized border policemen would be vital in countering the large number of communist partisans he believed were already present in West Germany.⁵⁵¹ Yet even if the *Bundesgrenzschutz* were increased in size to the 50,000 men proposed by Matzky’s plan, what Spitzer was suggesting required, according to his own estimates, at least 2.5 million men.⁵⁵² For these numbers, the West German government would be forced to rely on conscription. Spitzer’s plan, however theoretical, reflected real fears that relying on NATO’s atomic “sword” meant nuclear annihilation for their homeland. Thus, abandoning their only unilateral instrument of national defense to rely exclusively on NATO was unthinkable – or as Spitzer concluded, “to liberate mass graves makes little sense!”⁵⁵³

The plan or opinion about the *Bundesgrenzschutz* as an instrument of national defense expressed by its union President and former *Wehrmacht* General Staff Officer, Friedrich von Stülpnagel, was also shaped by the controversy surrounding the reintroduction of conscription. At this point, however, conscription was not used to staff the *Bundesgrenzschutz* and it was not used until 1969.⁵⁵⁴ Stülpnagel’s objective was to propose an approach whereby the state could defend itself without abandoning its philosophical commitment to disarmament, and hence, any prospects of reunification. Certainly, considering Stülpnagel’s position as the president of the border policemen’s trade union, his plans were also motivated by his desire to preserve his organization and, more importantly, the careers of his

⁵⁵⁰ Heinz Brill, *Documente und Materialien*, 177.

⁵⁵¹ *Ibid.*, 179.

⁵⁵² *Ibid.*, 183.

⁵⁵³ *Ibid.*, 187.

⁵⁵⁴ Friedrich von Stülpnagel, “Sicherheit und Wiedervereinigung in Letzter Stunde: Die Zwischenlösung von Friedrich von Stülpnagel,” *Süddeutsche Zeitung*, Nr. 47 (25 February 1955), reprinted in Heinz Brill, *Documente und Materialien*, 188-191.

constituents.⁵⁵⁵ For Stülpnagel, protecting West Germany's borders was thus one of the highest priorities for the state in terms of its national security. He argued that it would take several years before the *Bundeswehr* reached the strength outlined by the Paris Treaties and increasing the number of border policemen would be the best interim solution to "shield" the homeland while armed forces were constructed. He justified his approach as a measure in which the federal government would only be matching the East German border guards and members of the *Volkspolizei* already stationed at the Iron Curtain - an option he emphasized was purely defensive. Moreover, while the Soviets would most likely accept an increased "police" presence at the border, he believed using military forces for these duties would be more problematic and might provoke a war. He argued that border policemen would deter and de-escalate minor incidents from "turning the Cold War into a hot War."⁵⁵⁶

While Matzky, Spitzer, and Stülpnagel each offered varying suggestions on how border policemen might support West Germany's external security, they all shared the same motivation – the preservation of the *Bundesgrenzschutz* as an instrument of national defense. Whereas Matzky and Spitzer outlined functional duties for border police units in conjunction with NATO forces, Stülpnagel's plans attempted to show how policing might be used as a less offensive security option while still preserving the rapidly waning chances for German reunification threatened by rearmament. But the decision to use the *Bundesgrenzschutz* to construct the *Bundeswehr* and what to do with its remaining personnel were not only the focus of its senior leadership and members of Gerhard Schröder's Interior Ministry; it also proved to be a serious issue affecting the morale of those policemen already serving in its ranks. Many of those who originally planned to turn down the option to transfer to the new army feared the organization they had dutifully served would surely be disbanded leaving them jobless. Hence, younger policemen

⁵⁵⁵ Stülpnagel's contributions and statement in the BGS Journal *Der Grenzjäger*, as previously cited, were openly critical of the government's requirement that senior BGS leaders undergo evaluation by the Personnel Evaluation Committee.

⁵⁵⁶ Heinz Brill, *Documente und Materialien*, 190-192.

believed the army was their only hope for continued employment.⁵⁵⁷ The drop in organizational morale as a result of the decision to use its personnel for the army was so noticeable that Interior Minister Schröder wrote an open letter calling for unity within its ranks. He assured them that he would work tirelessly to preserve the organization, but told its leaders that in the meantime it was their express responsibility to ensure the morale of their men remained high.⁵⁵⁸

The Final Debates and Approval of the Second Law

After the draft of the second border police law successfully emerged from its first reading in the *Bundestag*, West Germany's politicians and government experts began working in committees to revise it in preparation to vote on its final reading. As with other debates over national security, federalism played a significant role. For Gerhard Schröder's Interior Ministry and those choosing to remain in the *Bundesgrenzschutz*, preserving and rebuilding the organization was the highest priority. Thus, ensuring equal pay and benefits for border policemen was critical. Resolutions 1881 and 2306 requested that the *Bundestag* extend the rights of equal pay and benefits guaranteed under the Civil Service Act to equalize the salaries of border policemen with soldiers of the same rank.⁵⁵⁹ The Federal Civil Service Remuneration Act had already done this for state policemen and proponents of this approach argued that border policemen deserved equal treatment.⁵⁶⁰ The objective for West Germany's Social Democratic politicians, however, was to disband the *Bundesgrenzschutz* and return policing to the jurisdiction of the federal states. SPD deputies and their supporters proposed their own series of revisions to modify the

⁵⁵⁷ Matthias Molt, "Von der Wehrmacht zur Bundeswehr," 342.

⁵⁵⁸ Letter BMI Gerhard Schröder to BGS Commanders, 11 August 1954, reprinted in Heinz Brill, *Documente und Materialien*, 198.

⁵⁵⁹ See Drucksache 1881 and 2306, Deutscher Bundestag 2. Wahlperiode 1953, "Schriftlicher Bericht des Ausschusses für Beamtenrecht (9. Ausschuß) über den Entwurf eines Gesetzes zur Angleichung der Dienstbezüge von Vollzugsbeamten des Bundesgrenzschutzes an die Besoldung der Freiwilligen in den Streitkräften (Besoldungsangleichungsgesetz für den Bundesgrenzschutz)," 1-5.

⁵⁶⁰ *Ibid.*, 1.

draft so that it reflected their position against national policing.⁵⁶¹ The SPD and certain members of the CDU/CSU coalition jointly opposed the time limit of one-month whereby border policemen had to decide whether to remain with the police or join the army. Yet in spite of these political fault lines, the process of debating and passing the second *Bundesgrenzschutz* law also reflected the checks and balances at work in West Germany's attempt to re-civilize its postwar security. To be sure, one aspect of the second law that remained unchallenged was the requirement that border policemen at the rank of Colonel or above undergo screening by the PGA. Also uncontested was the PGA and Defense Ministry's authority to reject any candidate, regardless of rank, they deemed unsuitable for army service.⁵⁶²

During its 145th session on 9 May 1956, the *Bundestag* took up the reading of resolutions 1881 and 2306, which requested salary supplements equivalent to soldiers for border policemen who declined to transfer.⁵⁶³ A detailed written analysis by legal expert Dr. Kleindienst was introduced as supporting evidence to show how the Federal Civil Service Remuneration Act applied to members of the *Bundesgrenzschutz*. According to Dr. Kleindienst's report, border policemen were entitled to the same recognition for their service credit in the former *Wehrmacht* or pre-war police services that was legally guaranteed to soldiers. He argued that the pay equalization, which was denied to border policemen by the *Bundesrat* during a vote in its 148th session on 28 October 1955, should be reinstated retroactively.⁵⁶⁴ Surprisingly, when the sitting Vice President of the *Bundestag*, Carlo Schmid (SPD), opened the floor for debate on Dr. Kleindienst's report and the resolutions more generally, the chamber was silent. When Schmid called for a vote, both resolutions passed unanimously.⁵⁶⁵ Obviously, the SPD opposed the government's plans to keep its border police force now that it planned to build a new army, but agreed

⁵⁶¹ See Umdruck Umdruck Numbers 602 and 607, "Entschließungsantrag der Fraktion der SPD zur dritten Beratung des Entwurfs eines Zweiten Gesetzes über den Bundesgrenzschutz," BT 145 Sitzung, Anlage 7, 7690.

⁵⁶² See Umdruck 602, Deutsche BT 145 Sitzung, Anlage 7, 7690.

⁵⁶³ See transcript of Deutsche BT 145 Sitzung, 9 May 1956.

⁵⁶⁴ See "Bericht von Dr. Kleindienst," in Drucksache 1881, Deutsche BT, 2. Wahlperiode 1953.

⁵⁶⁵ Deutsche BT 145 Sitzung, 7646.

that individual policemen should be compensated in such a manner to reflect equal pay with their colleagues who opted for military service.

By far the most contested issue during the second and third readings of the law involved SPD resolution 607, which called for the complete dissolution of the *Bundesgrenzschutz* and the transfer of its border protection duties to state police forces.⁵⁶⁶ Deputy Eschmann (SPD) introduced the resolution by explaining the use of border policemen for the army would create a vacuum in border security that the federal government should address by entering into a legal agreement to transfer this responsibility to West Germany's federal states. He pointed out that the original 1950 Allied High Commission decision to permit federal police required certain portions of state police forces be made available for the federal government's use. Moreover, he emphasized state forces were the only alternative to guard West Germany's borders because the *Bundeswehr* was "NATO-bound" and policing tasks should not be taken over by the army.⁵⁶⁷ He challenged the suggestion by Interior Minister Schröder that the *Bundesgrenzschutz* could be rebuilt within a year and claimed that "even with the good economic situation, replenishment would take at least two to three years in addition to two or more years of training such that formations would not be ready for five years." Finally, Eschmann explained that border policemen would be better paid if they were simply absorbed into existing state police forces rather than remaining in a weakened federal organization, where they would overburden the budget.⁵⁶⁸

Deputy Erich Mende (FDP) responded in support of the government against Eschmann's claims. He accused his socialist colleagues of deliberately fighting against the government's border policemen for political reasons. He warned that in spite of the reservations expressed by some in the CDU/CSU coalition, "If we accept the request of the socialist group, this child of the federal executive branch will be

⁵⁶⁶ Umdruck Nr. 607, BT 145 Sitzung, Anlage 7, 7690.

⁵⁶⁷ Ibid., 7657.

⁵⁶⁸ Ibid., 7657-7658.

liquidated!”⁵⁶⁹ He accused the SPD of emphasizing what he called an “exaggerated federalism” in an attempt to undermine an already weakened federal government in favor of the decentralized states. According to Mende, those against maintaining the *Bundesgrenzschutz* failed to realize its importance as an instrument to safeguard West Germany’s frontiers, but also its function to enforce its national will. Mende said Eschmann was correct in his assertion that it would be economically challenging to rebuild the depleted border police units, but dissolving the force and sending its members to the state police was irresponsible. He pointed out that the *Bundesgrenzschutz* had an annual budget of approximately 200 million DM (*Deutsche marks*) and was often used to reinforce weaker state police forces. Thus, from Mende’s perspective, it would make more sense to “dismiss the state police and place them under federal control, which would possibly save several hundred million DM.”⁵⁷⁰ The exchange between Eschmann and Mende underscored the ongoing political divide over federalism in postwar West Germany, especially in terms of jurisdiction over police forces.⁵⁷¹ During the Adenauer era, politicians on the left were particularly suspicious of centralized policing because of its use against them by the National Socialist regime. And as Mary Fulbrook has suggested, while the postwar SPD moved further away from Marxism, it still resisted Adenauer over many issues related to national security.⁵⁷²

Nevertheless, Schröder, like his predecessor Robert Lehr, took a hard stand against any suggestion of giving up or disbanding the federal government’s only source of police power. He urged his colleagues to firmly reject the SPD’s resolution because it would leave West Germany’s borders unguarded. He explained, “I was shocked when I saw this motion from the socialist group, which overlooks one of the most important security instruments the federal government has at its disposal to deal with the current, most important security questions and that they would suggest an instrument this

⁵⁶⁹ Ibid, 7658.

⁵⁷⁰ Ibid., 7658.

⁵⁷¹ For a good overview of federalism in the FRG, see Donald P. Kommers and Russel A. Miller, *The Constitutional Jurisprudence of the Federal Republic of Germany*, 79-81.

⁵⁷² Mary Fulbrook, *A History of Germany 1918-1914: The Divided Nation* (Chichester: Wiley-Blackwell, 2014), 155; See also Ronald Granieri, *The Ambivalent Alliance: Konrad Adenauer, the CDU/CSU, and the West, 1949-1966* (New York: Berghahn Books, 2003), 48-49.

essential to our national security should be unceremoniously destroyed here.”⁵⁷³ Schröder insisted that it was vital to keep watch on the dangerous Soviet zone and to do so without military forces, which could incite a larger military conflict. While Schröder spoke, Deputy Wilhelm Mellies (SPD) interrupted and claimed it was not the socialists who “doomed” the *Bundesgrenzschutz*, but rather the federal government’s decision to use them as a cadre for the *Bundeswehr*. Schröder re-emphasized that while it was the government’s number one priority to build a new army, it still needed a border police force as an instrument to enforce West Germany’s “national interests.” He argued it was the only way to ensure the national interest since the *Bundeswehr* would be exclusively a “NATO-bound” military force.⁵⁷⁴ As the opportunity for further debate came to a close, Vice President Schmid called for a vote on SPD resolution 607 recommending the dissolution of the *Bundesgrenzschutz*. To the great relief of Interior Minister Schröder and his supporters, the resolution was defeated. The failure of the SPD’s challenge cleared the way for the adoption of the second law, which easily gained the requisite majority. The law’s passage ensured that the institution continued as a unilateral West German instrument of coercive force, in spite of its use as a cadre to accelerate the construction of the *Bundeswehr*.⁵⁷⁵

Conclusion

West Germany’s conservative government never intended to disband its paramilitary border police force despite the Allied decision to permit the construction of its first postwar army. To do so would have meant that its external security would be exclusively under the “NATO bound” *Bundeswehr* and thus subordinated to the strategic aims of a supranational body. In his lengthy effort to justify establishing the *Bundesgrenzschutz* in 1950-51, Konrad Adenauer and many in his administration pointed out that West Germany lacked an army and needed a centralized police force to address this obvious gap in its national security. But creating a federal police force in postwar West Germany was problematic

⁵⁷³ Ibid., 7658.

⁵⁷⁴ Ibid., 7660.

⁵⁷⁵ Ibid.

considering the misuse of this power by the National Socialists; Adenauer had to overcome many challenges from the Allies and socialist lawmakers to achieve his objective. He eventually succeeded by presenting the *Bundesgrenzschutz* as an interim measure to full-scale rearmament. Yet after the creation of the *Bundeswehr*, neither he nor anyone in his Interior Ministry wanted to give up the only instrument available to enforce the interests of the federal government. Those who opposed national policing believed the force had outlived its usefulness and its duties could and should be transferred to the army. Yet between the years of 1951 and the decision to rearm under NATO in 1955, border policemen were the only nationally armed symbols of the democratic West German state. When the decision to rearm under NATO was made, West Germany's government, and especially its Interior Ministry, wanted to maintain its influential role in national security that it wielded through its paramilitary *Bundesgrenzschutz* units. While building a new army was a top priority and many in Adenauer's administration believed and indeed hoped most border policemen would become soldiers, plans were already being made to reconstruct the force with what was left nonetheless. This was already evident in the meetings and plans for reconstruction outlined by the Interior Ministry with senior border police leaders in November 1955.

While it came as a surprise when less than half of the force chose to join the army, the *Bundesgrenzschutz* was left with a solid foundation on which to rebuild. There were many reasons why border policemen chose to reject military service and remain in their law enforcement careers. First, those in the Interior and Defense Ministries charged with administering the transfer failed to recognize and account for the stark differences and effects on individual men who had to choose between being a soldier or a civil servant. The decision of whether to join the new army or remain a policeman carried with it both long and short-term consequences for pay and benefits. While a border policeman could expect to be paid slightly higher as a soldier, he would lose medical coverage for his family members once his transfer to the army was approved. Moreover, he would be forced to choose between becoming a career soldier or serve out a fixed term as a *Soldaten auf Zeit*, which meant that his service credit would either be extended or forfeited altogether. Border policemen, however, could retire at the age of fifty-two

and were eligible for medical coverage for themselves as well as their families. As Historian James Sheehan has suggested, soldiers in postwar Germany were citizens shaped by concerns of civilian life rather than conditioned by military values.⁵⁷⁶ Thus, most of those who chose to transfer to the new army were younger, less experienced policemen, which was contrary to the government's plan to gain the most experienced officers and leaders for the *Bundeswehr*.

Another obstacle standing in the way of the government's plans to accelerate the construction of the *Bundeswehr* was purely ideological. Many of the experienced *Wehrmacht* veterans who found their first postwar careers in the *Bundesgrenzschutz* resented the negative stereotypes affixed to their colleagues by members of the Blank Office who believed they were reactionary holdouts of a Prussian traditionalism and had no place in the newly reformed *Bundeswehr*. They steadfastly rejected this notion that they were somehow unsuitable for service in West Germany's new democratic army. After all, from their perspectives, they had been the first guardians of the democratic state against the threatening menace posed by communism lying in wait on the other side of the Iron Curtain; they had loyally stood watch on West Germany's frontiers long before a new army was even conceived. They viewed the military reformers as naïve idealists whose twin concepts of "Innere Führung" and the "citizen in uniform" would surely spell disaster for an army confronted with warfare in the nuclear age. Hardness and discipline in training should be emphasized rather than abandoned. The requirement that senior border police leaders undergo evaluation by the PGA only added to these underlying ideological tensions. Why should men who had already defended democracy in the armed service of the West German state be asked to prove their loyalty?

For opponents of the *Bundesgrenzschutz*, especially West Germany's Social Democratic politicians, the decision to build a new army was another opportunity to challenge centralized policing and return it to the jurisdiction of the federal states. The question of why the federal government needed

⁵⁷⁶ James Sheehan, , *Where Have All the Soldier's Gone? The Transformation of Modern Europe* (New York: Mariner Books Edition, Houghton Mifflin Harcourt, 2009), 178

its own police force in addition to an army was at the core of the SPD's efforts to disband the *Bundesgrenzschutz*. The government's counter-arguments against this position revealed its belief that it was better to have policemen than soldiers to deal with emergencies at the inter-German border. Interior Minister Schröder and his political allies argued that border police units were important "buffers" to prevent minor border incidents from erupting into a war. Supporters of the *Bundesgrenzschutz* feared that a war between the superpowers would have devastating consequences for West Germany if nuclear weapons were used. The federal government believed that if it surrendered its police power to the states and its agency in national defense to NATO as the SPD proposed, it would be powerless to contain minor incidents without military force. This was also reflected in the alternative territorial defense roles proposed for the border police by advocates like Bogislaw von Bonin, Gerhard Matzky, Kurt Spitzer, and Friedrich von Stülpnagel. These plans were in direct response to NATO's "defense on the Rhine" strategy, which had allowed for the loss of large areas of West German territory in countering a Soviet attack. Instead, border police forces using anti-tank weapons might be better used to stop or delay Soviet tanks closer to the Iron Curtain until NATO forces, acting as reserves, arrived.

While the SPD's campaign to end centralized national policing ultimately failed, as it had in 1951 and again in 1953, it demonstrated there were certain limits on how the federal government could use its police forces without first consulting the *Bundestag*. The successful removal of Interior Minister Schröder's jurisdiction over border policemen who transferred to the army as well as the requirement to subject senior leaders to evaluation by the PGA were two examples that reflected these limits. Adenauer's administration was forced to justify why it still needed a federal police force and an army. Ian Loader and Neil Walker suggest that in a liberal or civilized approach to national security, deciding between internal and external security is "connected to forms of discursive contestation, democratic scrutiny and constitutional control."⁵⁷⁷ The SPD proposal to disband the *Bundesgrenzschutz* was grounded

⁵⁷⁷ Ian Loader and Neil Walker, *Civilizing Security*, 7.

in adversarial party politics, but was also based on a real fear by the left that the federal government would become too powerful if it was permitted to have both a national police force and an army. The ongoing challenge for West German political leaders was to find the right balance between preserving its national security and preventing the abuses of state power often associated with strong centralized governments – or as Sociologist Zygmunt Bauman has aptly suggested, “Too much of the state is a catastrophe, but so is too little.”⁵⁷⁸ What Bauman meant by “too little” state involvement reflected an important aspect of re-civilizing security – that is the presence of civilian and parliamentary oversight. The importance of these civilian institutions to postwar policing helps explain the fundamental differences between police departments serving dictatorships versus those in democracies. Yet now that West Germany had decided to keep the *Bundesgrenzschutz*, the larger challenge moving forward was re-defining its national security role and, more importantly, recruiting enough young men to re-staff its depleted ranks. Recruitment, however, would prove a far greater long-term problem for the organization than officials in the Interior Ministry had planned for. As senior policemen retired, new methods and approaches to convince a younger postwar generation to join the border police had to be developed.

⁵⁷⁸ Zygmunt Bauman and Keith Tester, *Conversations with Zygmunt Bauman* (Cambridge: Polity Press, 2001), 137.

Chapter 4: Recruitment and Hiring in the Bundesgrenzschutz

Once the new *Bundesgrenzschutz* law preserving the organization was passed, Interior Minister Schröder wrote to Konrad Adenauer imploring him to recognize its personnel for their service to the nation.⁵⁷⁹ For Schröder, saving the organization was the first step in what he knew would be a more urgent future challenge – re-staffing the force to its pre-*Bundeswehr* strength. He worried about the morale of those men who decided to remain border policemen and hoped some encouraging words from the Chancellor would motivate them to focus on the future. Adenauer, a strong proponent of national policing, agreed with Schröder’s suggestion by issuing an official public decree honoring the men of the *Bundesgrenzschutz*. He thanked them for their loyal service, but also reassured them they were still needed in spite of the new army they had helped to create. Adenauer declared: “Even those who remain in the BGS will have to fulfill an important duty, which although might be in other fields, cannot be considered less significant to the duties of the military...the living spirit in the BGS and their future work in the service of the Fatherland will continue up to the day in which a reunified Germany will thank you.”⁵⁸⁰ For those West German politicians who fought against disbanding the force, finding new methods of encouraging young men to consider a career in border policing was critically important to its long-term survival.

As work by Curt Garner has demonstrated, millions worked in West Germany’s public service sector during the 1950s and 60s. Through a combination of denazification, amnesty legislation, and especially Article 131, many citizens were allowed back into the ranks of the postwar civil service. The federal railway and postal services alone employed close to one million workers.⁵⁸¹ Declining unemployment and the economic miracle defined the 1950s as a decade of recovery. By 1956, West

⁵⁷⁹ Letter from BMI Schröder to Chancellor Adenauer, 23 May 1956, BArch-K B136/1927, Fiche No. 3, Slide No. 251.

⁵⁸⁰ Erlass des Herrn Bundeskanzlers an den Bundesgrenzschutz, 23 May 1956, BArch-K B136/1927, Fiche No. 3, Slide No. 250.

⁵⁸¹ Curt Garner, “Public Service Personnel in West Germany in the 1950s,” 26.

Germany's sovereignty had been restored and its population was enjoying the benefits of a growing welfare state, which was enabled by its steady economic growth. The opportunities for public service jobs were extensive, which meant that organizations often had more vacancies than qualified candidates with which to fill them.⁵⁸² The *Bundesgrenzschutz* faced this same dilemma in 1956 when close to half of its personnel transferred to the *Bundeswehr*. The Interior Ministry and its administrative staff had to be creative in their efforts to convince young men to choose border-policing careers; for Gerhard Schröder, the very survival of his organization and its overall efficiency depended upon finding enough qualified men to adequately re-build its depleted ranks. Unless the organization could rapidly rebuild its personnel strength, it would be difficult to effectively police the national borders not to mention all the other security tasks performed by border policemen.

This chapter investigates recruitment practices in the *Bundesgrenzschutz* after its staff was depleted to build the first *Bundeswehr* divisions through 1969 when conscription was extended to include policemen.⁵⁸³ How did the Interior Ministry re-staff and reconstruct its federal police force in the aftermath of rearmament? What incentives were used to encourage young men to choose border policing as a career? Why was it so challenging for the organization to fill all of its vacant positions? How were recruits selected and hired? Finally, what do recruiting policies reveal about the changing definitions of masculinity in the postwar era? Hiring enough personnel for the *Bundesgrenzschutz* was an ongoing crisis for the organization. This chapter shows that in spite of the challenges facing recruiters, they devoted significant amounts of money and resources to preserve the organization. A closer analysis of these recruitment strategies, practices, and their outcomes sheds light on the continued importance of border policing to the federal government and also the ideal type of masculinity a border policeman was supposed to reflect. Recruitment strategies also underscored the government's ongoing commitment to

⁵⁸² Ibid.

⁵⁸³ Conscription was controversial and the BGS had tried to introduce it as early as 1962 to recover from the personnel shortages caused by the transfer of so many personnel to the new army; see David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 350.

democratization since only those applicants personally committed to upholding liberal democracy were considered suitable for national police service.

The Aftermath of the Second BGS Law

As a gesture of solidarity, the publication of the *Bundesgrenzschutz* Association Journal, *Der Grenzjäger*, was temporarily suspended while the organization transferred the personnel and equipment needed to build the first three *Bundeswehr* divisions. Since the transfer took effect in July 1956, the final issue appeared in June. The journal was temporarily retitled *Kameraden* in the spirit of demonstrating goodwill between the two forces, and reflected an optimistic future for West Germany's border policemen. A two-page article presented the revision of the Association's by-laws, which were amended to extend these trade-union services to West Germany's new soldiers.⁵⁸⁴ The journal resumed publication under its original title, *Der Grenzjäger*, in September 1956. The September issue opened with a preface by newly promoted *Inspekteur* Kurt Andersen who assured readers that everything was being done to replenish the personnel and equipment transferred to the *Bundeswehr* as rapidly as possible. Because Andersen was a veteran of the Baltic *Freikorps* units (see Chapter 2), the Personnel Staff Evaluation committee (PGA) was hesitant to consider his suitability for assignment to the *Bundeswehr*. But Andersen informed the Ministry of Defense that he wished to remain in the *Bundesgrenzschutz* before the PGA rendered its final decision on his future.⁵⁸⁵ As an older member of the force, Andersen was better off staying put since he was closer to retirement and could maintain his family medical coverage without additional cost. In his preface, Andersen asked each man to selflessly fulfill his duty since "service, exemplary behavior, and inner decency would help demonstrate his love for the people, which would

⁵⁸⁴ "Satzung des Bundeswehr- und Grenzschutz-Verbandes e.V.," in *Kameraden: Offizielles Verbandsorgan für Bundeswehr und Grenzschutz* 6 (Juni, 1956), 15-16.

⁵⁸⁵ Dr. Rombach An den Bundesminister für Verteidigung, Elit Sehr! "Der Vorstand vom Personalgutachterausschuss für die Streitkräfte Betreffen: Übernahme von Offizieren des Bundesgrenzschutzes in die Bundeswehr," 5 Juni 1956, BA-MA BW 1/5483.

make it easier to replenish the ranks of the BGS and guarantee a secure future for everyone.”⁵⁸⁶ Initial reports were encouraging as the head of *Grenzschutzkommando-Mitte* (border police command – middle), Colonel Kurt Vogt, reported that 130 young men had already volunteered over a single two-day period in August.⁵⁸⁷

The Interior Ministry established a special formation staff (*Aufstellungsstäbe*) on 28 June 1956 in anticipation of rebuilding those border police units depleted by the *Bundeswehr*. The formation staff consisted of various experienced leaders from each command group who were tasked with reorganizing what remained of the force.⁵⁸⁸ With this framework in place, Andersen believed it was only a matter of time before his force was returned to its pre-*Bundeswehr* strength. Prior to 1956, the recruitment and retention of qualified candidates had never posed a serious problem for the *Bundesgrenzschutz* since there had always been enough applicants to cover vacant positions. Thousands of former soldiers and policemen wanted to join West Germany’s first postwar national police force and officials from the Interior Ministry could be very selective in hiring. There had never been a significant need for an advertising campaign. Thus, when so many policemen decided to join the army, the organization experienced its first major personnel shortage and had to employ innovative recruitment methods to try and replenish its ranks.

Yet before the command staff intensified its recruitment efforts, they first had to reorganize what was left of their remaining units. This proved to be complicated because the *Bundeswehr* had taken much of their equipment and their accommodations. Nevertheless, the Interior Ministry immediately began working to reorganize the *Bundesgrenzschutz* by assigning key personnel to leading positions in each command group to assess their existing strength and needs. *Ministerialdirektor* Walter Bargatzky led the

⁵⁸⁶ Kurt Andersen, “Zum Geleit,” *Der Grenzjäger* 6, no. 9 (September, 1956), 3.

⁵⁸⁷ “Neuigkeiten aus dem BGS: 130 Freiwillige in zwei Tagen,” *Der Grenzjäger* 6, no. 9 (September 1956), 5.

⁵⁸⁸ Letter from Ministerialdirigent in the Bundesministerium des Innern Dr. Mosheim to all Border Police Commands, “Aufstellungsstäbe für die GS-Einheiten (Neu),” BArch-K B106/93367.

Interior Ministry's reorganization program.⁵⁸⁹ Bargatzky, a leading public security expert, had been an early member of the Nazi Party and served in the ranks of its paramilitary SA (*Sturmabteilung*) from 1933 to 1937.⁵⁹⁰ He was as an administrative legal advisor in occupied France during the war and was stationed in Paris from 1940 to 1944 where he played a role in the July 20th conspiracy against Hitler.⁵⁹¹ After the war, he served as the Director of Police in his hometown of Baden-Baden until 1949 when he began his tenure at the Interior Ministry.⁵⁹² Because a number of non-commissioned officers (NCOs) and officer candidates had elected to remain in the border police, Bargatzky was confident that there were enough men to staff the junior officer positions lost to the *Bundeswehr*. These men were all former officers and NCOs from the *Wehrmacht* specifically chosen for key leadership positions because they had prior military experience.⁵⁹³

Of greater concern for Bargatzky and his staff was the equipment shortage, which included weapons, vehicles, and telecommunications components.⁵⁹⁴ He repeatedly warned the Ministry of Defense that using border policemen to create the *Bundeswehr* would severely weaken West Germany's national security.⁵⁹⁵ By joint agreement, the army had absorbed the entire equipment stores of what was needed to supply six full border police battalions. While there were already plans in place to re-supply these units, in the interim, the Interior Ministry had to requisition all of the equipment from its training

⁵⁸⁹ Memorandum from Ministerialdirektor Walter Bargatzky to all Border Police Commands, 26 June 1956, "Organisation des wieder aufzufüllenden BGS," BArch-K B106/93367.

⁵⁹⁰ Bernhard Brunner, *Der Frankreich-Komplex: Die nationalsozialisten Verbrechen in Frankreich und die Justiz der Bundesrepublik Deutschland* (Göttingen: Wallstein Verlag, 2004), 249.

⁵⁹¹ He played a minor role and was never prosecuted; see Thomas J. Laub, *After the Fall: German Policy in Occupied France, 1940-1944* (Oxford: Oxford University Press, 2010), 147.

⁵⁹² Achim Reimer, "Stadt zwischen zwei demokratien: Baden-Baden von 1930 – 1950" (Ph.D. dissertation, University of Heidelberg, 2004), 176.

⁵⁹³ Schnellbrief: Walter Bargatzky, Bundesministerium des Innern an Bundesgrenzschutz Kommandos, 18 Juli 1956, "Organisation des BGS," 6, BArch-K B106/93367; Memorandum from Dr. Mosheim, Bundesministerium des Innern Referat VI C 2, 13 June 1956, "Wiederauffüllung des Bundesgrenzschutzes; hier: Bildung von Aufstellungsstäben," BArch-K B106/93367.

⁵⁹⁴ Ibid.

⁵⁹⁵ Memorandum from Ministerialdirektor Walter Bargatzky to the Bundesministerium für Verteidigung, 29 March 1956, "Überführung des Bundesgrenzschutzes in die Bundeswehr," BA-MA BW1-313099.

facilities at the Federal Police Academy in Lübeck.⁵⁹⁶ Thus, training programs suffered temporary setbacks so that field units could continue their daily operations at the inner-German border. Bargatzky also had to contend with a housing shortage as many of their barracks were taken over by the army. The higher quality accommodations that remained were reserved for married policemen with families while single men were housed in temporary barracks or billeted in hostels close to the border zones they patrolled.⁵⁹⁷

Once the logistical details of reorganizing the *Bundesgrenzschutz* were finalized, the scope of the personnel shortage became strikingly clear to those in the Interior Ministry working to rebuild it. Border activity reports beginning in July 1956 began sounding the alarm as the volumes of those processed all along West Germany's borders dramatically increased while the number of policemen at each check point steadily declined. The "European Bridge" checkpoint between Kehl and Strasbourg, for example, reported in excess of 2,000,000 persons coming and going during the height of the summer vacation season.⁵⁹⁸ The number of travellers through Kehl was typical of most West German border stations during 1956, all of which complained of inadequate staffing due to the loss of so many officers to the *Bundeswehr*.⁵⁹⁹ The commander of the Braunschweig checkpoint complained to his superiors that he was dangerously understaffed: "It is a puzzle to me how I am expected to fulfill the duties of my post with these reductions! I can only hope that my complaints might be valuable for those who keep insisting on disposing of our organization!"⁶⁰⁰ At the Konstanz checkpoint on the Bodensee, traffic levels overwhelmed its personnel. Its commander reported "with the progressive motorization of the Federal

⁵⁹⁶ Schnellbrief: Walter Bargatzky, "Organisation des BGS," 6, BArch-K B106/93367.

⁵⁹⁷ Ibid.

⁵⁹⁸ Passkontrollamt Kehl: Tätigkeitsbericht für die Monate July – September 1956, 6 Oktober 1956, BArch-K B273/18.

⁵⁹⁹ The individual border checkpoints filed their activity reports quarterly with the central Passkontrolldirektion in Koblenz; The checkpoints were located at Kehl, Konstanz, Braunschweig, Lorrach, Flensburg, Emden, Kleve, Aachen, Idar-Oberstein, Hamburg, and Saarbrücken, which opened in 1957 after the Saar once again became part of West Germany. See border activity reports under Bundespolizeidirektion/Grenzschutzdirektion, BArch-K B273.

⁶⁰⁰ Passkontrollamt Braunschweig: Tätigkeitsbericht für die Monate July – September 1956, 10 Oktober 1956, pp. 8-9, BArch-K B273/18.

Republic, there is already greater traffic at my post, which on some days has reached levels previously unseen, especially on weekends and holidays.”⁶⁰¹ To make matters worse, during the fall of 1956, the uprising in Hungary caused a refugee crisis as thousands fled the violent Soviet crackdown. At Kehl, for example, officers reported that 7,150 Hungarian refugees crossed the European Bridge from West Germany into France during the last quarter of 1956.⁶⁰² Without increased hiring, the *Bundesgrenzschutz* was at risk of failing in its primary duty – securing all the nations borders.

West Germany’s new generation of young men expressed little interest in the career of border policing and this was already noted in many command centers before the *Bundeswehr* was established. Border Command North, for example, reported that its applicant pool had declined to the extent that it would be unable to fill anticipated vacancies during calendar year 1954. Application quotas that once exceeded 700 per month in 1953 decreased to less than 200 at the beginning of 1954.⁶⁰³ By March 1957, certain members of the Interior Ministry were privately concerned the police force might never recover. In a confidential inter-office memorandum, *Oberregierungsrat* Döge confided to *Staatssekretär* Kuffner that, “the reconstruction of the BGS is difficult, almost hopeless. The vacancies from the *Bundeswehr* are hardly replenished.”⁶⁰⁴ Kuffner complained that recruitment efforts failed to take hold because of competition over funds for advertising with the *Bundeswehr*. Moreover, border police recruiters had to compete for personnel with state and municipal police forces. Young men had a wide variety of traditional civil service professions to choose from including positions at the national postal service and West Germany’s national railway, the *Bundesbahn*.⁶⁰⁵ As the immediate effects of losing over 9,000 men

⁶⁰¹ Passkontrollamt Konstanz: Tätigkeitsbericht für die Monate April – June 1956, 9 July 1956, BArch-K B273/18.

⁶⁰² Passkontrollamt Kehl: Tätigkeitsbericht für die Monate Oktober – January 1957, 8 January 1957, BArch-K B273/18.

⁶⁰³ Memorandum from Grenzschutzkommando-Nord an den Bundesminister des Innern, 14 June 1954, “Werbung für den Bundesgrenzschutz,” BArch-K B106/14024.

⁶⁰⁴ Confidential Memorandum from Staatssekretär Kuffner to Bundesministerium des Innern, 5 March 1957, BArch-K B145/3423.

⁶⁰⁵ Curt Garner, “Public Service Personnel,” 26.

to the army settled in, the *Bundesgrenzschutz* faced a personnel shortage that necessitated a swift and particularly innovative approach to recruitment.

1950s Cinema and the use of Film in Recruiting

One of the first methods employed by the Interior Ministry to mass advertise careers in border policing was the use of documentary style films. There is already a significant body of work by German historians on postwar cinema and film, but much less emphasis on its use as a recruiting tool.⁶⁰⁶ West Germans went to the movies in record numbers during the Adenauer era and films were a reliable medium in which to reach the widest possible audience. According to Heide Fehrenbach, “film attendance figures soared between 1945 and 1956, during which time box-office sales jumped from 150 to over 817 million tickets, which translates into nearly 16 visits per year for every man, woman, and child living in the Federal Republic and West Berlin.”⁶⁰⁷ And while the people going to cinemas ranged in age and social status, the majority of those consistently attending were young men fascinated by westerns, detective stories, and adventure films. To be sure, this age cohort – eighteen to thirty years old - was the ideal range targeted by *Bundesgrenzschutz* recruiters.⁶⁰⁸ Border Command North ran a newspaper advertisement in 1955, for example, that specifically requested applicants between the ages of eighteen and twenty-two years of age who were in good health and free of criminal convictions.⁶⁰⁹ Using the cinema to screen recruitment films was certain to guarantee extensive publicity about the importance of border policing and the career options it provided to West Germany’s young men.

⁶⁰⁶ See for example, John Davidson and Sabine Hake, *Framing the Fifties: Cinema in a Divided Germany* (New York: Berghahn Books, 2007); Detlef Kannapin, *Dialektik der Bilder: der Nationalsozialismus im deutschen Film: ein Ost-West-Vergleich* (Berlin: Karl Dietz, 2005); Anja Horbrügger, *Aufbruch zur Kontinuität, Kontinuität im Aufbruch: Geschlechterkonstruktionen im west und ostdeutschen Nachkriegsfilm von 1945 bis 1952* (Marburg: Schüren, 2007).

⁶⁰⁷ Heide Fehrenbach, *Cinema in Democratizing Germany: Reconstructing National Identity After Hitler* (Chapel Hill: University of North Carolina Press, 1995), 118.

⁶⁰⁸ *Ibid.*, 165.

⁶⁰⁹ “Der Bundesgrenzschutz,” *Hannoversche Allgemeine Zeitung* (15 October 1955), 10, BArch-K B106/14024.

The first recruiting film was a twenty-four minute documentary called “*Zum Schutz der Heimat*” (To Protect the Homeland). The Interior Ministry contracted with the Munich firm *Deutsche Industrie und Auftragsfilm* (German Industry and Film Commission (DIA) to oversee its production. The screenplay was written, adapted, and directed by “K. Richter” and Fritz Andelfinger.⁶¹⁰ Andelfinger had a lengthy career producing, directing, and writing German films, including a number of Nazi propaganda films. He had also written and directed films in the *heimat* (homeland) genre during the Third Reich and postwar eras including *Heimatland* (1939) and *Heimat, die uns bleib* (home, for us that remained - 1949).⁶¹¹ Film historians have shown that *Heimat* was a popular genre in 1950s West German cinema because it offered those still suffering the consequences of war and defeat an idealistic or de-politicized way of imagining a new national identity. The concept of *heimat*, however, came to represent much more than just an idyllic homeland. According to Heide Feherenbach, for postwar Germans, this framing of home and hearth “became a central cultural construct in the early postwar period...it was designated the bedrock upon which the new democratic German nation would be based.”⁶¹² Moreover, while the *heimat* was something to defend at all costs, it was certainly not a masculine construct, like the notion of a “fatherland” which might be invoked to justify an offensive war.⁶¹³ Thus to protect or defend the homeland, as suggested in Andelfinger’s recruitment film, was an approach that reflected West Germany’s new postwar democratic national identity and the *Bundesgrenzschutz* as its defensive, non-aggressive guardian.

⁶¹⁰ “Zum Schutz der Heimat,” Inhaltsangabe, von Dr. K. Richter und Fritz Andelfinger, BArch-K B106/14024 – K. Richter’s full name and background are unknown.

⁶¹¹ Rolf Giessen, *Nazi Propaganda Films: A History and Filmography* (Jefferson, North Carolina: McFarland and Company, 2003), 186; Eric Rentschler, *The Ministry of Illusion: Nazi Cinema and its Afterlife* (Cambridge: Harvard University Press, 1996), 349; For a complete filmography of Fritz Andelfinger see Deutsche Filmportal, Online, <http://www.filmportal.de>.

⁶¹² Heide Fehrenbach, 151; Elizabeth Boa and Rachel Palfreyman, *Heimat: A German Dream: Regional Loyalties and National Identity in German Culture 1890-1990* (New York: Oxford University Press, 2000), 2-4.

⁶¹³ Heide Fehrenbach, 151; see also Celia Appelgate, *A Nation of Provincials: The German Idea of Heimat* (Berkeley: University of California Press, 1990); Alon Confino, *Germany as a Culture of Remembrance: Promises and Limits of Writing History* (Chapel Hill: University of North Carolina Press, 2006)

Andelfinger's experience making propaganda films for the Nazis, while morally problematic proved to be especially useful in the production of a persuasive recruiting film like *Zum Schutz der Heimat*. A close analysis of Andelfinger's annotated script and the film it yielded sheds light on how West Germany's postwar national identity was re-shaped in the 1950s and the importance of border policing in protecting it.⁶¹⁴ The film began with the narrator emphasizing the date of Germany's surrender – 8 May 1945 – while an image of the rubble and destruction of Germany's cities is slowly panned across the screen. The viewer's attention was then diverted to the Potsdam Conference and its role in dividing Germany. Images of villages, railways, and highways severed by Germany's postwar east-west division were set against the narrator's description of fragmented families and the refugee crisis created by those attempting to flee the Soviet Occupation zone. The first part of the film emphasized the danger to the West German free and democratic way of life posed by the Soviet Union and East Germany whose soldiers were seemingly ready to strike across the rural border at any moment.

At key points in the script, Andelfinger suggested imagery to accompany the narration. When the narrator described the Soviet Zone, for example, Andelfinger's notes suggested adding images that showed "Soviet marchers with banners; women and children at shooting practice, and an armed workers militia marching."⁶¹⁵ The focus on images of women and children perpetrating violent action was a deliberate gendered construct aimed to show the otherness of eastern society.⁶¹⁶ West German women and children reflected an idyllic "home and hearth" that needed protection from a totalitarian East Germany that armed its women and children for war. According to Uta Poiger, images of armed women evoked total war during the Third Reich and were used to show what might happen if West German men

⁶¹⁴ "Zum Schutz der Heimat," Kommentar und Sprechertext, BArch-K B106/14024; Letter from Bundesministerium des Innern Referat VI B 1 an Referate VI C 2, 3, 4, und 5, 11 July 1956, "Bundesgrenzschutzfilm," BArch-K B106/14024; The final version of the film is also available online at <https://www.youtube.com/watch?v=dgNTyz2T7J8>.

⁶¹⁵ Marginal notes in "Zum Schutz der Heimat," Kommentar und Sprechertext, 2, BArch-K B106/14024.

⁶¹⁶ For a good analysis of how gender is used to frame otherness, see Ulrike Zitisberger (ed.), *Gender, Agency and Violence: European Perspectives from Early Modern Times to the Present Day* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2013), ix-x.

failed to protect their families. Photos of militarized East German women were also featured in *Die Parole* magazine articles.⁶¹⁷ The film's narrator described in detail how the *Volkspolizei* increased their strength to 60,000 men with 30,000 assigned to the inter-German border. Andelfinger's marginal notes recommended adding images of armed *Volkspolizei* and border guards marching and patrolling the rural borders (These images all made the final cut of the film). The threat posed by the Communist enemy as depicted in these images was set against the backdrop of refugees fleeing the militant East for a better life in a new homeland (*Neue Heimat*).⁶¹⁸ At the beginning of the film, Andelfinger succeeded in creating a persuasive argument that a distinct and powerful communist enemy was lying in wait to destroy the West German democratic way of life. His latent message was also reflected in press reports about the new film. Writing for the *Norddeutsche Zeitung*, Werner Neumann compared Andelfinger's film to a similar recruitment film produced by East Germany for its *Volkspolizei* – “Wir tragen Gewehre” (We Carry Guns).⁶¹⁹ Neumann suggested that the title of the East German film alone “expressed with all clarity that the Soviet Zone border police threatened the Federal Republic while the title protecting the homeland reflects an apt title for the BGS film.” Neumann's point of view shows how 1950s West Germans distanced themselves from past militarism while also propagating their own self-image as the pacifists on the other side of the Iron Curtain.⁶²⁰

Once he had set the stage reflecting an existential danger to West Germany from the east, Andelfinger switched the viewer's attention to the heroes of the story – the men of the *Bundesgrenzschutz*. In one particular scene, a young man sitting in a border police recruitment center asked the senior officer, “and what will become of me after seven years of service?” The officer answered that the young man will receive important training that he could use for future professions along with excellent opportunities for further education and promotion. The intent of this scene was to show that border police service was

⁶¹⁷ Uta Poiger, *Jazz, Rock and Rebels*, 73-74; see for example Ullrich Rühmland, “Stalinstadt – eine erste Stadt auf deutschem Boden ohne Kirche,” *Die Parole* 9, no. 7 (15 July 1959), 7-9.

⁶¹⁸ Marginal notes in “Zum Schutz der Heimat,” *Kommentar und Sprechertext*, 2, BArch-K B106/14024.

⁶¹⁹ Werner Neumann, “Schutz der Heimat – Wir tragen Gewehre,” *Norddeutsche Zeitung*, 11 November 1956.

⁶²⁰ *Ibid.*

part of civil society since it was relevant to civilian career training. After 1945, the values of civilian life such as a stable job, health care, and a secure pension were more enticing to recruits than the promise of life in the barracks. This theme reflected what historian James Sheehan has argued was the replacement of the military or “garrison” state by a civilian state following more than thirty years of war.⁶²¹ The young man, known in the film as *Grenzfänger* (border hunter) Carstens, and two of his colleagues, Brettschneider and Wagner, were followed through a course of action-oriented training at the border police academy in Lübeck. The film sequence demonstrated for potential recruits that joining the border police required physical stamina and athleticism, but also provided an outlet for the expression of masculine interests such as shooting, cross country skiing, fencing, and judo training. As the training came to a conclusion, *Grenzfänger* Carstens led his colleagues on a mock field exercise where they encountered a group of enemy saboteurs crossing the inter-German border. Carstens and his patrol group detained and searched the saboteurs before calling on a mobile unit to transport the detainees to a secure police facility. Having successfully completed their field-exercises, Carstens and his colleagues graduated from their basic training in Lübeck by swearing and oath of loyalty to West Germany’s Basic Law.

The film followed Carstens, Brettschneider, and Wagner as each goes on to different assignments. Here, the objective of the film was twofold. On the one hand, the producers wanted to demonstrate through individual examples that the opportunities for young men who joined the *Bundesgrenzschutz* were useful beyond their seven-year service commitments. Yet on the other hand, they also wanted to emphasize a particular democratic national identity juxtaposed against imagery and descriptions of the East as wild, dangerous, and foreign. Thus, the implication for those watching the film was that policing offered an opportunity for a noble profession defending a decent, democratic way of life while also providing useable skills for future civilian careers. *Grenzfänger* Carstens, for example, was rapidly promoted to non-commissioned officer and assigned to patrol the Iron Curtain, where according to the

⁶²¹ James J. Sheehan, *Where Have all the Soldiers Gone? The Transformation of Modern Europe* (Boston: Mariner Books, 2009), 172-173.

film's narrator "he learns for himself about the division of Germany that has been forced upon us by a foreign power...Carstens and his comrades never forget that millions of Germans in the east live each day placing their hopes in the Federal Republic."⁶²² Andelfinger's objective was to emphasize West Germany as the true, peaceful German nation while those in the east were held captive by totalitarian communism. The script annotations recommended a panning shot of the inter-German border's death strip and a sequence of marching communist border guards to accompany the narrator's comments. The death strip, or *Todesstreifen*, was a name West Germans used to refer to the border protective zones between fortifications where East German guards were authorized to shoot anyone caught within them.⁶²³

But Carstens' leadership skills were also helpful if he chose to transfer into a banking career or decided to work for the Federal Postal Service. Brettschneider, on the other hand, demonstrated an aptitude for working with his hands and took advantage of vocational schools offered by the *Bundesgrenzschutz* in vehicle repair and maintenance. Wagner received telecommunications training and attended a variety of technical and engineering schools. The men were shown applying these learned skills in a variety of action sequences such as patrolling the border, helping victims of natural disasters, re-building damaged bridges and repairing vehicles in the motor pool. As the film concluded, the narrator addressed his comments directly to potential recruits. The overall message conveyed that border police service was certainly challenging, but also fulfilled one's duty to serve the nation and prepared men for a variety of potential civilian careers. The narrator's closing remarks reflected the importance West Germany's government ascribed to the *Bundesgrenzschutz*: "The BGS is the most important police security instrument of the federal government. It is intended to reduce border incidents by police methods without using the military, and is called to protect the democratic constitution of Germany, now and after

⁶²² Ibid., 6.

⁶²³ Gordon L. Rottman, *The Berlin Wall and the Intra-German Border 1961-89* (Oxford: Osprey, 2008), 24.

reunification.”⁶²⁴ Here again, emphasizing the non-military themes shows how the film’s intent depicted West Germany as a defensive civilian state.

The Interior Ministry immediately distributed the first copies of *Zum Schutz der Heimat* to the headquarters of Border Command North, Middle, and South to use at local schools and in recruitment centers. These were 16-millimeter copies that could be easily projected with portable equipment.⁶²⁵ Initially, there were only nine copies made of the narrow 16-millimeter film, but an order was placed in October 1956 with the editing firm Hadeko in Neuss for an additional 44 copies. Of these copies, the Interior Ministry sent 14 to various *Bundesgrenzschutz* offices for use in local communities while sending the remaining 30 copies to West Germany’s national cinema for distribution and screening in public movie theaters.⁶²⁶ The success of *Zum Schutz der Heimat* was difficult to assess, but the Interior Ministry reported that in combination with other more traditional recruitment methods – posters, newspaper ads etc. – there was a noticeable rise in application and information requests from young men interested in joining. By November 1956, there were 6,365 new inquiries or application requests recorded. Southern Command reported the highest number with 2,540 requests while Middle and North reported 1,667 and 2,158 respectively.⁶²⁷ The success of the film encouraged the Interior Ministry to seek ways of increasing its distribution. While reaching moviegoers in West Germany’s larger cities was easy, this was not the case for rural communities and villages, a promising source for additional recruits.

To address this dilemma, the Interior Ministry contracted with the Remagen firm *Mobilwerbung GmbH* (mobile advertising).⁶²⁸ *Mobilwerbung* used specialized vehicles capable of showing movies at outdoor venues and reaching out to numerous smaller communities on a single day. The company’s

⁶²⁴ Ibid., 10.

⁶²⁵ Memorandum from Dr. Kolbe, Bundesministerium des Innern Referat VI B 1 an BGS Abteilungsleiter VI A, B, und C, 12 November 1956, “Werbemassnahmen für den BGS,” BArch-K B106/14024.

⁶²⁶ Ibid.

⁶²⁷ Ibid.

⁶²⁸ Letter from Herr Pohlmann, Mobilwerbung, to Bundesministerium des Inneren Regierungsrat Attenberger, 25 September 1958, “Einsatz von Werbomobilen im Rahmen der Werbung für den Bundesgrenzschutz,” BArch-K B106/16991.

strategy involved local advertising in the weeks before the film vehicle was scheduled to arrive at a particular village or town. On the day of the event, representatives arrived at the location approximately one hour beforehand and used a public address system to announce the film for those who might have missed the advertisements. After the 26-minute film was screened, representatives from *Mobilwerbung* handed out informational brochures and applications to potential recruits.⁶²⁹ Using *Mobilwerbung* was not cheap. A typical four-week vehicle rental cost 4,900 DM. To be effective, however, the firm recommended a minimum of six vehicles operating simultaneously, which they estimated would cost roughly 49,000 DM.⁶³⁰ According to the firm's Chief, Herr Pohlmann, "The Werbomobil was created for outdoor events in rural areas of less than 3,000 inhabitants where our experience has shown that visitor numbers are considerably higher since an outdoor venue does not require a viewer to enter a building or restaurant."⁶³¹ In spite of these high costs, the Interior Ministry was encouraged by the success of the film to use any medium available to access the widest possible audience, and hence, the best chance to increase applicants.

From a demographic perspective, there is very little concrete data to show whether the majority of candidates for the *Bundesgrenzschutz* came from West Germany's cities or countryside. There is statistical data from the early 1950s, however, that suggests applicants came primarily from rural regions or cities with populations of less than 10,000 inhabitants.⁶³² The Interior Ministry tracked this data in 1953 as part of its recruitment and advertisement campaign. In all five of the border police command centers (GSK), the largest majority of applicants came from the countryside. In GSK *Nord*, for example, only fourteen percent (14%) of the applicants came from cities with a population of over 100,000 with a further thirty six percent (36%) from cities of less than 10,000 inhabitants. Thus, fifty percent (50%) of

⁶²⁹ Ibid.

⁶³⁰ Ibid.

⁶³¹ Ibid.

⁶³² See, "Übersicht über die auf Grund der Presseveröffentlichung gem. Erlass DBMdl 62 037 Bb Nr. 703/53 vom 7.10.1953 eingegangenen Anfragen und Bewerbungen – Zeitraum vom 16.11.53 bis 12.12.53," BArch-K B106/14024.

applicants from GSK *Nord* were from the countryside. The percentages were consistent in the other command centers with more than forty seven percent (47%) of all the applicants during calendar year 1953 coming from West Germany's rural regions.⁶³³ Moreover, the Interior Ministry also tracked the backgrounds of individual candidates and their families in the years before they applied to the *Bundesgrenzschutz* and the clear majority of these men came from West Germany's working classes. Data for three months in 1953, for example, shows that from a pool of 600 applicants, 140 were listed as manual laborers, 185 were craftsmen, 73 worked as helpers, 77 were civil servants, 45 were former policemen or veteran soldiers, 73 were farmers or self-employed, and only 7 were academics.⁶³⁴ Although this data set is limited, it does suggest that service in the border police provided opportunities for a better chance at career advancement and further professional training that appealed to manual laborers and craftsmen. In some cases, the profession enabled these men to enjoy steady employment and live middle class lifestyles that might have otherwise been beyond their reach.⁶³⁵ Border policing also offered additional career training in a variety of specialized trades and skills that could be used outside of the barracks in civilian professions.

Border Policing and Conceptions of a New Postwar Masculinity

Besides reflecting the transformation from garrison to civilian state, recruitment methods aimed at young West German men sheds light on the new ways postwar society defined masculinity. Recent groundbreaking work by historians of the *Bundeswehr* has shown that postwar military masculinity was shaped to a greater extent by "civilian norms" rather than "traditional military values."⁶³⁶ Other than being a soldier, policing offered West Germany's male citizens one of the strongest public roles available

⁶³³ Ibid.

⁶³⁴ See "Übersicht über Herkunft der Bewerber," BArch-K B106/14024.

⁶³⁵ The chance for steady employment and advancement was a feature common to most police services dating back to the early nineteenth-century, see Haia Shpayer-Makov, "The Making of A Police Labor Force," *Journal of Social History* 24, no. 1 (1990), 112.

⁶³⁶ See Friederike Bruehoefener, "Defining the West German Soldier: Military, Masculinity and Society in West Germany, 1945-1989 (Ph.D. dissertation, University of North Carolina at Chapel Hill, 2014), iii; Pamela Swett's current research also focuses on military masculinity in the *Bundeswehr*.

to them in postwar society. As Matthew McCormack has aptly suggested, “police work is largely performed by men, requires physical attributes such as strength and stature, and is associated with a cluster of masculine qualities such as authority, decisiveness and courage.”⁶³⁷ Before the army was created, border policemen were the first armed defenders of the new democratic state. They served as militarized guardians of the nation while men working in municipal and state police forces focused on traffic enforcement and crime.⁶³⁸ The protection of the democratic West German state itself was to a large extent bound up in the identities of its federal policemen.⁶³⁹ In other words, as James Sheehan has suggested: “Men in uniform personified the virtues on which the state’s existence depended.”⁶⁴⁰ When it was created in 1951, its personnel were veteran soldiers already familiar with the hyper-masculine themes and esprit des corps of Prussian militarism. The *Bundesgrenzschutz* replicated the images and traditions of the *Wehrmacht* in everything from its uniforms and equipment to its rank structure. Men who served in lower or line-level positions were not referred to as policemen (*Schutzmann or Polizist*) like their counterparts in municipal and state forces, but rather held the more masculine title of *Grenzjäger* (Border Hunters). Its first institutional journal, *Der Grenzjäger*, reflected many of these masculine themes. Sociologists and police historians have described police journals and magazines as discursive sites for a unique “cult of masculinity.”⁶⁴¹ The same is true for border police journals. The “cult of masculinity” is based on the notion that police officers must be tough, courageous, and aggressive. These journals also promoted traditional gender roles and marriage as normative or ideal behaviors for policemen.⁶⁴²

⁶³⁷ Matthew McCormack, “A Species of Civil Soldier: Masculinity, Policing and the Military in 1780s England,” in David G. Barrie and Susan Broomhall, eds. *A History of Police and Masculinities, 1700-2010* (London: Routledge, 2012), 56.

⁶³⁸ Rainer Prätorius, “Polizei in der Kommune,” in Hans-Jürgen Lange, ed. *Die Polizei der Gesellschaft: Zur Sociologie der Inneren Sicherheit* (Wiesbaden: Springer Fachmedien, 2003), 308.

⁶³⁹ Matthew McCormack argues this was also true in the self-conception of 18th century British Police forces, which faced an internal threat to the democratic state as a result of violent riots; see Matthew McCormack, “A Species of Civil Soldier,” 57.

⁶⁴⁰ James J. Sheehan, *Where Have all the Soldiers Gone*, 6-7.

⁶⁴¹ See P.A.J. Waddington, *Policing Citizens: Authority and Rights* (London: Routledge, 1999), 99.

⁶⁴² *Ibid.*



Figure 4.1
BGS Swimming and Lifesaving Team, 1962

These traditional ideas of masculinity began to change during the 1950s and continued to evolve with the organization into the 60s, and 70s. Whereas the “cult of masculinity” promoted policemen as tough and courageous, by the late 50s and early 60s, civilian themes were becoming more prominent. Evidence for this gradual transition reflecting new social and cultural definitions of masculinity can be found in the pages of the two main border police journals, *Der Grenzjäger* and *Die Parole (The Slogan)*. The journals, produced by upper echelons of the organization, provide top-down insights into border police culture. The articles, advertisements, and illustrations reflected these changing expectations for the ideal type of West German man serving in the *Bundesgrenzschutz*. Writing for *Die Parole* in 1952, for example, the *Reichswehr* and *Wehrmacht* veteran Gerhard Matzky emphasized the need for his policemen to reinforce the moral character of soldiers as set forth by the former Chief of the *Reichswehr* Hans von

Seeckt. But Matzky also reminded readers they were civilian police officers first and not soldiers. He wanted his men to “exhibit self-confidence and yet remain truly God-fearing and modest, upright and faithful, secretive and incorruptible and should be to all the people a model of manly strength.”⁶⁴³ His reference to Hans von Seeckt and the importance of policemen as civilians was contradictory since von Seeckt advocated limited civilian control over the army. During the 1920s, Seeckt’s philosophies were inspired by his effort to separate the service of men in the *Reichswehr* from the recently discredited army of Kaiser Wilhelm II.⁶⁴⁴ According to Jay Lockenour, “what had once been service for King and Fatherland became service to the nation, regardless of the form of government.”⁶⁴⁵ Thus, when Matzky, a veteran of the *Reichswehr*, invoked the ideals of Seeckt, he was attempting to emphasize familiar principles easily recognizable to milieu of veteran soldiers from his own generation that had become border policemen.

The institutional regulation of marriage in the *Bundesgrenzschutz* also reveals insights on masculinity and the broader importance of gender roles in the postwar era. New recruits and career border policemen were prohibited from marrying until the age of twenty-seven and in exceptional cases could do so at twenty-five or with the express permission of a superior officer.⁶⁴⁶ The ban was problematic because it gave the government influence over the men’s private lives and contradicted the basic freedom of choice afforded to their fellow citizens and civil servants. The restriction was codified in the Federal Police Act of 1953 and did not apply to civil servants who served in other branches of the government.⁶⁴⁷ The Interior Ministry justified the marriage prohibition based on an understanding that “the nature of a police force, which must be ready at all times, results in the need for a certain restriction

⁶⁴³ Gerhard Matzky, “Kriegsartikel oder Pflichtenlehre,” *Die Parole* 2, no. 2 (1 February 1952), 2

⁶⁴⁴ Matthias Strohn, *The German Army and the Defence of the Reich*, 7-8.

⁶⁴⁵ Jay Lockenour, *Soldiers as Citizens: Former Wehrmacht Officers in the Federal Republic of Germany, 1945-1955* (Lincoln: University of Nebraska Press, 2001), 65.

⁶⁴⁶ “Was Muss der Bewerber vom Bundesgrenzschutz wissen?” recruitment brochure/leaflet, BArch-K B106/16992.

⁶⁴⁷ Ludwig Dierske, *Der Bundesgrenzschutz*, 112.

on the fundamental rights of officers.”⁶⁴⁸ Policemen who violated these rules faced discipline and/or termination. Besides the need for “readiness” in the *Bundesgrenzschutz*, the Interior Ministry was also concerned with the suitability of the women its policemen chose for wives. Similar thinking influenced the Ministry of Defense, which debated a marriage ban in the *Bundeswehr*. While the Ministry of Defense decided against prohibiting soldiers from marrying on the grounds that it contradicted the *Staatsbürger in Uniform* (citizen soldier) ideal and might lead to more children born out of wedlock, it still wanted to ensure its career soldiers chose suitable mates.⁶⁴⁹

Evidence of how the *Bundesgrenzschutz* defined “suitable” women was similar to the ideals envisioned in the *Bundeswehr* and was reflected in organizational communications and journals. A confidential report filed by an observer of the border police barracks at Braunschweig and Detelsdorf, for example, claimed that the men of the *Bundesgrenzschutz* were very desirable to local women.⁶⁵⁰ The report sheds light on expectations the organization had for its men and the women they chose as companions. According to the observer:

In general, the young men are morally healthy and they do not read pornographic magazines. And even though naked pictures in one’s locker are not forbidden, it is more common for the men to have photographs of their girlfriends on their nightstands. The men have consistently only been dating ordinary girls, most want to marry soon, which is a strong desire for the bonding of home life. The strict requirement that one must be twenty-seven years of age to marry is viewed as overly harsh. There are no other marriage restrictions and a supervisor’s approval is not necessary although they are expected to act in an advisory capacity for the young men in their care. STD’s have not yet made an appearance.⁶⁵¹

The report underscored the paternal role of superior officers in shaping the personal lives of their subordinates. According to Frederike Bruehoefener, there was a desire among young soldiers for

⁶⁴⁸ “Was Muss der Bewerber vom Bundesgrenzschutz wissen?” recruitment brochure/leaflet, BArch-K B106/16992.

⁶⁴⁹ For an excellent analysis of the debate over marriage in the *Bundeswehr*, see Frederike Bruehoefener, “Defining the West German Soldier,” 128-137.

⁶⁵⁰ “Bericht über den Besuch der Grenzschutzkommandos Braunschweig und Detelsdorf, vom 26.6 – 1.3.52,” BA-MA BW1/15792.

⁶⁵¹ Ibid.

“domesticity” in the aftermath of the Second World War.⁶⁵² Above, the observer defines this domesticity as “a strong desire for the bonding of home life.” Other historians have suggested there was a wider campaign on the part of state authorities to “define normative gender roles” as an approach to “reconfigure and revalidate Germanness.”⁶⁵³ The report on the men living in barracks at Braunschweig and Detelsdorf reflected these ideals.

Evidence for “suitable” or ideal women and normative gender roles are also present in institutional journal advertisements, photographs, and artwork. Many of these ads depicted young men riding motorcycles or men and women together in convertible sports cars taking advantage of leisure time. Leisure activities were intended to show readers that while they were expected to defend the state, they were still encouraged to live as civilians. A photograph in a 1953 edition of *Die Parole*, for example, shows a young woman dressed for carnival (*Fasching*) winking at the reader. The caption on the photograph warns readers that carnival is a time for “charming adventures...in which the border hunters should also be on guard because other boundaries have shifted too!”⁶⁵⁴ The cover of a 1952 edition of *Die Parole* depicts a uniformed border police officer with his wife on his lap; both are holding flutes of champagne with a caption that reads: *Prosit Neujahr!* (Cheers New Year!). Inside, there is a full-page photograph of a woman wearing a revealing blouse and smiling at the reader with the caption “*Charmantes Mädchen, Charmantes Blüschen*” (Charming Girl, Charming Blouse). The caption further instructs border policemen to hold the photo horizontally and close one eye to find “undreamt of perspectives.” Women are encouraged to take the photo to a department store, buy a similar blouse and then send the bill to their husbands who will pay any price to see their wives in similar clothing.⁶⁵⁵ The

⁶⁵² Frederike Bruehoefener, “Defining the West German Soldier,” 130.

⁶⁵³ Uta G. Poiger, “Rock ‘n’ Roll, Female Sexuality, and the Cold War Battle Over German Identities,” *Journal of Modern History* 68, no. 3 (1996): 579; See also Frank Biess, *Homecomings*, 87-91; Dagmar Herzog, “Pleasure, Sex, and Politics Belong Together: Post-Holocaust Memory and the Sexual Revolution in West Germany,” *Critical Inquiry* 24, No. 2 (1998): 418; Robert Moeller, *Protecting Motherhood: Women and the Family in the Politics of Postwar West Germany* (Berkeley: University of California Press, 1993), 2.

⁶⁵⁴ *Die Parole* 2, no. 2 (February 1952), 22.

⁶⁵⁵ *Die Parole* 1, no. 1 (January 1952), 22.

point here is to show that by buying the same blouse, women had a role in preventing their husbands from the temptations of a promiscuous sexual relationship outside of their marriage. Moreover, adultery was a punishable “service offense” for border policemen in the same way that it was for soldiers.⁶⁵⁶ This was also a conservative response to what historians have now suggested was a “sex wave” in 1950s West Germany.⁶⁵⁷

These ads reinforced the socially acceptable roles expected of men and women in postwar West Germany. On the one hand, border officers are tempted with sexualized images of women. On the other hand, however, sexual boundaries were clearly identified. The advertisement for carnival, for example, implied that border policemen should guard against temptations to engage in irresponsible sexual behavior during a holiday when normal limits might be temporarily set aside. There was an element of risk or danger in succumbing to the temptations of carnival. Instead, these images emphasized marriage as the ideal. This is also reflected in the full-page cover photo of the husband and wife toasting the New Year, both of which are prominently displaying their wedding bands. During the Adenauer era, topics in these journals show how men were expected and indeed encouraged to be sexually active within the confines of heterosexuality without falling prey to promiscuity, while a healthy marriage to a “suitable” woman was revered as the ideal.

Beginning in the 1960s and extending into the 1970s editions of these journals, there was a greater effort to show readers that while they were expected to guard against communist enemies, they could and should also enjoy civilian activities and leisure time. In many of the editions, full-page ads encouraged border policemen to take vacations while featuring profiles of West Germany’s popular destination cities. Of course, to promote idealized relationships, many of these ads included romantic or sexualized images of female fashion models. The objective was to promote the idea that you could join

⁶⁵⁶ See “Ein interessanter Bericht des Bundesrechnungshofes: Der Bundesrechnungshof über den Grenzschutz,” *Der Grenzjäger* 5, no. 7 (July 1955), 8; See also Frederike Bruehoefener, “Defining the West German Soldier,” 202.

⁶⁵⁷ See for example, Elizabeth Heineman, *Before Porn Was Legal: The Erotica Empire of Beate Uhse* (Chicago: University of Chicago Press, 2011).

the *Bundesgrenzschutz* and still live a normal civilian life. The back cover of the July 1959 edition of *Die Parole*, for example, featured a young woman clad in a revealing bathing suit under the title: “Die Parole Wishes you a Joyful Vacation.”⁶⁵⁸ The September 1962 edition featured a café in Bad Kissingen with border policemen in civilian attire enjoying ice cream with their fashionably dressed female companions. The advertisement promoted the new barracks built in the region and states: “In Bad Kissingen, border policemen soon make friends – not just because of the beautiful girls in the Kurgarten-Café. See our report about the new barracks in Oerlenbach.”⁶⁵⁹ Additional full-page back covers went even further in promoting leisure time. The September 1961 edition included a photo of a young woman on a beach in Greece and prompted border policemen to submit photos from their own vacations for a contest.⁶⁶⁰ The June 1961 edition featured a woman on the beach using her hand to draw a heart in the sand under the title: “When the sun is shining, being alone is only half bad!”⁶⁶¹ The ad was a direct response to the marriage ban and an attempt to address the loneliness of their all male surroundings. In other words, the ad implied that the promise of a summer vacation offered young policemen a respite from the dullness of life in the barracks.

The examples cited above are a representative sampling of the evolving definition of a new postwar masculinity that shifted more towards civilian themes and was an ideal shared by recruiters in the *Bundesgrenzschutz* and the *Bundeswehr*.⁶⁶² Border police recruiters competed with the army for the same young men. The Ministry of Defense decision against a marriage ban in the army made it more difficult for border police recruiters to attract candidates who instead opted to become soldiers so they could marry at a younger age. The Interior Ministry argued against lifting the marriage ban because border policemen

⁶⁵⁸ *Die Parole* 9, no. 7 (15 July 1959), back cover.

⁶⁵⁹ *Die Parole* 12, no. 9 (15 September 1962), back cover.

⁶⁶⁰ *Die Parole* 11, no. 9 (15 September 1961), back cover.

⁶⁶¹ *Die Parole* 11, no. 6 (15 June 1961), back cover.

⁶⁶² Friederike Bruehoefener, “Defining the West German Soldier.”

lived in barracks and it was impossible for them to live with their wives if they were married.⁶⁶³ The *Bundesgrenzschutz* Employees Association called these claims ridiculous – married soldiers also lived in barracks and their wives lived nearby. The Association, however, suggested the government should provide subsidized housing for married policemen because it was not ideal for families to live apart.⁶⁶⁴ The Association also pointed out that many young recruits chose the *Bundeswehr* because they allowed marriage, which made the effort to rebuild border police units more problematic. Since a significant aspect of this ideal or new postwar masculinity was, as the ads above show, the expectation that soldiers and border policemen were civilians in addition to their duties as state servants, banning marriage in the *Bundesgrenzschutz* was a bad policy. Thus, the Border Police Association listed the elimination of the marriage ban as their signature wish following the creation of the *Bundeswehr*.⁶⁶⁵ Nevertheless, revision of the Federal Police Act was mired in lengthy legal debates in the *Bundestag* until 19 July 1960 when the marriage ban was finally eliminated.⁶⁶⁶

What historian Friedericke Bruehoefener emphasized was the ideal type of man sought by army recruiters – “men who would simultaneously be restrained, full-fledged soldiers, free men and good state citizens” – was the same for the border police.⁶⁶⁷ While this ideal type evolved, the traditionalists in the border police resisted these definitions to the same extent as they were contested by certain elements in the *Bundeswehr*.⁶⁶⁸ For traditionalists, soldiery values, discipline, and loyalty to the organization were of greater importance than the virtues of civilian life that was appealing to the younger generation. The marriage ban offers one example of this traditionalist resistance. The Interior Ministry and senior border policemen supported the ban because they believed it was their duty to shape the lives of the younger men

⁶⁶³ See “In Treuer Kameradschaft Weiter Voran! Unsere Aufgaben im neuen Jahr,” *Der Grenzjäger* 7, no. 1 (January 1957), 4.

⁶⁶⁴ *Ibid.*

⁶⁶⁵ See “Offene Personalwünsche: Eheschließung” *Der Grenzjäger* 6, no. 9 (September 1956), 7.

⁶⁶⁶ Ludwig Dierske, *Der Bundesgrenzschutz*, 115.

⁶⁶⁷ Frederike Bruehoefener, “Defining the West German Soldier,” 121.

⁶⁶⁸ *Ibid.*; see also the discussion in Chapter 3 – Expansion in the use of the BGS to staff the Bundeswehr and the controversies with the PGA.

according to the traditional values of masculinity that shaped their own lives.⁶⁶⁹ In the early 1950s, the veteran teachers and instructors at the border police school in Lübeck-St. Hubertus, for example, focused on indoctrinating young men with their own masculine values rather than adapting to the changing expectations of this new generation. The director of education described the instructors as “shapers of men” whose most important task was the “development of the soul and spirit of young men to overcome the peculiarities of their being to ensure they reached the threshold of full maturity.”⁶⁷⁰ At its core then, the resistance by traditionalists to the new postwar ideals of masculinity was a generational issue. But these tensions also reflected the ongoing or protracted process of democratization. As the definitions of postwar masculinity changed and newer generations of men came of age, *Bundesgrenzschutz* recruiters and the organization as a whole had to adapt their methods to the expectations of the younger generation or face continued personnel shortages.

Reaching and Hiring the Ideal BGS Candidate

Besides film and cinema, the Interior Ministry used many different advertising methods in its campaign to re-build and ultimately save the *Bundesgrenzschutz*. As a means to reach teenage boys, officials designed and marketed a border police board game and a commemorative stamp series.⁶⁷¹ The Interior Ministry hired the firm *Kinderdruckereien, Spiele und Stempelwaren-Fabrik* to produce these games after its owner, Georg Reulein, made a successful bid based upon his company’s experience producing similar games for the *Wehrmacht* during the Second World War.⁶⁷² The Interior Ministry used games to make teenagers as familiar with the *Bundesgrenzschutz* as they were to the popular careers policemen and firemen. The central objective of these recruitment tactics, as had been the case with the film *Zum Schutz der Heimat*, was to educate the West German public, especially young men and teens,

⁶⁶⁹ See F.W. Engelhardt, Studienrat im Grenzschutzfachschuldienst, “Am Anfang war der Mensch: Gedanken zu Erziehung und Erziehern in den Schulen des Bundesgrenzschutzes,” *Der Grenzjäger* 6, no. 10 (October 1956), 10.

⁶⁷⁰ Ibid.

⁶⁷¹ Letter from Georg Reulein, Kinderdruckereien-, Spiele- und Stempelwaren-Fabrik Fürth, to Bundesministerium des Innern, 7 October 1957, BArch-K B106/16991.

⁶⁷² Ibid.

about the necessity of the organization and its career opportunities. If the public embraced a positive image of border policemen and their role in maintaining West Germany's national security, then Interior Ministry officials believed they might be in a stronger position to fend off calls from the Social Democrats and state police unions to disband the force. While publicity of this kind was key for its image, a steady stream of recruits was still needed to fill thousands of vacancies created by those policemen who elected to join the army.

Creative methods like films and board games were helpful in reaching potential recruits, but border police leaders still relied heavily on traditional advertising such as brochures, posters and newspaper ads. Beginning in 1956, the Interior Ministry generated over 200,000 recruitment brochures and leaflets for nationwide distribution in schools, post offices, career centers, and *Bundesgrenzschutz* facilities. In addition to the brochures, more than 100,000 large format color posters were produced advertising border policing as a masculine or adventuresome career defending the free west against communist enslavement.⁶⁷³ These posters depicted border policemen driving motorcycles, off-road vehicles, and standing guard over West Germany's rural borders. In one particular poster created in the heroic-realism style, a tall border policeman with tough, chiseled facial features stands with a slung rifle looking through binoculars towards the east, which appears in the print as a sinister and surrealistic no-man's land (See Figure 4.2). Heroic realism was an artistic style favored by fascists and communists to depict the strength of soldiers and workers; it was popular during the twentieth century.⁶⁷⁴

⁶⁷³ Dr. Kölbe, "Werbemassnahmen für den BGS," BArch-K B106/14024.

⁶⁷⁴ The fascist heroic-realism style is clearly evident in this recruitment poster, which might indicate the unknown artist also produced such posters during the Nazi era; For a discussion of this style, see Christian Weikop, *New Expressions on Brücke Expressionism: Bridging History* (Burlington, VT: Ashgate, 2011), 204; See examples of these posters and ads produced by various firms for the Bundesministerium des Innern, in particular the heroic-realism style poster by an unknown artist with the signature "fr. Arty," BArch-K B106/16992.



Figure 4.2
BGS recruitment poster BArch-K B106/16992

While the eastern zone reflected latent dangers, the border policeman guarding the west was set against the background of an eagle's wing denoting strength and vigilance. To be sure, the heroic realism reflected in this poster is similar in style to those produced by fascist propagandists and later by

communists emphasizing masculine strength.⁶⁷⁵ As used by the Interior Ministry to attract recruits, however, this aesthetic reflected significant insights about the ideals of West German national identity – strong, masculine, and free - and the duty of border policemen in defending it. The image of the watchtower on the East German side of the Iron Curtain presents the Communist state as a prison or concentration camp. For the young men viewing these posters there was little doubt that the *Bundesgrenzschutz* stood between democratic freedom and communist totalitarianism. Although recruiters made significant efforts to promote the civilian benefits of the career, they also tried to attract young men by appealing to their spirit of adventurism and duty to defend the West against Communist enslavement.

The importance of border policing for the West German government and the need for recruits to preserve the organization was also expressed in budgetary expenditures earmarked for recruitment advertising. By 1960, the Interior Ministry was spending 600,000 DM per year on magazine and newspaper ads alone and planned to increase this figure to 800,000 DM during the next fiscal year.⁶⁷⁶ Police executives chose a variety of magazines and newspapers in which to run ads, but also focused on those that specifically appealed to the younger male demographic they were seeking to employ. Ministry officials sent letters to a variety of publications requesting quotes for advertising contracts extending out to 1965. A selection of these publications included: *Glaube und Heimat* (Faith and Homeland), *Der Lebensretter* (The Lifesavers), *Feld und Wald* (Field and Forest), *Der Thermik: Monatszeitschrift für den Gesamten Flugsport* (Thermals: Monthly Magazine for Recreational Flying), *Der Bauern Freund* (The Farmer's Friend), *Frohe Freizeit* (Happy Free time/Leisure), *Zeitschrift für Sport* (Journal of Sport),

⁶⁷⁵ Emilio Gentile, *The Origins of Fascist Ideology 1918-1925* (New York: Enigma Books, 2004), 155; George L. Mosse, *The Image of Man: The Creation of Modern Masculinity* (New York: Oxford University Press, 1996), 130.

⁶⁷⁶ Memorandum from Regierungsdirektor Dr. Fröhlich Bundesministerium des Innern an Grenzschutzkommando Nord, Süd, Mitte, Küste, "Kommandeurbesprechung am 12, 13 November 1959," 16 January 1960, B 106/16991.

Modell Technik (Model Technique), and *Land und Garten* (Land and Garden) to name just a few.⁶⁷⁷ One of the more popular magazine/newspaper ads was a color photograph of two young border policemen negotiating tough terrain in an off-road vehicle, both smiling and clearly enjoying the process of putting their vehicle to the test. The title “*Bundesgrenzschutz die vollmotorisierte Polizeitruppe*” (The Bundesgrenzschutz a Fully Motorized Police Troop) appeared above the photo. Below the photograph was an address where a prospective candidate could write for further information.⁶⁷⁸ Like the poster of the border policemen standing watch on the border (above), ads like this glamorized the adventurism of the job for prospective candidates.

Young men who wrote to the *Bundesgrenzschutz* requesting information received a variety of informational literature, which explained in detail and photographs what they could expect from a border policing career. While fun and adventure remained popular enticements, the value of the career for civilian life remained more important. One of the more popular color brochures, “*Ein Weg in Ihre Zukunft*” (A path into your future), for example, was an illustrated twelve-page leaflet promoting the benefits candidates could expect during their careers. The first page depicted two uniformed policemen enjoying leisure time, while one of the officers played an accordion. Above this photograph, under the heading “what it offers” the following information appeared: “Varied service as a federal officer in comradely circles, while at the same time earning unlimited tenure as a civil servant for life (*Beamter auf Lebenszeit*) in both federal or state service if you do not prefer the free labor market.” Below this description, under the heading “what it requires” was an explanation that candidates must have a positive attitude toward the state and reflect what the “Transatlantic Aviator Charles Lindberg says about modern man: It’s his character that counts!”⁶⁷⁹ The brochure continued on each page with photographs and brief explanations of the career, training requirements, and the benefits awaiting the successful applicant. It

⁶⁷⁷ “Annoncenwerbung für den Bundesgrenzschutz,” 5 March 1957: “Unterstützung der Werbung für den BGS durch das Presse und Informationsamt der Bundesregierung – Besprechung am 24 April 1957 in Bundesministerium des Innern,” BArch-K B145/3423.

⁶⁷⁸ “Bundesgrenzschutz die vollmotorisierte Polizeitruppe,” advertisement copy, BArch-K B106/16992.

⁶⁷⁹ “Bundesgrenzschutz: Ein Weg in Ihre Zukunft,” recruitment brochure copy, BArch-K B106/16992.

concluded with a description of the various other career paths open to policemen who achieved the rank of civil servant for life after seven years, which included: state and municipal police forces, the foreign service, and the federal customs office (*Zollamt*). It also emphasized the vocational careers in auto repair and telecommunications.⁶⁸⁰

In addition to the color brochure *Ein Weg in Ihre Zukunft*, the Interior Ministry sent interested applicants a more detailed explanatory leaflet titled: “*Was muss der Bewerber vom Bundesgrenzschutz wissen?*” (What the Applicant/Candidate must know about the Federal Border Police).⁶⁸¹ The objective was to emphasize organization’s value to the democratic state while distancing it from the elite forces of Germany’s past such as the SS and Nazi Germany’s security police units. The leaflet described the founding of the *Bundesgrenzschutz* as a response to the Korean War. It was presented as the only means available for the national government to protect the free democratic order of the Federal Republic from the threat of Soviet and East German forces. The candidate was told the *Bundesgrenzschutz* reflected the “good character and traditions of the German soldier, but without including anything outdated, tainted, or that which was incompatible with the principles of the new democratic state.”⁶⁸² Here again the intent was to draw a distinct line between the good, democratic forces and those used in the past to undermine the state. While the brochure pointed out the need for recruits to endure “hard and physically demanding training,” for example, it also emphasized the intent was to foster “a healthy esprit des corps rather than a dark elite unit.”⁶⁸³ The prospective applicant was also assured that the organization would never be disbanded because they were the only reliable instrument of national defense since the “deployment of the Bundeswehr in the zonal border or even within the federal territory must be avoided at all costs.”⁶⁸⁴ This

⁶⁸⁰ Ibid.

⁶⁸¹ “Was Muss der Bewerber vom Bundesgrenzschutz wissen?” recruitment brochure/leaflet, BArch-K B106/16992.

⁶⁸² Ibid.

⁶⁸³ Ibid.

⁶⁸⁴ Ibid.

reinforced the real fears expressed by West Germany's leaders that using military forces at the inter-German border might provoke a devastating nuclear conflict with the Soviets.⁶⁸⁵

The leaflet "*Was muss der Bewerber vom Bundesgrenzschutz wissen?*" also provided extensive detail about the pay, health care, promotions, and educational opportunities available to prospective border policemen. Finally, it concluded by stating that each man who successfully completed his training would "know what role he has assumed for the state, and in addition to that, the internal and external consciousness of the relationship of loyalty to liberal democracy, devotion to duty, and tolerance to the views of others."⁶⁸⁶ The prospective candidate who read this leaflet was being asked to devote seven years of his life in the defense of the democratic state, but who in return was entitled to a lifetime of benefits and further career opportunities. Yet in trying to attract candidates, the leaflet also revealed extensive insights about the meaning of the *Bundesgrenzschutz* to the West German state. This was clear in the statements that compared the border police profession to that of a soldier. Under the subtitle "career paths," for example, the reader is told that "the career of a soldier has served as the model for the police profession with the understanding going forward that the careers of border policemen and soldiers are largely the same."⁶⁸⁷ Moreover, candidates were entitled to an exemption from military service if they served for a minimum of eighteen months. Shorter service periods were an incentive to compete with the *Bundeswehr*, which required a minimum two-year service commitment. More importantly, however, the leaflet also demonstrated that from the perspective of its federal government, border police units were just as meaningful to West Germany's national defense, if not more so, than its *Bundeswehr*.⁶⁸⁸ It also emphasized that the ideal candidate must demonstrate a personal commitment to democracy both

⁶⁸⁵ Bruno Thoss, *NATO-Strategie und nationale Verteidigungsplanung: Planung und Aufbau der Bundeswehr unter den Bedingungen einer massiven atomaren Vergeltungsstrategie 1952 bis 1960*, Sicherheitspolitik und Streitkräfte der Bundesrepublik Deutschland, Herausgegeben vom Militärgeschichtlichen Forschungsamt Band 1, (München: R. Oldenbourg Verlag, 2006), 249-252.

⁶⁸⁶ "Was Muss der Bewerber vom Bundesgrenzschutz wissen?" recruitment brochure/leaflet, BArch-K B106/16992.

⁶⁸⁷ Ibid.

⁶⁸⁸ Ibid.

internally in their ideological beliefs, and externally in their loyalty to the state.⁶⁸⁹ Thus, loyalty to liberal democracy was now an ideological as well as a pragmatic expectation for men who wanted to become border policemen.

In addition to the extensive advertising campaign, border police executives encouraged subordinates to recruit new candidates by taking every chance to promote the *Bundesgrenzschutz* to the wider public in their daily activities. Both of its organizational journals, *Der Grenzjäger* and *Die Parole* ran ongoing ads imploring policemen to: “*Werbt für Euren Beruf!*” (Advertise for your Profession!).⁶⁹⁰ This particular approach enlisted the assistance of serving policemen who themselves had a large stake in preserving their profession by helping to recruit new personnel. According to the Interior Ministry, the campaign to rebuild its police force was experiencing some success, but not nearly enough to account for the vacancies caused by the transition of border policemen into the armed forces.⁶⁹¹ The full-page ads reminded policemen to explain the variety of benefits offered to young men who chose to join. The list included free health care, clothing allowances, vocational training, opportunity for promotion, development as a civil servant for life, and an excellent pension for those who became career officers. The advertisement reminded policemen that they should recall and share what motivated them to join when speaking to potential candidates: “Many young people faced with a choice of profession are in a similar situation as you. When you meet them among your friends and family tell them the reasons you joined since this will inspire your young peers to do the same while simultaneously contributing to the reconstruction of our organization, whose mission is to protect the freedom and security of the German people at the zonal borders.”⁶⁹² Recruiters used ads like this to convince potential candidates that serving

⁶⁸⁹ Ibid.

⁶⁹⁰ These ads ran on an ongoing occasional basis in both journals; see for example, “Grenzjäger, wenn ihr im Urlaub seid, sprecht auch einmal über euren schönen und verantwortungsvollen beruf,” *Die Parole* 8, no. 12 (15 December 1958), 4; “Ein wort an Euch, Grenzjäger: Werbt für Euren Beruf!” *Der Grenzjäger* 6, no. 10 (October 1956), 5.

⁶⁹¹ Correspondence regarding recruitment results between Oberregierungsrat Dr. Doege, Bundesministerium des Innern, and the Bundesgrenzschutz-Verband E.V., 29 January 1957, BArch-K B106/16991.

⁶⁹² “Werbt für Euren Beruf!” *Der Grenzjäger* 6, no. 10 (October 1956), 5.

at the border and protecting their homeland was a noble calling that also provided benefits and career training they could use as civilians.

Even though border police executives were encouraged by the increased interest their advertising campaign generated, the number of applicants who made it through the rigorous selection process remained too low. They also had to compete for recruits with the *Bundeswehr*, which was facing similar challenges in staffing its regiments. Both the army and *Bundesgrenzschutz* relied on the aging war generation for its leadership positions while attempting to reconcile the experience gap within the ranks of younger men who served in junior or non-commissioned officer posts.⁶⁹³ Army recruiters used the same incentives to attract new recruits by emphasizing the usefulness of military service towards future civil service careers along with promises of regular pay, health insurance, and pensions for those who elected to become career soldiers.⁶⁹⁴ Even though thousands of young men showed interest, most never made it through the screening process primarily because of medical problems or physical limitations. This was the consistent experience in each of the headquarters where applicants were processed. Border Command Middle, for example, screened 25,745 interested candidates from the 1943 birth cohort, but only chose 3,041 men for further screening. Of these individuals, 1,727 were considered superior with a further 1,089 deemed acceptable, but lower grade candidates usually because of poor health or some particular physical limitation. 1,453 of these men eventually submitted applications, but after additional scrutiny only 402 were finally accepted.⁶⁹⁵ According to the screeners, the majority of qualified high school graduates were uninterested in the minimum eighteen-month service period offered as an incentive in the *Bundesgrenzschutz* since the army offered them the chance to become reserve officers after a service

⁶⁹³ These age-experience gaps and the general challenges facing army recruiters are described in Matthias Molt, "Von Wehrmacht zur Bundeswehr," 394-395, 397-400.

⁶⁹⁴ For a comprehensive analysis of recruitment in the Bundeswehr, see Thorsten Loch, *Das Gesicht der Bundeswehr: Kommunikationsstrategien in der Freiwilligenwerbung der Bundeswehr, 1956 bis 1989* (München: R. Oldenbourg Verlag, 2008), 81-85; See also Detlef Bald, *Vom Kaiserheer zur Bundeswehr: Sozialstruktur des Militärs, Politik der Rekrutierung von Offizieren und Unteroffizieren* (Frankfurt am Main: P.D. Lang, 1981).

⁶⁹⁵ "Erfahrungsbericht über den Einsatz der Laufbahnberater des BGS aus dem Bereich des GSK Mitte im Rahmen der Musterung des Geburtsjahrganges 1943," Anlage 1, Übersicht der Werbeerfolge durch den Einsatz der Laufbahnberater des GSK Mitte, BArch-K B106/16992.

period lasting just six months longer (2 years total).⁶⁹⁶ Recruiters also found that young men who lived in regions where the *Bundeswehr* had a strong presence expressed little interest in border police careers. The chief reason for this was attributed to the fact that by joining the army in their local district, these men had a good chance of completing their two-year service periods closer to home.⁶⁹⁷

The experience of Border Command Middle in trying to find suitable candidates was typical. The officials in charge of recruitment and hiring were known as career guidance practitioners (*Laufbahnberater*) and followed specific guidelines set by the Interior Ministry for screening, selecting, and hiring new candidates.⁶⁹⁸ These guidelines reflected both the expectations of the organization and the process each candidate experienced before he was finally offered a job in the *Bundesgrenzschutz*. While each applicant was judged on his ability to complete the entire process, the Interior Ministry emphasized that “the selection of candidates according to their character, mental and physical fitness is of crucial importance; the responsibility for the careful selection lies with the Border Police Command.”⁶⁹⁹ They were required to have clear police records, show a demonstrated record of sound personal financial management, and must have completed at least the eighth-stage of elementary school (*Volksschule*) or its educational equivalent by the time of appointment. Applicants who previously lived in the Soviet Occupation Zone were eligible, but must have applied for residency in West Germany or have been legally declared as Soviet Zone refugees.

Recruiters were required to establish evidence by way of declaration that all applicants promised to uphold the free democratic order of the Federal Republic of Germany as it was enshrined in the meaning of the Basic Law. Each application packet contained an attachment with this declaration that

⁶⁹⁶ Ibid., 8.

⁶⁹⁷ Ibid.

⁶⁹⁸ “Richtlinien für die Auswahl, Annahme und Einstellung von Grenzjägern (Einstellungsrichtlinien Grenzjäger),” *Mitteilungsblatt für den Bundesgrenzschutz* 1, no. 46 (Bonn: Bundesministerium des Innern, 1958), BArch-K B106/16991.

⁶⁹⁹ Ibid.

had to be signed before a candidate was considered for employment.⁷⁰⁰ The declaration contained a statement signed by Chancellor Adenauer warning applicants that participation in, or support for any political organization that undermined the free democratic order of society was inconsistent with their obligations as public servants. Moreover, applicants were also warned that they would be “mercilessly removed from public service and potentially face criminal charges” if evidence of their support for these organizations was discovered.⁷⁰¹ On the one hand, this declaration reflected how West Germany’s militant democracy was transferred from debates on the floor of the *Bundestag* to the act of hiring entry-level civil servants. A militant democracy acts against those groups or individuals who engage in anti-democratic activities.⁷⁰² Yet on the other hand, it clearly demonstrated, in spite of critics who claimed otherwise, that the Interior Ministry at least had a mechanism in place to disqualify men who might use extreme right or leftwing ideologies to politicize or turn the police force against the state. And while there were still many officers and NCOs from the former *Wehrmacht* and Nazi police leading the *Bundesgrenzschutz*, the newer generation of recruits entered service without previous law enforcement or military experience.

Applicants also had to successfully pass a series of written examinations, physical fitness tests, and be declared medically sound by a border police physician. The proctors and physicians administering these tests were expected to set a positive example for the young men they screened.⁷⁰³ The Interior Ministry wanted recruits to have a good impression of the *Bundesgrenzschutz* and demanded that its staff treat all applicants with dignity and respect. The hiring guidelines emphasized that “entrance testing represents the first impression candidates have of the BGS. The experience he accumulates in this case usually leaves a lasting impression, especially if he is rejected. Thus, BGS officials and teachers responsible for conducting exams must demonstrate a human openness towards the applicant and should

⁷⁰⁰ See “Politische Betätigung von Angehörigen des öffentlichen Dienstes gegen die demokratische Grundordnung,” attachment to BGS Application, B106/16991.

⁷⁰¹ Ibid.

⁷⁰² Udi Greenberg, *The Weimar Century*, 169.

⁷⁰³ “Richtlinien für die Auswahl, Annahme und Einstellung von Grenzjägern,” 649, BArch-K B106/16991.

be monitored by competent commanders at all times.”⁷⁰⁴ Candidates first had to pass a written examination that included a short essay and basic arithmetic. Next, they had to present a short verbal report where they were subjected to debate and questions by an examining board. The next stage was the physical fitness test, which was based on an accumulation of points in four events: pull-ups, the standing long jump, the hammer throw, and the 1000-meter run. Each man had to perform at least one pull-up, jump a minimum of 2.4 meters, throw a hammer for a distance of at least 15 meters, and run 1000 meters in four minutes and forty-five seconds to achieve a minimum passing score. Finally, each candidate was screened for medical problems by undergoing a series of blood tests and chest x-rays. Border police physicians had to certify that men selected for hiring were free from disease and in overall excellent health.⁷⁰⁵

By the end of the 1950s, in spite of the increasing numbers of applicants and interest generated by the advertising campaign, border police commanders realized they were falling far short of the projected manpower needed to restore the organization back to its pre-1956 strength. During a meeting with the border police command staff, Interior Ministry *Oberregierungsrat* Siegfried Fröhlich pointed out that during the first five quarters between 1956 and 1958, there were on average only 2.7 applicants per vacancy for the entire *Bundesgrenzschutz*.⁷⁰⁶ According to Fröhlich, this number, while appearing as a positive development on paper, was insufficient to cover the short-term existing or long-term anticipated vacancies to the extent that supported a full reconstruction of the force.⁷⁰⁷ The primary reason the ratio of applicants to vacancies was so deceiving was the fact that the rigorous screening process disqualified high percentages of young men, mostly on grounds related to poor physical and medical fitness.⁷⁰⁸ Fröhlich complained that some of those responsible for screening applicants had actually been too strict in their interpretation of the hiring standards and this was causing higher than normal attrition rates. To address

⁷⁰⁴ Ibid.

⁷⁰⁵ Ibid., 664.

⁷⁰⁶ “Protokoll des Kommandeurbesprechung am 3./4. Juli 1958,” 1, BArch-K B106/16991.

⁷⁰⁷ Ibid.

⁷⁰⁸ Ibid., 2.

this problem, he recommended that the standards for recruits should remain lower, at least until staffing could be returned to normal levels. He argued, “I would like to express here that the heads of recruiting offices, physicians, and examination boards should be constantly reminded that we cannot afford to raise our hiring standards to such an extent that returning the BGS to its full authorized strength becomes impossible.”⁷⁰⁹ He justified his position by reminding the commanders that each border policeman hired was automatically placed on a one-year probationary status, which provided the opportunity for commanding officers to dismiss any unsuitable candidate without cause.⁷¹⁰

The *Bundesgrenzschutz* command staff, however, disagreed with Fröhlich’s assessment. *Inspekteur* Kurt Andersen wrote to Fröhlich explaining that standards had already been significantly lowered to increase the pace of hiring.⁷¹¹ He argued that border police physicians were certifying young men who were in the lower rankings of fitness if they could prove that previous injuries were not limiting their ability to perform their duties. This was particularly evident, according to Andersen, in the assessment of external body conditions.⁷¹² Those with pre-existing injuries, such as strains, sprains, and fractures were being judged on the extent of rehabilitation from such injuries rather than being dismissed based solely upon suffering the injury in the first place. Andersen reminded Fröhlich that even “flat footedness,” which had previously been grounds for immediate dismissal, was now being overlooked since “the BGS is a fully motorized troop even though once deployed, border policemen must run a lot.”⁷¹³ While standards were lowered for these physical conditions, Andersen admitted that they had been raised in assessing connective tissue injuries and especially those related to skull fractures and concussions. These standards, he reminded Fröhlich, were consistent with the medical screening

⁷⁰⁹ Ibid.

⁷¹⁰ Ibid. The probationary period is still a practice that continues in all U.S. and many global law enforcement organizations. Police Officers are not protected by civil service regulations during this one-year period and are subject to termination without right to appeal if they fail to perform competently.

⁷¹¹ BGS Inspekteur Kurt Andersen to *Oberregierungsrat* Fröhlich, 28 July 1958, “Betreffend: Wiederauffüllung des Bundesgrenzschutzes,” 1, BArch-K B106/16991.

⁷¹² Ibid.

⁷¹³ Ibid., 2-3.

guidelines carried out by state and municipal police forces. Andersen suggested that it was impossible to know why the general health of entry-level applicants had been steadily declining since police forces around the Federal Republic were reporting similar trends. Moreover, he emphasized that “we currently live in a never before achieved level of full employment; the competition for candidates between the Bundeswehr and the state police are particularly fierce; perhaps the changing and difficult factors from consequences of the war have also led to a decrease in the general health of applicants.”⁷¹⁴ Andersen’s reference to the war was based on his perception that there were many men still suffering physical limitations and long-term rehabilitation from injuries they received in combat. In 1950, statistics show that the state was providing pensions to 1,537,192 disabled veterans. Of these men, 207,000 were amputees, 56,000 suffered from brain injuries, 34,000 had artificial eyes and 6,600 were listed as blind.⁷¹⁵ Since veteran soldiers originally staffed the *Bundesgrenzschutz*, the plight of Germany’s prisoners of war and reverence for its war dead was an integral part of its organizational culture during the 1950s and early 60s.⁷¹⁶

Andersen’s comments regarding the unprecedented decline of unemployment in postwar West Germany and the competition it created for applicants with the army and state police forces were the main challenges standing in the way of rebuilding the organization. West Germans were experiencing the beginning stages of the economic miracle (*Wirtschaftswunder*) with unemployment down to record levels and disposable income steadily rising. According to Konrad Jarausch, between 1948 and 1953, “the number of employed, which had initially stagnated around 13.5 million, grew to around 16 million, so

⁷¹⁴ Ibid., 4.

⁷¹⁵ Statistical information on the true number of disabled veterans may never be known; for an excellent analysis of this subject, see Carol Poore, *Disability in Twentieth-Century German Culture* (Ann Arbor: University of Michigan Press, 2009), 169-170.

⁷¹⁶ There was an ongoing campaign to raise money for POWs entitled “Hilfe für unsere Kriegsgefangenen,” where each BGS command center collected donations. The campaign was advertised throughout the 1950s in BGS organizational journals *Der Grenzjäger* and *Die Parole*; Border policemen were also reminded in these journals of their duty to care for German war graves in the rural regions of the inner-German border, see Meister i. BGS Herbert Volke, “Ein Grenzjäger am Grab eines unbekanntens deutschen Soldaten unweit der tschechischen Grenze,” *Die Parole* 9, no. 10 (15 December 1959), 10.

that unemployment, which still stood at 12.2 percent in the first quarter of 1950, declined by roughly half.”⁷¹⁷ Nevertheless, 12.2 percent is still a relatively high unemployment rate in spite of the decline cited by Jaraus. For those young men actively seeking law enforcement careers, many state and municipal police forces, especially those in larger cities, offered higher pay than the *Bundesgrenzschutz*. The city of Bremen, for example, paid its entry-level policemen 343 DM as compared to the 220.40 DM salary of a first year border policeman. A border police sergeant only made slightly more than the entry-level Bremen officer at 361.68 DM.⁷¹⁸ The army was also facing a recruitment crisis and its ads often shared space in West Germany’s popular magazines and newspapers alongside those of the *Bundesgrenzschutz*.⁷¹⁹ *Oberregierungsrat* Fröhlich instructed border police recruiters to attempt negotiations with publishers in order to secure advertising space separate from that allowed for the army. In spite of these negotiations, Fröhlich acknowledged that smaller magazines and newspapers would probably continue to run ads for both forces together.⁷²⁰

In 1961, when Kurt Andersen retired as the *Inspekteur* of the *Bundesgrenzschutz*, the organization was still suffering from a lack of new recruits and had declined in overall strength.⁷²¹ His successor, Brigadier General Alfred Samlowski, inherited a force that was celebrating its ten-year anniversary and yet still seeking to find a way to recover in the aftermath of 1956. Samlowski was the polar opposite of Kurt Andersen. Studious and reserved, he lacked Andersen’s charisma and storied combat experience. He too had served in the army during both world wars and in the Prussian *Schutzpolizei*, but primarily in the technical service as a radio operator. His technical service continued when he joined the

⁷¹⁷ Konrad Jaraus, *After Hitler*, 89.

⁷¹⁸ See “Polizei: Unser Schütz und Dein Lebensberuf – Polizeibeamter der Freien Hansestadt Bremen ein Lebensberuf: Einstellung, Ausbildung, Werdegang,” (Hansestadt Bremen: 1960), 8; for comparable BGS pay scale see “Werbt für Euren Beruf!” *Der Grenzjäger* 6, no. 10 (October 1956), 5.

⁷¹⁹ Hans Ehlert, Christian Greiner, Georg Meyer, und Bruno Thoss, *Die Nato-Option*, MGFA, 1154-57.

⁷²⁰ *Oberregierungsrat* Fröhlich to *Abteilungsleiter* VI, 9 July 1958, “Betreffen: Werbeanzeigen des Bundesgrenzschutzes,” BArch-K B106/16991.

⁷²¹ “General Andersen im Ruhestand,” *Der Grenzjäger* 11, no. 4 (April 1961), 6.

Bundesgrenzschutz and rose through its ranks leading various signals and radio operations companies.⁷²²

On 31 October 1961, the Interior Ministry provided Samlowski with an analysis of recruitment measures and their results during the first nine-months of the year.⁷²³ According to the statistical data, the effective strength of the force continued to decline in spite of efforts by border police officials to intensify their advertising campaign. From a list of 7,187 men who submitted interest cards, for example, 2,918 applied for employment, 1,117 were hired and 1,801 were dismissed. Thus, in this case, the rates of dismissals still exceeded those who were hired by 684 men.⁷²⁴ Between 1 January and 1 October 1961, the total effective strength of the organization fell from 13,863 to 13,193 men.

Inspekteur Samlowski realized he had to act quickly if there was any hope of reversing the attrition rates to restore the organization. It was the most significant issue he faced during his tenure as *Inspekteur*. He wrote to Interior Minister Gerhard Schröder on 31 October 1961 with a proposal outlining his recruitment strategy for fiscal year 1962.⁷²⁵ Samlowski's approach differed very little from that of his predecessor and focused primarily on an intense advertising campaign. Instead of funding the same ads, however, he recommended recruiters concentrate on those that proved to be most effective. He used data from inquiry cards submitted by prospective applicants about how they learned of the *Bundesgrenzschutz* to determine which ones had worked best.⁷²⁶ He reported to Schröder that, "ads in the *Bild-Zeitung* led to the most hiring and therefore they should be expanded." The *Bild* was a daily tabloid produced by the conservative Axel Springer publishing firm that appealed to a working class readership with sensationalist stories and evocative imagery.⁷²⁷ This was important because as the data collected from recruiting centers in 1953 revealed (see above), most applicants were "blue collar" workers who came from West

⁷²² "Das neue Inspekteur des Bundesgrenzschutz," *Der Grenzjäger* 11, no. 5 (May 1961), 8.

⁷²³ "Überblick über die Werbung in den ersten 9 Monaten des Rechnungsjahres 1961," 1, BArch-K B106/16992.

⁷²⁴ *Ibid.*

⁷²⁵ BGS Inspekteur Alfred Samlowski to Gerhard Schröder, "Grundsätze der BGS-Personalwerbung für das Rechnungsjahr 1962," 31 October 1961, BArch-K B106/16992.

⁷²⁶ *Ibid.*

⁷²⁷ *Ibid.*; Both Jürgen Habermas and Herbert Marcuse accused the *Bild* of manipulating its working class readership to promote capitalism; see also Richard Langston, *Visions of Violence: German Avant-Gardes After Fascism* (Evanston: Northwestern University Press, 2008), 170.

Germany's smaller cities. According to Schröder, the most popular ads in the *Bild* were those color prints that showed border policemen driving an all-terrain vehicle under the title "*Bundesgrenzschutz die vollmotorisierte Polizeitruppe*" (fully motorized police troops).⁷²⁸ The objective of the advertisement was twofold. On the one hand, it appealed to young men seeking a job that could be fun in addition to providing a stable income and career training. On the other hand, the intent of emphasizing the border police as "fully motorized" showed potential recruits that they would be joining a modern and innovative police force.

Samlowski found personal recruitment by border policemen to be the second most effective advertising method. To reinforce the success of this trend, he recommended creating incentives for policemen to actively seek new candidates and to focus on those among their own circles of friends and family. He suggested that some of these incentives might include granting increased leave time and formal letters of appreciation.⁷²⁹ In this same spirit, he recommended establishing squads of recruitment troops to collaborate with career centers, youth organizations, and schools to overcome what he believed was an image or identity problem many prospective applicants expressed about the *Bundesgrenzschutz*.⁷³⁰ He explained that for most young people, "the job description of a border policeman is too blurry. They want a much more clear role of the duties since the term 'BGS' links the concept of the border zone, which is often associated by all Germans as something negative. Moreover, the name 'BGS' also evokes negative thoughts about the border guards after the First World War, especially for many of the young men's parents and thus, a designation of the force as a federal riot police has a far greater selling power."⁷³¹ Samlowski's thinking on the negative images associated with militarism shows that recruiters had to emphasize the benefits of border police service for civilian life.

⁷²⁸ See example proof: "Bundesgrenzschutz die vollmotorisierte Polizeitruppe," BArch-K B106/16992.

⁷²⁹ Samlowski to Schröder 31 October 1961, BArch-K B106/16992.

⁷³⁰ Ibid.

⁷³¹ Ibid.

At the end of 1960, the Interior Ministry had begun to address the public image of the *Bundesgrenzschutz* by revising and updating the film *Zum Schutz der Heimat*, which *Oberregierungsrat* Fröhlich complained was outdated. He argued that existing copies of the film were wearing out and failed to accurately represent the organization's changes since its production in 1956. He wanted a new film created that was based on the content of the first one, but focused more on a documentary style with action sequences.⁷³² The Interior Ministry chose the award-winning documentary filmmaker Carl Erras to make the new film, which was called *Für Frieden in Freiheit* (For Peace and Freedom). Erras was a graphic artist who had abandoned his work because of the psychological trauma he suffered as a soldier in the Second World War. After his recovery, he briefly returned to freelance painting before beginning a career making short documentary films for the Munich firm DIA-Film.⁷³³ Production for the film began at Deggendorf in November 1960. Erras planned the film around 400 scenes with the intent of depicting a typical day in the life of a border policeman. It took five days to complete the actual filming before the final cut was edited into a thirty-three minute short to be shown in theaters throughout West Germany. Erras explained to reporters on hand for the filming in Deggendorf that it was “intended to stimulate interest in the Bundesgrenzschutz.”⁷³⁴

Für Frieden und Freiheit emphasized many of the same themes in *Zum Schutz der Heimat* by depicting action sequences that reflected masculine themes of strength, toughness and heroism for the men who defended West Germany's borders.⁷³⁵ The new film, however, reflected a distinctly different type of masculinity than *Zum Schutz der Heimat*. Although discipline and toughness remained important character traits for those men assigned to patrol the isolated and often harsh rural landscapes of the inner-

⁷³² Fröhlich to Referate VI, B2, B3, and B4, “Produktion eines neue BGS Werbung Film,” 8 April 1960, BArch-K B106/14024; See also “Niederschrift: über die Dienstbesprechung mit den Leitern der Abteilung II der Grenzschutzkommandos am 3. Februar 1960 im Bundesministerium des Innern über Werbemassnahmen für die Wiederauffüllung des Bundesgrenzschutzes,” BArch-K B106/14024.

⁷³³ Inter Nationes, *Films of the Federal Republic of Germany: Volume I – Documentary Films* (Press and Information Office of the Federal Government: 1986), 155.

⁷³⁴ Sergeant Günther Rossner, “In Deggendorf wurde gefilmt,” *Die Parole* 10, no. 11 (15 November 1960), 7

⁷³⁵ See *Für Frieden in Freiheit*, available for viewing at <https://www.youtube.com/watch?v=A55fYsZhvXQ>.

German border, the new film produced a narrative that explicitly aimed to attract men who were intelligent, career driven, and active participants in civilian life. The shift in narrative reflected the changing themes of postwar masculinity as recruiters attempted to appeal to a younger generation of West German men. Policemen were shown flying helicopters to rescue stranded mountaineers, patrolling the rural border, driving light tanks and armored vehicles, patrolling the Elbe River in high speed boats, and frightening away members of the *Volkspolizei* without having to fire a single shot.⁷³⁶ Besides these action sequences, the film also featured intimate views of what daily life was like in a typical *Bundesgrenzschutz* barracks. Here, the career driven professional man took center stage. Policemen were shown attending classes where the instructor quizzed them on democracy and various articles in the Basic Law. The officers were also followed into mess halls where they were treated to three substantial meals a day. Throughout the film, Erras had a reporter approach various policemen and ask them specific questions about the career prospects, training, and education provided during their service. The effect of these interviews provided the viewer with a sense of realism missing from the first film, which only focused on three individuals. As the day in the film concluded, border policemen were shown enjoying their free time in a variety of activities that included reading, playing pinball machines, and bowling. The narrator explained that the men were also free to dress in civilian attire and leave the barracks if they chose.⁷³⁷ This was an attempt to show one of the advantages policemen had over soldiers in the *Bundeswehr*, who usually had to remain on their base unless granted official leave. But it was also aimed to show recruits that the new West German man could defend the homeland by force if necessary while remaining a participant in civil society.

Inspekteur Samlowski reported that feedback from his subordinate commanders suggested the new film was generally well accepted and left a lasting impression on viewers. He complimented its documentary style and believed it was much more reflective of the organization than was the case with

⁷³⁶ Ibid.

⁷³⁷ Ibid.

the older *Zum Schutz der Heimat*. He did, however, receive complaints about the new film from some of the commanders who claimed it was too idealistic in its depiction of border police service.⁷³⁸ They complained, for example, that the film only reflected the organization's newest, more modern facilities and equipment. They were critical that none of the old barracks and kitchens were shown, which were more representative of what a new policeman could expect at most facilities.⁷³⁹ While Samlowski agreed with some of these insights, he admitted that the film could not be edited. Instead, he recommended that the commanders' suggestions be considered for any revisions or newly produced recruitment films. He concluded that, "enhanced cooperation with the organs of public opinion (press, radio, television, and movie newsreels) should be emphasized for increased recruitment. This intensification of public relations and all advertising methods significantly helps other recruitment activities."⁷⁴⁰

Samlowski's letter to Interior Minister Schröder also suggested that more efforts were needed to reach out to West German youth organizations and schools since many older teens would soon be considering careers.⁷⁴¹ The *Bundesgrenzschutz* was actively courting West Germany's youth. In 1953, for example, officials from the Interior Ministry along with several border policemen attended the annual summit of the Protestant and Catholic youth associations in Bad Honef.⁷⁴² The *Bundestag's* approval to expand the force by 10,000 men was the basis for the Interior Ministry's focus on youth associations as a source of future recruits. At Bad Honef, *Oberregierungsrat* Kretschamm explained to the delegates that there was a distinct difference between the duties of the *Bundesgrenzschutz* and the military. He also emphasized the extensive civics education provided to new recruits. According to Kretschamm, civics and democracy were the core values instilled in young policemen because the "promotion of human relationships between superiors and subordinates and the meaning of those relations to society and the

⁷³⁸ Samlowski to Schröder, 31 October 1961, BArch-K B106/16992.

⁷³⁹ Ibid.

⁷⁴⁰ Ibid.

⁷⁴¹ Ibid.

⁷⁴² Oberregierungsrat Kretschmann, "Bericht über die Besprechung mit den Vertretern der Spitzenverbände der katholischen und evangelischen Jugend in Bad Honef am 15 July 1953 über Ausbildung, Bildungs und Berufsförderungsfragen im Bundesgrenzschutz," BArch-K B106/14024.

civilian population is an equally important concern.⁷⁴³ Besides attracting new recruits, Kretschamm's statements reflected the broader social upheavals taking place within West Germany's youth culture and the conservative government's efforts to contain them. During the 1950s, youth riots and the emergence of *Halbstarke* (hooligans or half-strong) – groups of young men in jeans and leather jackets inspired by American films such as *Rebel Without a Cause* and *The Wild Ones* – alarmed conservative society.⁷⁴⁴ To conservatives, the *Halbstarke* appeared feminine and weak in contrast to the new ideal West German man – a civilian who protected his home and family.⁷⁴⁵ The *Halbstarke* were not feminine as conservative critics believed, but rather reflected a different type of masculinity that did not fit the new postwar ideal of the “citizen in uniform.”

For Kretschamm and the Interior Ministry, promoting service in the *Bundesgrenzschutz* was an opportunity to show young men an alternative or better life to the delinquency and rebellion of the *Halbstarke*. Thus, the *Bundesgrenzschutz* functioned as a vehicle that shaped young men into the ideal type of male citizens acceptable to postwar conservatives. It was a response to the crisis of masculinity and authority produced by the emergence of 1950s youth counterculture.⁷⁴⁶ During the Bad Honaf meeting, BGS-Major Reissmüller provided an overview of the organization, its career opportunities, and the vocational training available to prospective candidates. He also explained the free time they would have for competitive sports, music, and leisurely activities. His explanations were evidence of the concerted effort by the Interior Ministry to distance the profession from the military while emphasizing that one could and should still participate in the activities of civilian life. By promoting leisure activities,

⁷⁴³ Ibid.

⁷⁴⁴ Uta Poiger, *Jazz, Rock and Rebels*, 72-84.

⁷⁴⁵ Ibid., 81.

⁷⁴⁶ Ibid., 72-75.

Reissmüller reinforced the response of conservative society to the emerging consumerism and individualism of the 1950s.⁷⁴⁷

Oberregierungsrat Kretschamm reported that during the Bad Honef meeting, he succeeded in gaining the support of both the Protestant and Catholic youth associations in promoting the *Bundesgrenzschutz*. Both churches struggled to hold followers against the rising consumerism and mass culture of the 1950s and 60s.⁷⁴⁸ Their challenge, like that of the *Bundesgrenzschutz*, was to find new ways of appealing to younger generations tempted by the technology, consumer culture, and leisure activities of modern life. Thus, the Interior Ministry and church youth leagues found common ground in working cooperatively for the same purpose. The youth associations and border policing offered alternatives to the *Halbstarke* lifestyle by promoting in their young men an ideal form of masculinity that emphasized loyalty to state and family rather than individualism. By promoting these ideals, both institutions functioned to school or indoctrinate young West German men against the popularized images of the rebellious, feminized, or wild lifestyles conservatives attributed to the *Halbstarke*. While most of those Kretschamm addressed in the youth associations were still too young to join the *Bundesgrenzschutz*, the Interior Ministry hoped a career in border policing would offer them a natural transition from one into the other as these young men came of age.⁷⁴⁹

⁷⁴⁷ See Mark Edward Ruff, *The Wayward Flock: Catholic Youth in Postwar West Germany, 1944-1945* (Chapel Hill: University of North Carolina Press, 2005), 6-7; consumerism, individualism and mass taste are also emphasized in Uta Poiger, *Jazz, Rock and Rebels*.

⁷⁴⁸ Mark Edward Ruff, *The Wayward Flock*, 49.

⁷⁴⁹ *Oberregierungsrat* Kretschmann, "Bericht über die Besprechung mit den Vertretern der Spitzenverbände der katholischen und evangelischen Jugend in Bad Honef am 15 July 1953 über Ausbildung, Bildungs und Berufsförderungsfragen im Bundesgrenzschutz," BArch-K B106/14024.

Recruiting Pitfalls and the Emergence of a Critical Public: The *Der Stern* Scandal

The *Bundesgrenzschutz* regularly hosted members of youth groups to promote their profession. This practice pre-dated the establishment of the *Bundeswehr* when there was less competition for new recruits. Teenage students and boy scouts were often taken on escorted Iron Curtain tours and treated to exhibits of police equipment and vehicles to peak their interest in the organization. The youth organization of the CDU, *Junge Union Deutschlands* (Young Union of Germany), for example, regularly sent its members on these tours.⁷⁵⁰ The Interior Ministry encouraged the field trips and worked closely with the Young Union because they saw it as a resource for future recruits. In approving a request to visit the border near Fulda from the Hesse chapter, *Oberregierungsrat* Fröhlich recommended to his staff that similar excursions should be increased since “the Young Union is continuously engaged in advertisement for the BGS and border tours have proven very beneficial for recruitment.”⁷⁵¹

The Interior Ministry often allowed newspaper reporters to go along on Iron Curtain tours in order to exploit the maximum opportunity for publicity. Some of these reporters wrote action-oriented stories about the inter-German border, which increased public awareness of border policemen and their duties. The *Allgemeine Samstagszeitung*, for example, published an article about one of these field trips to the Rhön mountains of Hesse titled: “Achtung! Nach 100 Metern Zonenengrenze!” (Warning! Zonal Border 100 Meters!).⁷⁵² The article’s author, a reporter who went along on the trip, described the terrain in the West as superior to the “otherworldly” landscapes he and the tour group observed in the East through binoculars. He claimed the barriers, watchtowers, and death strips of the Iron Curtain were more

⁷⁵⁰ Letter from Albert Feller, Junge Union Deutschlands, to Bundesministerium des Innern, “Besuch der Grenzschutzunterkunft Fulda durch Vertreter der Jungen Union Deutschlands,” 12 September 1958, BArch-K B106/16991; The Junge Union was the joint youth organization that represented West Germany’s CDU and CSU parties – during the 1950s it was part of the “new right” and in some cases its members expressed radical, anti-democratic view points – See, Alice Brauner-Orthen, *Die Neue Rechte in Deutschland: Antidemokratische und rassistische Tendenzen* (Opladen: Lesse und Budrich, 2001), 176-177

⁷⁵¹ Notation by Dr. Fröhlich on letter approving Junge Union border tour at Fulda, 12 September 1958, BArch-K B106/16991.

⁷⁵² Frank Frey, “Achtung! Nach 100 Metern Zonenengrenze!,” *Die Allgemeine Samstagszeitung* (21 September 1958), 1, BArch-K B106/16991.

ominous than what he, or most West Germans, commonly assumed.⁷⁵³ Of particular interest to the visitors were members of the *Volkspolizei* they observed with scythes helping local farmers in the villages that had been cut-off by Germany's postwar division. Otherwise, he noted that the eastern villages were devoid of activity as "sawmills were quiet, chimney's never smoked and dead silence rises from the valley like a cloud of vapor that hangs like a black veil under the deep blue sky of the Rhön where there are no signs of life."⁷⁵⁴

Stories such as this underscored the imagery of the East as oppressive and dangerous, which was also reflected by the *Bundesgrenzschutz* recruitment propaganda in posters, films, and brochures.⁷⁵⁵ On the one hand, the central focus of this narrative was to show West Germans the superiority of their own nation-state and the critical role border policemen played in its defense. On the other hand, however, it emphasized that policing was a noble profession for a young man to undertake, part of a masculine duty to protect the homeland from the perils of communism. A brochure handed out to potential recruits on these tours explained that border policemen were expected to have an important "all-German task securing the free democratic order" once Germany was eventually re-unified.⁷⁵⁶ The brochure explained that the army was ineffective for maintaining internal security, and thus would be unable to "democratically re-educate" those East Germans who were part of the Soviet police associations. Preventing communist policemen from undermining a re-unified German state was a complex task the Interior Ministry believed only a federal police force such as the *Bundesgrenzschutz* could handle.⁷⁵⁷

Iron Curtain tours and field trips to border police facilities were not only reserved for conservative organizations such as the Young Union, but were open to any youth groups that expressed

⁷⁵³ Ibid.

⁷⁵⁴ Frank Frey, "Achtung! Nach 100 Metern Zonengrenze!," *Die Allgemeine Samstagszeitung* (21 September 1958), 1, BArch-K B106/16991.

⁷⁵⁵ For an excellent study of the imagery associated with the Iron Curtain and the Cold War, see Yuliya Komska, *The Icon Curtain: The Cold War's Quiet Border* (Chicago: University of Chicago Press, 2015), 7.

⁷⁵⁶ Bundesministerium des Innern brochure, "Warum wir den Bundesgrenzschutz brauchen," BArch-K B106/16991.

⁷⁵⁷ Ibid.

interest. Over a two-day period in July 1958, for example, 13 high school boys and their teacher from the *Gymnasium Köln-Deutz* took part in a series of field trips and border police orientation visits.⁷⁵⁸ The group was hosted by *Grenzschutzgruppen 3* (Border Police Group 3 – GSG 3) at its headquarters near Eschwege in Hesse. The first day of the two-day visit began with a screening of the film *Zum Schutz der Heimat* and was followed by an in-depth tour of the barracks, workshop, gym and mess halls. Under close supervision, the boys were shown various weapons in GSG 3’s arsenal. They also rode in a variety of vehicles used for patrolling the border, especially the four-wheel drive models. On the second day, the teenagers donned hiking boots and climbed into patrol vehicles for their escorted tour of the rural border zone around the Rhön Mountains.⁷⁵⁹ The boys were shown the divided villages, railways, barbed wire, and watchtowers stereotypical of the Iron Curtain. Their teacher Hans Preuschoff told officials at the Interior Ministry that, “without exaggeration, the trip to the zonal boundary was a profound experience for the boys.” Mr. Preuschoff also said his students were impressed and thrilled with the capabilities of the off-road vehicles as they negotiated the difficult terrain.⁷⁶⁰ Preuschoff’s observations show that besides attracting new recruits, the larger objective of these tours was to promote democratic West German values and anti-communism. Tour guides ensured their groups saw life in the east as a wild, untamed, and backwards in contrast to the free, productive, and secure lives enjoyed by those living in the west. The tours emphasized the GDR as a pariah state and the guides used it to boost the western way of life as a thematic counter to visions of the East as oppressive and backwards.⁷⁶¹

⁷⁵⁸ Report: Grenzschutzkommando Mitte to Bundesministerium des Innern, “Bericht über die Studienfahrt der gegenwartskundlichen Arbeitsgemeinschaft des Städt Neusprachlichen Gymnasiums Köln-Deutz zum Bundesgrenzschutz und an die Zonengrenze,” 17 October 1958, BArch-K B106/16991.

⁷⁵⁹ Ibid.

⁷⁶⁰ Ibid.

⁷⁶¹ Eric Weitz, “The Ever-Present Other: Communism in the Making of West Germany,” 229.

Preuschoff explained that his students were “particularly shaken by the economic impact of the Iron Curtain, which has destroyed a large, unified, and prosperous agricultural region.”⁷⁶² He said it was clear that the West German border police were defending their homeland, while the *Volkspolizei* were “strangling and isolating” the East German population. The group was also taken on a guided tour of a glass factory near Kassel where they met the owner, Richard Süßmuth, a former refugee from the Soviet Zone who had become successful after fleeing to the West. Next they visited a large refugee camp near Friedland where they witnessed the screening and processing of East Germans attempting to find new homes in the Federal Republic. The pedagogical objective of these twin site visits emphasized the stark differences between the eastern and western economic conditions and reflected that the free market, as promoted by the democratic system, provided better opportunities for anyone willing to work hard.⁷⁶³ And tour guides ensured the boys understood it was border policemen rather than soldiers who guaranteed the security and the success of entrepreneurs like Richard Süßmuth. The sole aim of these tours was to convince the young participants that Germany’s division was the work of an oppressive Communist enemy that was waiting to conquer and enslave the rest of Germany and eventually the entire West. The tour guides also hoped the boys would see border policemen as heroes and one day choose to join the *Bundesgrenzschutz* where they too could take part in the heroic defense of their homeland against the evils of Communism.⁷⁶⁴

In spite of positive experiences like those of Mr. Preuschoff’s students, the recruitment efforts targeting West Germany’s youth and the emergence of a critical public created a high-profile press scandal for the *Bundesgrenzschutz*. The problem first emerged when the popular weekly magazine *Der Stern* published a story with series of embarrassing photographs that appeared to show teenage boys playing war games with real weapons. The boys were all members of the Berlin chapter of Germany’s

⁷⁶² Report: Grenzschutzkommando Mitte to Bundesministerium des Innern, “Bericht über die Studienfahrt der gegenwartskundlichen Arbeitsgemeinschaft des Städt Neusprachlichen Gymnasiums Köln-Deutz zum Bundesgrenzschutz und an die Zonengrenze,” 17 October 1958, BArch-K B106/16991.

⁷⁶³ Ibid.

⁷⁶⁴ Ibid.

Association of Returnees, POWs, and MIAs (*Verband der Heimkehrer, Kriegsgefangenen und Vermisstenangehörigen Deutschlands e.V.* – VdH) who were spending their summer vacation with GSG 6 at Lüneburg. The Chapter President Herr Duchstein wrote to the Interior Ministry requesting permission for the boys to spend a portion of their vacation time at a border police facility.⁷⁶⁵ Considering the extensive efforts made by the Interior Ministry to reach West Germany’s youth, Duchstein’s request was certainly routine. Boys from the VdH Berlin chapter had been participating in summer vacations with the *Bundesgrenzschutz* for many years; some of them eventually became border policemen.⁷⁶⁶ The Interior Ministry granted the request and arranged for twenty of the boys to spend their annual one-month (12 July to 12 August 1965) summer camp at border police facilities near Lüneburg, Winsen, and Gifhorn.

Press scandals, especially those involving West Germany’s military and police forces were a consequence of the emergence of a critical public that took hold in the 1960s. According to Christina von Hodenberg, “the long sixties became the decade of media-political affairs” where mass media and politics clashed.⁷⁶⁷ As a paramilitary police force, the *Bundesgrenzschutz* was already controversial in the eyes of the press. As early as 1955, the German magazine *Der Spiegel* (The Mirror) published a sensational story that forced former *Wehrmacht* Colonel Bogislaw von Bonin’s resignation from the Blank Office over comments he made about using border policemen for national defense (See Chapter 3). In 1962, *Der Spiegel* was also at the center of a press scandal after printing a story about NATO military exercise Fallex 62 and the potential use of tactical nuclear weapons in case of conflict with the Soviets.⁷⁶⁸ During what the media called the *Spiegel Affair*, Defense Minister Franz Josef Strauss ordered German

⁷⁶⁵ Letter from Herr Duchstein Verband der Heimkehrer, Kriegsgefangenen und Vermisstenangehörigen to the Bundesministerium des Innern, 13 May 1965, BArch-K B106/373627.

⁷⁶⁶ BGS-Nord Brigadegeneral Noffke to Bundesministerium des Innern “Reportage des Stern über den Aufenthalt von Berliner Ferienkindern bei der I./GSG 6, Lüneburg,” 10 August 1965, BArch-K B106/373627.

⁷⁶⁷ See Christina von Hodenberg, *Konsens und Krise: Eine Geschichte der westdeutschen Medienöffentlichkeit* (Göttingen: Wallstein, 2006), 293; see also Jürgen Bellers and Maren Königsberg (eds.), *Skandal oder Medienrummel?* (Münster: LIT Verlag, 2004), esp. 51 “Die Spiegel-Affäre 1962.”

⁷⁶⁸ for a collection of articles on all aspects of the Spiegel Affair, see Martin Doerry and Hauke Janssen (eds), *Die Spiegel-Affäre: Ein Skandal und seine Folgen* (München: Deutsche Verlags-Anstalt, 2013); See also Justin Collings, *Democracy’s Guardians: A History of the German Federal Constitutional Court, 1951-2001* (Oxford: Oxford University Press, 2015), 80-82.

policemen to raid the magazine's Hamburg offices and the personal homes of its editorial staff. When Strauss lied to the *Bundestag* that he had also ordered the arrest of the article's author, Conrad Ahlers, he was forced to resign.⁷⁶⁹ In 1965, the *Bundesgrenzschutz* was the focus of media attention after the *Bundestag* granted them combatant status in case war erupted along the inter-German border (See Chapter 5). Giving policemen combatant status was controversial and fuelled critics who accused the federal government of abusing its power. Border police commanders also used their new combatant status to try and justify raising their allotted manpower from 20,000 to 30,000 men – an idea rejected by the government. Nevertheless, the Social Democrats and West Germany's state police unions used the combatant status issue to accuse the conservative government of militarizing its border police force.⁷⁷⁰ When editors of the West German weekly magazine *Der Stern* (The Star) learned about the VdH boys spending their summer vacations with the *Bundesgrenzschutz*, they sent a reporter to investigate.

The summary of events that followed is based on the detailed timeline provided in the Interior Ministry's internal investigative report, transcripts of interviews, and the correspondence between the editors of *Der Stern* and the Interior Ministry.⁷⁷¹ The scandal reflected an example of how the new critical public influenced mass media.⁷⁷² Ralf Döring, one of *Der Stern's* newest reporters, was assigned to cover the story. Döring was inexperienced having only just completed his final examinations at the photo school in Munich. On 13 July, he visited the boys staying with GSG-6 at Lüneburg. The senior commanding officers at GSG-6, Captain Maß and Lieutenant Paulat, were both on leave so a junior sergeant named Völzke was left in charge of the boys. Döring asked the sergeant if he could take photos of the boys participating in activities with some of the policemen. He was particularly interested in taking

⁷⁶⁹ Justin Collings, *A History of the German Federal Constitutional Court*, 81.

⁷⁷⁰ See text of the new combatant status law in Deutscher Bundestag 4. Wahlperiode 181 Sitzung, Bonn, Mittwoch den 12 Mai 1965, 9106 – 9109, BA-MA BW1/317989; Letter from BGS-Inspekteur Müller to all BGS Commands, 23 June 1964 "Erhöhung der Stärke des BGS," BArch-K B106/93367.

⁷⁷¹ A detailed summary and transcripts of interviews are indexed in Dr. Eberhard Barth, "Bericht über Prüfung der Vorfälle, die sich bei der Aufnahme der Berliner Ferienkinder durch den Bundesgrenzschutz ereigneten und Anlass von Presseveröffentlichungen waren," 10 September 1965, BArch-K B106/373627.

⁷⁷² Christina von Hodenberg, *Konsens und Krise*, 293.

photos of the boys at the rifle range. Völzke told Döring that shooting with live ammunition was out of the question, but there was a possibility of taking pictures of the boys shooting air rifles. But the air rifle range was located in a barn, which Döring complained was too dark for photographs. After further discussion, Völzke left Döring with the boys for approximately thirty minutes while he attended to his routine administrative duties in the barracks.⁷⁷³

Once Sergeant Völzke left, a group of armed border policemen from the 4th *Hundertschaft* (Company) returned to Lüneburg from a routine patrol. Döring took advantage of Völzke's absence and asked the policemen if they could help him get the photographs he desired. The men, led by a Master Sergeant named Jakubeit, cooperated by outfitting the boys with their camouflage coats, steel helmets,



Figure 4.3
Photo of armed summer camp student from Stern magazine

⁷⁷³ Sworn statement of Sergeant Völzke to Dr. Eberhard Barth, 25 August 1965, BArch-K B106/373627.

and unloaded infantry rifles.⁷⁷⁴ Döring then staged the boys in a series of poses that made it appear they were unsupervised by adults and playing war games with border police equipment. He returned to *Der Stern's* editorial offices on 26 July 1965 and shared his carefully staged photographs with its Editor in Chief Henri Nannen. Nannen was no stranger to the world of sensational journalism. During the war, he was a devout Nazi propagandist and served with a special propaganda unit – the *SS-Standarte Kurt Eggers* – in occupied Italy. He was also one of the narrators for Leni Riefenstahl's 1938 propaganda film *Olympia*.⁷⁷⁵ His previous experience as a propagandist is evident in his purposeful framing and selection of Döring's photos. In his attempt to sensationalize the story, Nannen directed Döring to return to Lüneburg and have the boys write essays under the suggested title: "My Best Vacation Experience with the BGS."⁷⁷⁶ Nannen also suggested that the boys be promised an award of up to 50 DM for the best essay with 30 and 20 DM respectively for second and third prize. While Nannen later admitted he knew the photographs were staged, he claimed Döring had assured him they were truly representative of activities the boys participated in during their summer camp.⁷⁷⁷

Döring immediately returned to Lüneburg and successfully collected several essays from the boys. When he shared them with *Der Stern's* editors, however, the morning editor, Herr Dahl, allegedly told him that the essays were "not what they had hoped for."⁷⁷⁸ According to Döring, the editors, Nannen included, wanted the boys to write more about handling the weapons. As written, the essays reflected the reality of their normal summer camp experiences, which included playing miniature golf, swimming, and visiting local museums. Herr Stahl directed Döring to return and have the boys revise their essays to

⁷⁷⁴ Sworn statement of Master Sergeant Jakubeit given to Dr. Eberhard Barth, 28 August 1965, BArch-K B106/373627.

⁷⁷⁵ Hermann Schreiber, *Henri Nannen: Drei Leben* (München: Bertelsmann Verlag, 1999), 136; Taylor Downing, *Olympia*, 2nd edition, (London: Palgrave Macmillan, 2012), 127; Nannen was also a key figure in the scandal surrounding the forged Hitler diaries during the 1980s - See Charles Hamilton, *The Hitler Diaries: Fakes that Fooled the World* (Lexington: University Press of Kentucky, 1991), 98-99

⁷⁷⁶ Statement of *Der Stern* Reporter Ralf Döring given to Dr. Eberhard Barth, 1 September 1965, BArch-K B106/373627.

⁷⁷⁷ Personal letter from Henri Nannen to Bundesminister Paul Lücke, Bundesministerium des Innern, 18 November 1965, BArch-K B106/373627.

⁷⁷⁸ Döring to Dr. Barth, BArch-K B106/373627.

ensure they “matched the photos.” Nannen later denied any knowledge that the essays were re-written.⁷⁷⁹ At first, the boys refused to cooperate with the suggested revisions, but one of the younger policemen, *Grenzjäger* Asseburg, who was close in age to and well liked by the boys, secretly helped fourteen-year old H.J. Siwek embellish his essay. In his re-write, Siwek recalled that he felt “ten times stronger while holding the rifle.” The eldest of the four boys, sixteen-year old H. Schröder, who won the essay contest, added that while holding the rifle he “felt strong enough to conquer Russia if necessary.”⁷⁸⁰

The photos and deliberately selected excerpts from the boys’ essays appeared as a feature expose in *Der Stern*’s 15 August 1965 edition.⁷⁸¹ Henri Nannen wrote the story while Ralf Döring was credited with the photos. Despite Nannen’s later claims that he knew nothing of morning editor Stahl’s order for Döring to have the boys revise their essays, the content of his narrative reflected that he had a much greater role in sensationalizing the story than he was willing to admit. In the introduction of the article, Nannen told readers that *Der Stern* “was not seeking laurels” for exposing the shocking images. He compared the boys in the photos to those Hitler decorated with the Iron Cross for destroying Russian tanks during the final battle for Berlin. He wrote that the boys in Lüneburg were just like “the Führer’s werewolves - hungry children in oversized uniforms with courage and fear in their eyes standing in the courtyard of the Reich Chancellery waiting for him to pin the Iron Cross on their tunics before returning to the front, where lying in wait for Russian tanks, their childish bodies would be shredded.” Nannen also criticized the *Bundesgrenzschutz* for allowing children to hold weapons while “bragging in childlike ignorance about conquering Russia.”⁷⁸² He wrote that the policemen should have explained to the boys how terrible it would feel to shoot another human being. In one of the staged photos, four boys were shown sitting in a field while three policemen aimed their rifles at them like a firing squad.⁷⁸³ The photo

⁷⁷⁹ Ibid.

⁷⁸⁰ Ibid.

⁷⁸¹ Ralf Döring and Henri Nannen, “Mein schönstes Ferienerlebnis,” *Stern*, Nr. 33 (15 August 1965), 12-16 (Author’s personal collection).

⁷⁸² Ibid., 13.

⁷⁸³ Ibid., 14-15.

evoked the executions carried out by Nazi Germany's security police forces during the Second World War, and even though it was staged, it implied the murder of children. The image aimed to generate a strong emotional impact on readers as a warning against the dangers of militarizing the border police by legally recognizing them as military combatants (See Chapter 6).



Figure 4.4
Photo of mock execution from Stern magazine

Of course the East German press used the images and story of the boys in *Der Stern* as part of their ongoing propaganda campaign against the Federal Republic. According to GDR propagandists, the West German state was run by former Nazi war criminals. In 1965, the year of the *Stern* scandal, the National Council of Democratic Germany published the controversial “Brown Book” listing over 1800 Nazi officials who held prominent government and business positions in West Germany.⁷⁸⁴ The GDR’s Radio Berlin International also broadcast excerpts from Nannen’s article and especially focused on the

⁷⁸⁴ Albert Norden, *The Brown Book: War and Nazi Criminals in West Germany: State, Economy, Administration, Army, Justice, Science* (National Council of the National Front of Democratic Germany: Verlag Zeit im Bild, 1965).

statements in 16-year old H. Schröder's essay that referred to conquering Russia.⁷⁸⁵ The Radio Berlin correspondent claimed *Der Stern's* article proved that Nazism was still influential in West Germany and now was obviously embraced by the children of the first post-Hitler generation.⁷⁸⁶ The correspondent suggested that a nation, which armed rather than educated its children in the spirit of humanism and peace, would surely be capable of unleashing a revanchist atomic war against its neighbors. In a follow-up report, Radio Berlin described the *Bundesgrenzschutz* as an elite troop of "war criminals" that symbolized West Germany's vulgar militarism. The report claimed sixty-two percent of its officer corps came from the Nazi-*Wehrmacht* while "thirty-one percent of its personnel had been police officers for Hitler - seven percent of which came from the SS."⁷⁸⁷

The press focused on the head of *Bundesgrenzschutz-Kommando-Nord* (Border Police Command-North), Brigadier General Siegfried Noffke, because GSG-6 was under his command. Noffke was a veteran of the Prussian *Schutzpolizei* who like many other policemen of his generation was transferred into the *Wehrmacht* in 1935. During the war, he commanded an anti-aircraft unit on the Eastern Front and was captured by the Red Army at Stalingrad. Noffke remained in Soviet captivity until 1954 and later joined the *Bundesgrenzschutz* in 1956.⁷⁸⁸ He publicly defended himself and the men under his command against the revelations in *Der Stern* claiming they had been victims of a deliberate and calculated slander campaign. He told reporters from the *Berliner Morgenpost* that the photographs were all the result of false staging by *Der Stern's* reporter and its editors.⁷⁸⁹ He argued that the boys were never subjected to any military-style training during their stay in Lüneburg and certainly had not been

⁷⁸⁵ Transcript of Radio Berlin Broadcast, 10 August 1965, Presse und Informationsamt der Bundesregierung: Nachrichtenabteilung, "Sowjetzonen-Spiegel (Rundfunk, Fernsehfunk, und Agenturmaterial), Nr. 185/65, BArch-K B106/373627.

⁷⁸⁶ Ibid.

⁷⁸⁷ Transcript of Radio Berlin Broadcast, 13 August 1965, Presse und Informationsamt der Bundesregierung: Nachrichtenabteilung, "Sowjetzonen-Spiegel (Rundfunk, Fernsehfunk, und Agenturmaterial), Nr. 187/65, BArch-K B106/373627.

⁷⁸⁸ Biographical Profile of Brigadegeneral Noffke, *Die Parole* 13, no. 4 (15 April 1963), 5.

⁷⁸⁹ "Für eine Sensation Missbraucht: Fotos von Ferienkindern wurden gestellt," *Berliner Morgenpost* (11 August 1965), 1.

allowed to play war games. He acknowledged that the boys were permitted to see policemen's rifles and might even have held them, but only those that were unloaded and while under close adult supervision.⁷⁹⁰ *Der Stern's* editor, Henri Nannen, called Noffke's claims absurd and accused him of slander and defamation of character. According to Nannen, "the reporter took the pictures in the presence and under the direction of responsible officers and training managers."⁷⁹¹ Following the advice of an attorney, Noffke filed a criminal complaint against Nannen alleging he violated Section 164 of the West German Criminal Code (*Strafgesetzbuch*) by falsely accusing a public official of committing unlawful acts.⁷⁹²

On 23 August 1965, Interior Minister Hermann Höcherl ordered an investigation of the circumstances leading to *Der Stern's* embarrassing story. He assigned the investigation to Dr. Eberhard Barth. Barth, a former Nazi who had worked as an administrator in the Polish city of Lublin during the war, had recently retired from a successful postwar career in Konrad Adenauer's Ministry of Defense and was the former *Senatspräsident* of the *Bundesdisziplinarhof* (Federal Disciplinary Office).⁷⁹³ He interviewed all of the parties involved, including the boys and their parents. His findings demonstrated that the only time any of them handled weapons during their stay with the *Bundesgrenzschutz* was on 14 July 1965 in direct response to the encouragement of *Der Stern's* reporter, Ralf Döring. Barth learned that Döring had taken over 500 photographs during his visit, yet his editors chose to use only those that depicted the boys holding weapons. He also pointed out that Döring deliberately waited until the supervising officers were distracted by other duties before taking advantage of their absence to quickly stage the photographs.⁷⁹⁴ Barth questioned Döring extensively about the instructions he was given by *Der Stern's* editorial staff since Nannen denied any knowledge of the order to have the boys revise their

⁷⁹⁰ Ibid.

⁷⁹¹ "Schwere Vorwürfe gegen den Stern: Streit um 20 Berliner Ferienkinder," *Telegraf*, Nr. 185/20 (12 August 1965), 8.

⁷⁹² Letter from Rechtsanwahlt W. Schöttler to Brigadegeneral Noffke, 16 August 1965, "Reportage im Stern," BArch-K B106/373627; Michael Bohlander, *The German Criminal Code: A Modern English Translation* (Oxford: Hart Publishing, 2008), 127.

⁷⁹³ Bogdan Musial, *Deutsche Zivilverwaltung und Judenverfolgung im Generalgouvernement: Eine Fallstudie zum Distrikt Lublin 1939-1944* (Wiesbaden: Harrassowitz Verlag, 1999), 363.

⁷⁹⁴ Dr. Eberahrd Barth, "Bericht über die Prüfung der Vorfälle," 10 September 1965, BArch-K B106/373627.

essays. According to Barth, Döring appeared to be an honest and open young man “who found it difficult to conceal and color the truth even though he was also supportive of his employer.” He believed that if Döring’s statements were taken under oath in a criminal proceeding, he would incriminate himself and his superiors for the embarrassing circumstances surrounding the publication of the article.⁷⁹⁵

Barth concluded his investigative analysis with a series of findings pointing to the causes of the scandal and his own suggestions for stricter policies that might prevent future embarrassments in the West German press. The root cause of the *Der Stern* incident, according to his report, was a lack of press relations training for junior leaders in the *Bundesgrenzschutz*.⁷⁹⁶ This was complicated by the fact that the commanding officers at Lüneburg were away on other duties or on leave when Ralf Döring arrived to speak with the boys. The boys, he suggested, should have never been allowed to handle weapons under any circumstances. Barth found that the young sergeants (Völzke and Jakubeit) incorrectly assumed that their commanding officers had approved of Döring’s actions and thus failed to question the appropriateness or possible effects of his staged photographs. At the time, Döring made a positive impression on the men and minimized the importance of his story such that the junior sergeants believed the photos were only a joke. Barth also pointed to the responsibility of *Der Stern*’s Editor in Chief, Henri Nannen, who should have closely supervised Döring because of his lack of prior experience. While he was unable to conclusively prove Nannen had a role in deliberately scandalizing Döring’s photographs, he made it clear that as the Chief Editor and author of the story, the final published draft was ultimately his responsibility. To be sure, Barth never interviewed *Der Stern*’s morning editor Herr Stahl or took statements under oath from anyone on *Der Stern*’s staff.⁷⁹⁷

Barth’s recommendations to prevent future mishaps with the press focused on providing more training for junior personnel in the *Bundesgrenzschutz*. In practice, only commanding officers received

⁷⁹⁵ Ibid.

⁷⁹⁶ Ibid.

⁷⁹⁷ Ibid.

media relations training, but Barth suggested every policeman down to the level of individual company commanders and their subordinates should receive at least some training on how to professionally deal with the press. These public relations changes were a consequence of broader issues reflecting the increased civilian oversight of police and military forces in the postwar era. Prior to 1945, Germany's police and military forces were free from public criticism and civilian control.⁷⁹⁸ West Germany's public agencies struggled to adapt to the popular opinion and criticism that came with democratization and civilian oversight. Barth also recommended that in the future, boys visiting border police facilities for summer holidays should be under closer supervision. He explained that the chances of a similar incident of this type was extremely low, but warned the Interior Ministry that more negative press would surely hinder rather than help its recruitment efforts. Interior Minister Höcherl sent Barth's report to Henri Nannen. In a letter accompanying the report, Höcherl called *Der Stern's* reporting "objectively false" and demanded that Nannen immediately publish a correction in the next issue.⁷⁹⁹ Nannen defended the actions of his magazine and questioned the credibility of Dr. Barth's investigation. He refused to publish a correction and accused the Interior Ministry of trying to interfere with fair and impartial reporting. In a lengthy response letter, Nannen warned Interior Minister Höcherl that he would publish the portions of Dr. Barth's report that criticized the involved policemen for failing to supervise the children in their care.⁸⁰⁰ The Höcherl - Nannen correspondence reflected the tensions of West Germany's government attempting to adapt to the emergence of a critical public.

Höcherl and Nannen refused to back down from their competing positions and while their differences appeared to be irreconcilable, the scandal was becoming a growing propaganda opportunity for the East German press. It was Brigadier General Noffke's criminal complaint against Nannen,

⁷⁹⁸ Isabel V. Hull, *Absolute Destruction: Military Culture and the Practices of War in Imperial Germany* (Ithaca: Cornell University Press, 2005), 2, 103.

⁷⁹⁹ Letter from Interior Minister Hermann Höcherl to *Der Stern* Chief Editor Henri Nannen, 20 September 1965, BArch-K B106/373627.

⁸⁰⁰ Letter from *Der Stern* Chief Editor Henri Nannen to Interior Minister Höcherl, 20 October 1965, BArch-K B106/373627.

however, that proved to be the key in bringing the scandal to a close. Höcherl left his post as Interior Minister and was replaced by Paul Lücke only eight days after receiving Nannen's scathing letter. But as Noffke's criminal complaint went forward, Nannen was forced to re-consider his position since he was facing prosecution. He wrote a letter to Lücke acknowledging that *Der Stern's* article and photographs might have given the wrong impression to its readers.⁸⁰¹ But rather than taking responsibility for sensationalizing the story, Nannen blamed the incident on what he suggested was "a combination of factual and human errors." He claimed, however, that *Der Stern* never had any intention of harming the reputation of the *Bundesgrenzschutz*. Finally, he promised to publish an article explaining these facts if Noffke agreed to withdraw his criminal complaint.⁸⁰² At first, Noffke was intransigent and refused any suggestion that he should back down. He was emboldened to stand his ground by letters of support he received from the boys' parents. Peter Reichardt's father Reinhold, for example, wrote to Noffke that Peter had enjoyed spending his vacation with the border policemen and emphasized that *Der Stern* and its editorial staff "abused the freedom of the press for the purposes of sensationalism."⁸⁰³

In the interest of bringing the negative press to a halt, however, *Inspekteur* Heinrich Müller persuaded Noffke to drop his criminal complaint against Nannen. Noffke made it clear to Müller that he agreed to do so "with a heavy heart only out of my respect and confidence in you personally."⁸⁰⁴ With Noffke's agreement to withdraw his complaint against Nannen, the press lost interest. While the Interior Ministry intended to increase recruiting for the *Bundesgrenzschutz* by sponsoring youth summer camps, it could not afford negative publicity of this type. By 1965, its total effective strength had plummeted. The interior Ministry estimated that unless the current trend was reversed, there would be only 10,800 men to

⁸⁰¹ Letter from Der Stern Editor Henri Nannen to Interior Minister Paul Lücke, 18 November 1965, BArch-K B106/373627.

⁸⁰² Nannen did follow through on his promise to publish a follow-up story explaining his opinion of what happened, see Henri Nannen, "Kind ans Gewehr?" *Stern* Nr. 35 (29 August 1965), 16-20 (Author's personal collection).

⁸⁰³ Letter from Reinhold Reichardt to Brigadier General Noffke, 14 August 1965, BArch-K B106/373627.

⁸⁰⁴ Correspondence between BGS Inspekteur Heinrich Müller and Brigadier General Noffke, 17 January 1966, BArch-K B106/373627.

patrol West Germany's borders, a significant reduction from its post-*Bundeswehr* high of 14,629 men in 1960.⁸⁰⁵ Poor press relations might contribute to the public misunderstanding of border policing that the recruitment campaign attempted to address. Interior Minister Lücke acted swiftly by permanently suspending all future vacation stays (*Fereinaufenthalten*) for teens. Lücke sent an explicit directive to the entire command staff which stated: "While acknowledging the helpfulness of border policemen in assisting with the oversight of this program, I feel obliged for reasons of principle to order that children and adolescents shall not be included in the future vacation stays held at BGS accommodations."⁸⁰⁶

Conclusion

Unfortunately for the Interior Ministry, despite all the money and efforts devoted to recruitment, the *Bundesgrenzschutz* never came close to reaching its pre-*Bundeswehr* personnel levels. The border activity reports reflected that the organization was overwhelmed and suffering personnel shortages in all of its command centers. But recruitment efforts did not fail because of tough hiring practices or from a lack of innovative advertising methods. They failed largely because West Germany's postwar economy was particularly strong during the 1950s and 60s when unemployment levels had dropped to record lows. Even though border policing provided young men with excellent benefits and training, they could afford to be selective when considering career options during the years of the economic miracle. The lack of interest in the organization was also driven by the new ideals of non-military masculinity that emerged in the postwar era. In spite of the Interior Ministry's efforts to promote border policing as a fun career, a new generation of West German men preferred to work in civilian professions. Although the Interior Ministry's incentive that allowed young men to substitute their obligation for military service by serving 18-months in the *Bundesgrenzschutz* might have seemed beneficial at the time, it did not result in

⁸⁰⁵ "Voraussichtliche Personalbewegung im BGS für die Jahre 1963 – 1965," BArch-K B106/16992.

⁸⁰⁶ Memorandum from Interior Minister Paul Lücke to all BGS commands, 25 February 1966, BArch-K B106/373627.

significant staffing increases.⁸⁰⁷ Instead, many young men opted for military service because it allowed them to serve at bases closer to their homes. Moreover, the use of conscription for border policemen was rejected by the SPD in 1962 on the basis that it was supposed to be a civilian police force not an army.⁸⁰⁸ Interior Minister Hermann Höcherl tried in vain, but failed to convince the *Bundestag* to authorize conscription for the *Bundesgrenzschutz*, even after it was given combatant status in 1965 (see Chapter 6).⁸⁰⁹ Conscription for border policemen until 13 January 1969 when the *Bundestag* passed a law authorizing conscription in response to the need for additional border policemen for internal security that came about after the passage of the emergency laws. The amendment also applied to West Germany's state police forces and effectively ended the competition for personnel between the country's police and armed forces.⁸¹⁰

Recruitment in the *Bundesgrenzschutz* also reflected a great deal of what historians have found about the changing ideals of masculinity in the postwar era. The traditional approach of appealing to young men by promoting border policing as an adventure was no longer effective on its own. Advertisements and recruiting posters emphasized the benefits of border policing for long-term professional career training alongside themes that promised a fun job. The Interior Ministry had to find a better approach to promote the force since the promise of living in barracks did not appeal to a newer generation of men drawn to the individualism and consumerism of modern culture. The marketing of the *Bundesgrenzschutz* as a “fully motorized” police troop, for example, was one way to demonstrate for recruits that the force was both a modern and innovative career choice. Another approach was to emphasize that one could be a border policeman while still being encouraged to enjoy the benefits of

⁸⁰⁷ David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 350.

⁸⁰⁸ *Ibid.*, 312.

⁸⁰⁹ See Hermann Höcherl, “Grenzschutz Dienstpflicht,” *Bonner Rundschau* (1 August 1964), 1 BArch-K B106/83899; See also “Innenminister Höcherl fordert Dienstpflicht für Grenzschutz: Grunddienst von 18 Monaten vorgesehen,” *Die Welt* (3 September 1964), BArch-K B106/83899.

⁸¹⁰ For the conscription amendment see “Sechstes Gesetz zur Änderung des Wehrpflichtgesetzes vom 13. Januar 1969,” *Bundesgesetzblatt* Nr. 4, 17. Januar 1969, 41; see also David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 370.

civilian life that were included in other professions. Despite these innovative efforts to reach West Germany's new generation of young men, the *Bundesgrenzschutz* remained a conservative organization that framed an ideal type of masculinity it expected of its recruits. Like the Catholic and Protestant Youth movements, border policing also functioned to train young men that loyalty to family and state took precedence over individualism. As the conservative antithesis to the *Halbstarke* counterculture, border policemen were expected to be strong state servants and family men

Innovative recruitment methods alone, however, were insufficient to sustain adequate staffing levels and thus conscription was the only option to bring the force up to its full strength. The fact that the government was willing to amend its conscription laws further reinforced the organization's significance to the West German state. Even the competition for recruits between the police and army was a result of the government's stubborn defense of what effectively was its only non-NATO-controlled force option. A simple solution might have been achieved in 1956 if the Interior Ministry had followed the SPD's suggestion to transfer those men who opted out or were rejected for military service to the state police (See Chapter 3). Certainly, this approach would have made more sense economically considering the high advertising costs and personnel commitments needed to support recruitment campaigns. Besides, there were already thousands of federal customs officers (*Zollgrenzschutz*), the U.S. Army and individual state police forces such as the Bavarian Border Police (*Bayerische Grenzpolizei*) standing watch over the Iron Curtain.

Besides underscoring the state's reluctance to disband its only non-NATO force, however, the recruitment campaign also revealed important insights into West Germany's democratization and in particular, the re-civilization of its postwar national security. To be sure, the *Bundesgrenzschutz* recruitment propaganda reinforced stereotypical images of the east as dangerous and was aimed at convincing strong young men to volunteer for service. But the actual process of finding, screening, and hiring the ideal candidate reflected that the organization was also looking for men who demonstrated the democratic values and practices of the new postwar state. During the application process, for example,

candidates had to declare in writing that they were not, nor would ever be part of or support any radical political organizations. Failure to abide by this oath would be grounds for the immediate termination of their employment. Brochures and leaflets provided to recruits emphasized that they must be loyal to the ideals of liberal democracy and tolerant of their fellow citizens even if they personally held opposing views. Recruiters emphasized this approach because they wanted candidates to understand that they could maintain their own personal views so long as these were not manifested in their duties. The object was to increase rather than limit the number of those interested in the career. Of course candidates could and often did withhold revelations about their private political opinions during the screening process. Yet they also understood that any manifestation of anti-democratic opinions or attitudes in their official capacity jeopardized their police careers. But as the scandal in *Der Stern* made clear, border policemen were also subjected to the new critical public. The published images of young boys holding rifles damaged the reputation of the *Bundesgrenzschutz* and evoked memories of the Nazi past. As the next chapter will demonstrate, however, in spite of occasional missteps like the scandal in *Der Stern*, the values of liberal democracy were reinforced by the organization through its continuing education and training programs.

Chapter 5: Training, Education, And Professional Ethics in the BGS

“Watch, stand in faith, be manly, and be strong!”⁸¹¹

“Today we face a historic task: we have a mandate to build a police force...which draws upon lessons from the past to forge a new path forward. Therefore, we must ruthlessly eradicate outmoded training. We reject drills that foster blind obedience...all party politics are forbidden...those habits remaining from war service, which one might still be attached to, are to be forgotten.”⁸¹² With these words, on 30 May 1951, Dr. Otto Dippelhofer, director of the first *Bundesgrenzschutz* School in Lübeck-St. Hubertus outlined the philosophical approach for educating West Germany’s first border police non-commissioned officers (NCOs). Dippelhofer’s instructions to abandon the ways of the past are notable considering his own past: he had been a Nazi Party member and high-ranking officer in the *Waffen SS*.⁸¹³ As an officer in the *Feldgendarmarie* (Military Police), he led various police battalions on the Eastern Front and, according to his military service record, he also led a police regiment in *Einsatzgruppe D* while it was active in the Ukrainian region of Rostow.⁸¹⁴ His legal background and law degree also earned him a prominent position on the *SS und Polizeigerichtsbarkeit* (SS and Police Court) where he served a two-year term on the Eastern Front.⁸¹⁵ If a man with Dippelhofer’s background was in charge of training new border policemen and their leaders, what sort of force was West Germany’s government planning to create?

⁸¹¹ Pfarrer Oskar Rohrbach GSK Süd An den Herrn Bundesministerium des Innern: “Tätigkeitsbericht über die evangelisch Seelsorge im Bereich des GSK Süd Januar – Juni 1961,” München, Juni 1961, BArch-K B106/20766.

⁸¹² Dr. Otto Dippelhofer, Grenzschutz-Ausbildungs-Stab Lübeck, St. Hubertus, “Allgemeine Richtlinien, für die Erziehung und Ausbildung der künftigen Führer des Bundesgrenzschutzes,” 30 May 1951, BArch-K B106/15076.

⁸¹³ Dippelhofer’s service record is available at the *Zentralen Stelle der Landesjustizverwaltungen zur Aufklärung nationalsozialistischer Verbrechen* (The Central Office for the Investigation of National Socialist Crimes) in Ludwigsburg; He was mentioned as having taken part in massacres on the Eastern Front, but never charged with War Crimes; See Reference Cards Nr. 1 and 2, 10 AR 932/64, *Aktennummer* 409 AR 1657/64, BArch-Ludwigsburg.

⁸¹⁴ *Ibid.*

⁸¹⁵ This special police court was established by the Chief of the Nazi Police, Heinrich Himmler, to prosecute members of police battalions, the *Waffen SS*, and members of the Security Police for breaches of the SS code of conduct and criminal offenses; See Peter Longreich, *Heinrich Himmler*, 486; Herlinde Pauer-Studer and James Velleman, Konrad Morgen: *The Conscience of a Nazi Judge* (New York: Palgrave Macmillan, 2015), Chapter 3 “The SS Judiciary.”

This chapter explores the methods, subjects, and objectives in the training and education of border policemen. According to the Sociologist George E. Berkley, “nothing is more vital to the creation of a democratic policeman than education.”⁸¹⁶ This was relevant in postwar West Germany where most of its policemen had previously served under the Nazi dictatorship. My analysis therefore seeks to answer the following questions: What topics and subject matter did border policemen have to master as part of their basic training? What were new recruits and officer candidates taught about the moral consequences of handling weapons and using deadly force? How influential was the *Wehrmacht* and its veterans? To what extent and in what manner did instructors deal with Germany’s Nazi past? How did the Cold War and anti-Communism shape police training? Who were the instructors and what books and teaching methods did they use? What social, cultural, and political values were emphasized? Finally, and most importantly, to what extent were the instructors successful at instilling democratic values in their students? Answers to these questions offer important insights into the moral, political, ideological, and cultural values expressed by *Bundesgrenzschutz* and its personnel during the Cold War. They also shed light on the ongoing struggle between continuity and change that shaped the organization, its personnel and its long-term development.

The Challenges of Turning Soldiers into Policemen

The influence and continuities of Prussian military traditions and especially those reinforced by Nazi Germany’s *Wehrmacht* were clearly reflected in the early training of border policemen. Since the *Bundesgrenzschutz* was established during the rearmament debates (see Chapter 1), its personnel were trained in military tactics. This was underscored by the Adenauer government’s effort to select the men with leadership experience from the *Wehrmacht* for key officer and training posts. What this demonstrated, at least initially, was a strong orientation towards pre-existing practices in West Germany’s police forces instead of a clean break from the past. As early as 1950, a top-secret memorandum by

⁸¹⁶ George E. Berkley, *The Democratic Policeman* (Boston: Beacon Press, 1974), 74.

Adenauer's staff to the Allied High Commission requested the transfer of all military personnel records from the *Wehrmacht* Information Office (WASt) in Berlin to Koblenz.⁸¹⁷ The memorandum specifically called for an end to the Allied ban against *Wehrmacht* veterans serving in the police and suggested they “would doubtless be of great value for the morale of units to be newly formed. This would apply even more in the case of members of former crack units.”⁸¹⁸ The reference to “crack” units referred to elite SS military police forces. Officials in the Interior Ministry specifically sought veteran policemen and soldiers to lead and train the newly formed police force because they already had extensive practical experience. *Staatssekretär* Ritter von Lex reported to Adenauer's Chief of Staff Hans Globke that retired General Anton Grasser was a leading candidate to organize training for the first *Bundesgrenzschutz* recruits. Grasser was a veteran *Wehrmacht* officer who was recognized by his superiors for his ability and zeal to indoctrinate his subordinates in the values of National Socialism.⁸¹⁹ Lex also pointed out that 56% of the staff officers and 42% of those assigned to company-level leadership posts were *Wehrmacht* veterans.⁸²⁰ Although the Adenauer government chose former soldiers based on their proven leadership experience, the decision to make them instructors fit the wider policy of postwar integration. In his study of professional soldiers, Bert-Oliver Manig has argued that the government rehabilitated *Wehrmacht* elites by assigning them important, or even prominent positions of authority in a “conflict-laden process” that functioned as “the medium of their transition to democracy.”⁸²¹ In other words, the democratic learning process was achieved by giving these men integral roles in organizations like the *Bundesgrenzschutz* as long as in practice they conformed in language and deed with postwar democracy.

⁸¹⁷ Top Secret Memorandum from Adenauer Administration to General Hays, 2 September 1950, NARA RG 466: Records of the Office of the High Commissioner for Germany, Office of the Executive Director, General Hay's Executive Files 1949 - 1951, Folder: “Emergency Planning for Federal Republic,” Boxes 15-16.

⁸¹⁸ Ibid; the term “crack units” referred to veterans of the *Waffen SS*.

⁸¹⁹ See Grasser's captured military service record, German Army and Luftwaffe Personnel “201” Files, 1900-1945, NARA Microfilm Publication A3356, Box No. 237.

⁸²⁰ Letter from *Staatssekretär* Ritter von Lex to *Ministerialdirektor* Hans Globke, 21 June 1951, BArch-K B136/1929, Fiche Nr. 3, Slides 39-46.

⁸²¹ Bert-Oliver Manig, *Die Politik der Ehre*, 8-9.

On 29 June 1951, the first 1400 officer candidates completed their basic training at the newly established border police school in Lübeck-St. Hubertus.⁸²² These first men formed the leadership cadres needed to train and organize up to 10,000 incoming recruits. At such an early stage, there simply was insufficient time to develop detailed training guidelines, manuals and principles that were specific to the task of border policing. Because most of these first men and their leaders were veteran soldiers, the training was consistent with the military drills and discipline they experienced in the army. Military-style training effectively built small unit cohesion, *esprit des corps*, and a functional chain of command. Thus, it differed very little from the basic training provided by the army.⁸²³ At the same time, if the objective really was to establish a civilian police force, as Adenauer and his supporters had repeatedly claimed, then new methods and guidelines were urgently needed. Nevertheless, as it stood in 1951, the first recruits were trained like soldiers and this was consistent with justifications given by West Germany's conservative government that the *Bundesgrenzschutz* was a response to East Germany's *Volkspolizei* (See Chapter's 1 and 2).

The military drills, regimentation, and profound influence of *Wehrmacht* models on *Bundesgrenzschutz* training had long-term effects on perceptions of the organization and its personnel. When its first steel-helmeted *Hundertschaften* (companies) appeared in public wearing the classic field grey army uniforms, they seemed to confirm fears that the organization and its men were heirs to Prussian traditions many believed were the root of Germany's evils. Indeed, for the Allied powers, as Christopher Clark has aptly suggested, "Prussia...was the very source of the malaise that had afflicted Europe...the reason why Germany had turned from the path of peace and political modernity."⁸²⁴ The press was quick to point out these comparisons. An article in the *Frankfurter Allgemeine Zeitung* suggested that the choice of field grey and steel helmets for border police uniforms should have been forbidden because it

⁸²² Top Secret Minutes to the Third U.S. Resident Officers' Conference, 16 – 18 July 1951, NARA, RG 466: Miscellaneous Files Maintained by Colonel H.A. Gerhardt, Folder: "Top Secret HAG Personal," Box 1.

⁸²³ These structural objectives are commonly employed for civilian police forces, see George E. Berkeley, *The Democratic Policeman*, 74-75.

⁸²⁴ Christopher Clark, *Iron Kingdom*, xii.

invoked militaristic images of Nazi Germany.⁸²⁵ These perceptions are certainly understandable given the long relationship between policing and the army in Germany's past. But as the first group of officer candidates began their training, the instructors were surprised at how unprepared these men were for leadership roles.

At fifty-five years of age, Colonel Heinrich Müller was one of several experienced veteran soldiers with law enforcement backgrounds selected as an instructor for these first officer candidates.⁸²⁶ His record was typical of men from his professional cohort, which reflected continuities between civilian policing and the army. He began his police career in 1926 with the Prussian *Schutzpolizei*. Between 1931 and 1935 he worked with the *Bereitschaftspolizei* in Essen and as a Lieutenant Colonel with the *Landespolizei* in Düsseldorf. In 1935, he was transferred to the *Wehrmacht*. During the Second World War he fought with a machinegun company and also taught at the Prussian War Academy (*Kriegsakademie*). In 1945, he was captured and held by the Americans as a POW and was released in 1947.⁸²⁷ He joined the *Bundesgrenzschutz* in 1951 and later rose through its ranks to eventually become its *Inspekteur* (Chief) during the 1960s.

In December 1951, Müller wrote a candid analysis for the Interior Ministry about these first officer candidates. His observations demonstrated that the *Bundesgrenzschutz* failed to live up to the hyper-militarized stereotypes propagated by the press.⁸²⁸ According to Müller, these men came from

⁸²⁵ "Warum Feldgrau?" *Frankfurter Allgemeine Zeitung* (September 30, 1952), 2.

⁸²⁶ Not to be confused with the fugitive Gestapo head of the same name; The personal and career biographies of these men are well documented from numerous obituaries and retirement announcements in the monthly journals of the BGS Professional Organization, *Der Grenzjäger* and *Die Parole*, especially as this generation of instructors began retiring in the late 1950s and 60s. The journals are an excellent source for important contemporary organizational social activities and special events that are largely missing from official government documents and archives.

⁸²⁷ See "Brigadegeneral im BGS Müller," *Die Parole* 13, no. 4 (15 April 1963), 3.

⁸²⁸ See for example, "Die BGS als Bundespolizei? Bundesminister des Innern erklärt kein Geheimnis Remilitarisierung," *Frankfurter Allgemeine Zeitung* (3 July 1951), 2.

every branch of the National Socialist armed forces including the army, navy, air force, and *Waffen SS*.⁸²⁹ Most of them, he suggested, lacked even the basic skills expected of veteran soldiers, especially in the handling of standard infantry weapons. The reason for this deficit can be explained by the fact that many of them were conscripted as teenagers at the end of the war and thus most were sent to the front with almost no training whatsoever.⁸³⁰ As a veteran of a machinegun company, he was concerned that most candidates were unfamiliar with the standard German *MG-42* (*Machinegewehr* – Machinegun model 42). Many of them had never even completed their basic high school education (*Abitur*) because it was disrupted by the war and their time spent as POWs. He believed that these men were unable to “mentally educate themselves because of prolonged captivity and postwar economic hardships.”⁸³¹ While he reported that the results with older married men were somewhat better, he argued the chances of further development in this group were still low. They defied, at least as he described them, the stereotypical Prussian military elite that was supposedly the root of Germany’s misfortune. He explained that in spite of their best intentions, most of them had none of the leadership skills he expected. He concluded by expressing his sincere hope that future courses with younger candidates might produce more promising results.⁸³²

Although instructors like Heinrich Müller and Dr. Otto Dippelhofer, were shaped by their lengthy military and policing careers, they understood that training men for war was significantly different from teaching them to be civilian policemen in a democracy. The challenge was to prepare the *Bundesgrenzschutz* for both possibilities – domestic unrest and/or foreign invasion. The *Bundesgrenzschutz* was charged with guarding the border as a non-military response to minor incidents before they turned into larger, possibly nuclear conflicts between the superpowers. If a Soviet invasion

⁸²⁹ Memorandum from Heinrich Müller to Interior Minister Robert Lehr, 6 December 1951, “*Zusammensetzung und Ausbildungsstand des 1. Lehrgangs*,” BArch-K B106/15083.

⁸³⁰ Ben H. Shepherd, *Hitler’s Soldiers: The German Army in the Third Reich* (New Haven: Yale University Press, 2016), 498.

⁸³¹ *Ibid.*

⁸³² *Ibid.*

did occur, however, border policemen were expected to fight as combatants in delaying actions until heavier NATO forces could be deployed.⁸³³ Recruits also had to be trained in traditional law enforcement principles because they might be called upon in local emergencies to reinforce the state and municipal police.

Past policing models remained influential, but West Germany's politicians were ideologically committed to forming new democratic, civilian police forces after the war. The preamble to the organization's first training guidelines explained this approach: "The *Bundesgrenzschutz* is a new institution that consciously does not follow former models in education and training, but seeks to build up an organization that is closest to the people, taking into account the experiences of the past."⁸³⁴ This new philosophical approach to training demonstrated, at least in principle, how border police leaders attempted to adapt their experiences and past training models to support the state's new democratic political framework. Although there was no way to completely erase the negative influences of militarized policing and its legacies, this philosophical shift was an important first step that provided a foundation to the evolving learning process.

The new approach was also evident in the written guidelines for officer candidate training as outlined by Dr. Dippelhofer. He emphasized that while the objective of an army tactician was to teach leaders how to seek out and "annihilate the enemy," policemen were bound by stringent legal requirements and taught to restore order, peace, and security.⁸³⁵ Thus, Dippelhofer argued, that "the officer in the BGS must therefore be trained not only to assess the tactical situation, but also the legal situation. If he wants to fully pursue his profession and always act according to the principles of sound police science, he must respect and have knowledge of the law in order to apply it legally and

⁸³³ Ibid.

⁸³⁴ "Ausbildung der Grenzschutz-Abteilung für die Zeit bis zum 1.10.1951," Bundesministerium des Innern, BGS Inspektor, Bonn, 20 June 1951, BArch-K B106/15076.

⁸³⁵ Dr. Otto Dippelhofer, "Gedanken über eine künftige Offiziersausbildung im Bundesgrenzschutz," 23 July 1951, BArch-K B106/15076.

proportionally.”⁸³⁶ The guidelines also described desirable personal characteristics and traits the organization was hoping to find and develop in its leaders. The ideal candidate, according to Dippelhofer, was a man who led his subordinates by his own example and one who had already worked his way through and experienced the hardships of the lower ranks.⁸³⁷ They were looking for someone who possessed strong intellectual traits without being arrogant towards subordinates. Dippelhofer was clear to point out, however, that while the knowledge required to be a good leader was extensive, the ideal officer candidates should also be pragmatic “doers” rather than exclusively focused on the theoretical aspects of criminal, administrative, and constitutional law. Thus, the *Bundesgrenzschutz* wanted leaders who were well rounded, but also knowledgeable, pragmatic, and action oriented.⁸³⁸

Dippelhofer’s statements were striking considering his record of service with Nazi police battalions. How can we explain his progressive thinking towards border police training considering the darker side of his service record? His legalistic approach to training is unsurprising considering that he was highly educated and experienced in law and public policy before the war. But he was no different than countless others like him who were reintegrated into postwar society during the Adenauer era.⁸³⁹ Some of these men lied or were deliberately vague about their pasts to avoid any accountability for criminal activities. Certainly, the politics of rearmament and anti-Communism played a significant role here too, since the Western Allies needed German support as a bulwark against the Soviets in the Cold War. But as Norbert Frei and many other historians have already shown, the Adenauer government was uninterested in widespread prosecution of war criminals and thus discouraged comprehensive efforts to investigate the pasts of men like Dippelhofer. This was reflected in the “myth of the clean *Wehrmacht*,”

⁸³⁶ Ibid.

⁸³⁷ Ibid.

⁸³⁸ Ibid.

⁸³⁹ See Jens Scholten, “Offiziere: Im Geiste unbesiegt,” in Norbert Frei ed., *Hitler’s Eliten nach 1945* (Frankfurt am Main: Campus Verlag, 2012), 117-120.

which asserted that Germany's army had fought an honorable war and that criminal behavior was only perpetrated by a minority of Nazi fanatics.⁸⁴⁰

But the relaxation of denazification proceedings and the passage of amnesty laws, which enjoyed widespread partisan support in the *Bundestag*, were also significant.⁸⁴¹ The problem for postwar West German society was indeed complex, but the preference to focus on the future and forget the past raised penetrating moral questions. As Klaus Naumann has emphasized, the collective “hushing up of certain aspects of the past was especially effective as a means of integrating postwar German society” and “exoneration and denial were two possible strategies assiduously resorted to.”⁸⁴² Thus, men with questionable past records found themselves right back in leading public posts after the war. This was particularly true of those whose law enforcement careers spanned more than one political regime. Men like Otto Dippelhofer had two paths to choose from if they wanted to regain prominent positions: They either had to outwardly display loyalty for democracy, or keep their illiberal views to themselves. For those who ideologically embraced democratic values and norms, they had to undergo an internal learning process whereby they cognitively acknowledged and recognized their illiberal beliefs were wrong. For many of them, the bitter consequences of the war followed by the humiliation of defeat were convincing enough to change their internal beliefs. Others, however, merely conformed to the politics of whatever regime held power and kept their ideological beliefs to themselves or within the closed groups of trusted friends. Evidence of which men adapted to democracy in practice, but maintained authoritarian ideological beliefs versus those who adapted in both practice and spirit is difficult to come by. Nevertheless, for the postwar state, it was more important that its civil servants practiced democracy to prevent any who still had illiberal beliefs from transforming them into action.

⁸⁴⁰ Norbert Frei, *Adenauer's Germany and the Nazi Past*, 56; See also Wolfram Wette, *The Wehrmacht*, 236-238; Klaus Naumann, “The Unblemished Wehrmacht: The Social History of a Myth,” in Hannes Heer and Klaus Naumann (eds.), *War of Extermination: The German Military in World War II 1941-1944* (New York: Berghahn Books, 2000), 417-429.

⁸⁴¹ Norbert Frei, *Adenauer's Germany and the Nazi Past*, 56; Lutz Niethammer, *Entnazifizierung in Bayern: Säuberung und Rehabilitierung unter amerikanischer Besatzung* (Frankfurt am Main: S. Fischer Verlag, 1972)

⁸⁴² Klaus Naumann, “The Unblemished Wehrmacht,” 423.

Starting from Scratch: Training and its Development

While the officer candidates began their training in June 1951, instruction for the first class of new border police recruits did not begin until October.⁸⁴³ At this time, the curriculum for basic training was only designed to provide these men with the most rudimentary skills in weapons handling and tactics. The Interior Ministry's main objective was to get the force up and running since eight months had already elapsed since the *Bundestag* authorized its establishment (See Chapter 1). Whenever practical, men with military experience were organized into ready-reserve units that could be immediately deployed to deal with any sudden emergencies.⁸⁴⁴ For the new recruit beginning his basic training, the *Hunderschaftsführer* (company leader) was considered the most important figure in his life. And for the staff assigned to the border police school, supporting the mission of the *Hunderschaftsführer* and his mentorship of the new recruits was their sole purpose.⁸⁴⁵ The company provided the basic organizational structure of daily life for a recruit and was quite literally his home away from home. The paternalistic *Hunderschaftsführer* represented his main supervisor, teacher, and disciplinarian.

While the concepts of discipline and obedience were often controversially linked to Prussian militarism and Nazi Germany's *Wehrmacht*, they were also key elements in training men to work together as a team rather than as individuals.⁸⁴⁶ The opponents and critics of the *Bundesgrenzschutz*, especially those in powerful trade unions representing the *Länder* police (*Gewerkschaft der deutsche Polizei* – GdP and *Gewerkschaft Öffentliche Dienste, Transport und Verkehr* – ÖTV) often pointed to its militaristic training as evidence that it was a backwards or anti-democratic organization.⁸⁴⁷ Because of perceptions

⁸⁴³ “Ausbildung der Grenzschutz-Abteilung für die Zeit bis zum 1.10.1951,” BArch-K B106/15076.

⁸⁴⁴ Ibid.

⁸⁴⁵ Ibid.

⁸⁴⁶ Christopher Clark, *Iron Kingdom*, xv. Clark argues that after the Second World War, Prussia became “synonymous with everything repellent in German history: militarism, conquest, arrogance, and illiberality.”

⁸⁴⁷ See for example, “Bürgerkriegsübung im Bundesgrenzschutz,” *ÖTV-Press, Zentralorgan der Gewerkschaft Öffentliche Dienste, Transport und Verkehr* 8, no. 21 (1 November 1956), 327; see also criticism from GdP President Werner Kuhlmann, “Polizei muss Polizei bleiben: Stellungnahme und Rechtsgutachten zum Kombattantenstatus der Polizei,” BArch-K B106/83869; Polizei-Oberst a.D. Dr. Hermann Schützinger, “Militär

like this even the founders of the West Germany's *Bundeswehr* were reluctant to accept border policemen without closer scrutiny, especially men from its officer corps.⁸⁴⁸ But these perceptions were not based on anything specific reflected in the actual border police training doctrine. The written instructions for the first recruit training classes, for example, defined the concept of discipline in a manner that emphasized teamwork rather than strict obedience to higher authority. According to the instructions, "no force can exist without discipline. Discipline is not based on fear of punishment, but rather springs from the knowledge of each individual, that the complex task of border protection can only be met by a willing submission of the individual to the whole."⁸⁴⁹ This non-traditional notion of discipline was based on the concept of teamwork in carrying out a task or mission rather than the Prussian idea of blind obedience.

Colonel Heinrich Müller spoke extensively about the need to abandon the draconian disciplinary practices of past training doctrine in a lecture about authority and obedience presented to border policemen at the Protestant Academy in Kurhessen-Waldeck.⁸⁵⁰ Imposing any form of blind obedience within the ranks, he insisted, was anathema to what border police leaders were trying to achieve through discipline. He emphasized that although there would always be a need to punish those who broke the rules, discipline had more value when used as positive reinforcement. Of course the giving and following of basic orders was always an essential facet of leadership, but Müller suggested those leaders who reflected fairness in their approach to discipline had a greater chance of winning the support and respect of their men. Citing the German novelist Walter Flex, he explained, "whoever has the heart of his people

oder Polizei? Keine Verwischung der Begriffe! – Der Bundesgrenzschutz sollte seine Polizei-Eigenschaft aufgeben und Grenztruppe werden!" *Polizei-Praxis* 5, no. 19/20 (October 1951), 276-277.

⁸⁴⁸ This was particularly emphasized by critics when the Bundesgrenzschutz was used as the foundation for the *Bundeswehr* in 1956; See also Günter Kiessling, *Staatsbürger und General*, 183-188; Kiessling noted that the architects of Innere Führung, especially von Baudissin argued that the BGS replicated the problematic legacies of the Prussian traditionalism they were trying to avoid in building a new democratic army (See Chapter 3 above)

⁸⁴⁹ "Ausbildung der Grenzschutz-Abteilung für die Zeit bis zum 1.10.1951," BArch-K B106/15076.

⁸⁵⁰ Colonel i. BGS Heinrich Müller, "Autorität und Gehorsam im BGS: Vortrag gehalten am 5.5.1955 im Rahmen der Tagung für Angehörige des Bundesgrenzschutz Kommando Mitte bei der Evangelischen Akademie von Kurhessen-Waldeck in Hofgeismar," BArch-K B106/20765.

also has discipline.”⁸⁵¹ Müller’s use of the quote from Walter Flex was emblematic of the cultural shift in patriarchal authority that took place in the 1950s and 60s. Till van Rahden has argued that although the “hierarchical conception of authority based on tradition and the spirit of order and obedience still prevailed...it began to give way to an idea of authority based on trust embedded in egalitarian social relationships.”⁸⁵² Tough, military masculinity was gradually replaced by the notion of patriarchal authority based on the model of a firm yet “gentle” father figure.⁸⁵³ Thus, Müller’s speech can be seen as an attempt to emphasize this new, or democratic, principle of patriarchal authority to junior leaders of the *Bundesgrenzschutz* and it was reflective of broader efforts to reconfigure social norms after the catastrophic effects of the war.

This framing of discipline, one that rejected the notion of blind obedience, is still used to reinforce teamwork and professionalism in most modern democratic police training models.⁸⁵⁴ Critics, especially those among the Social Democrats, however, feared that the socialization of new border policemen in a paramilitary environment and their training by former soldiers might negatively influence what was supposed to be a civilian police organization.⁸⁵⁵ These concerns were not unfounded. Sociological analysis by B.K. Greener and W.J. Fish has shown that “training [the police] by the military is more likely to be oriented towards elimination of an enemy threat, which can lead to disconnection

⁸⁵¹ Ibid; Walter Flex was a German war novelist killed in the First World War most famously known for his novel *Der Wanderer zwischen beiden Welten*. Flex was a romantic idealist and often compared to novelist Ernst Jünger, See Robert Wohl, *The Generation of 1914* (Cambridge: Harvard University Press, 1979), 48; see also Lars Koch, *Der Erste Weltkrieg als Medium der Gegenmoderne: Zu Werken von Walter Flex und Ernst Jünger* (Würzburg: Königshausen & Neumann, 2006), 117.

⁸⁵² Till van Rahden, “Fatherhood, Rechristianization, and the Quest for Democracy in Postwar West Germany,” in Dirk Schumann ed., *Raising Citizens in the Century of the Child: The United States and German Central Europe in Comparative Perspective* (New York: Berghahn Books, 2010), 145.

⁸⁵³ Ibid., 151-157.

⁸⁵⁴ See M. Berlin, “An Overview of Police Training in the United States, Historical Development, Current Trends and Critical Issues: The Evidence,” in Peter Stanislas (ed.), *International Perspectives on Police Education and Training* (New York: Routledge, 2014), 37.

⁸⁵⁵ This was a familiar trope used by SPD deputies to oppose national policing every time it was debated in the *Bundestag* – see Chapters 1 – 3.

between the police force and the community it is supposed to serve.”⁸⁵⁶ Nevertheless, in their public comments and writings, leaders such as Dr. Dippelhofer and Heinrich Müller were already calling for training programs that rejected this mixing of policing and military tasks.⁸⁵⁷ Still, the Interior Ministry faced criticism because of its preference for selecting *Wehrmacht* veterans for its training posts. Critics feared choosing former soldiers might lead to an ideological re-militarization of the police. Men who had been in the military were also familiar with most of the weapons, uniforms, and equipment used by the *Bundesgrenzschutz*.⁸⁵⁸ Moreover, since millions of men served in Nazi Germany’s armed forces, finding those who were not veteran soldiers in the 1950s and 60s was difficult.⁸⁵⁹ Still, memories of civilian policing and its ambivalence, or, in certain cases, complicity with the radical right in undermining Weimar democracy, produced long-term skepticism of the relationship between policing and the military in postwar Germany, especially on the political Left.

In spite of efforts by the training staff at Lübeck-St. Hubertus to emphasize civilian policing doctrine, military tactical exercises remained popular among the men. The Border Police Psychologist, Dr. Leonhard von Renthe-Fink, supervised the curriculum development committee (*Referat I C 5*) and was keenly aware of the challenges in ideologically and pragmatically demilitarizing the police. During the Third Reich, Dr. Renthe-Fink had been a *Wehrmacht* psychologist and a leading member of its “Inspectorate for Aptitude Testing.” Like many psychologists of his generation, the *Wehrmacht* offered steady work and a chance to test his theories. For the *Bundesgrenzschutz*, he observed and reported on

⁸⁵⁶ B.K. Greener and W.J. Fish, *Internal Security and Statebuilding: Aligning Agencies and Functions* (New York: Routledge, 2015), 161.

⁸⁵⁷ See Dr. Otto Dippelhofer, “Gedanken über eine künftige Offizeirausbildung im Bundesgrenzschutz,” 23 July 1951, BAArch-K B106/15076.

⁸⁵⁸ P.A.J. Waddington, *Policing Citizens*, 228.

⁸⁵⁹ See for example, James J. Sheehan, *Where Have All the Soldier’s Gone? The Transformation of Modern Europe* (New York: Mariner Books Edition, Houghton Mifflin Harcourt, 2009), 140-141; Williamson Murray and Allan R. Millet, *A War to be Won: Fighting the Second World War* (Cambridge: The Belknap Press of Harvard University Press, 2000), 558.

the effects and quality of the instruction provided to border policemen.⁸⁶⁰ From his perspective, there was an insufficient focus on the role and duties of policemen or for that matter on any topics related to the study of civics or law. He found that topics such as ethics, political ideology, and professionalism were completely ignored in comparison to military themes. Thus, he recognized early on that more instructional focus should be directed towards law enforcement. More problematically, however, he also observed that, “there was a particular open disdain by the training staff for any police related topics.”⁸⁶¹ At least outwardly, what he saw contradicted the intent to separate policing and soldiering as stressed by Dr. Dippelhofer in his public and private comments. This obvious contradiction can be explained from two perspectives. First, during the early 1950s, the majority of border policemen were veteran soldiers back in the armed service of the state and living in the familiar surroundings of former military barracks. Secondly, by law, border policemen had no exclusive powers of arrest and had to turn individuals they detained over to state police forces.⁸⁶² These men were focused on external rather than external security and believed typical law enforcement procedures were not applicable to their duties. Nevertheless, having a psychologist oversee and provide input to change the organizational culture and develop effective police training programs was innovative for its time even though he was also a *Wehrmacht* veteran. It demonstrated that the Interior Ministry was serious about improving the overall quality of the training programs and minimizing the influence of the *Wehrmacht*. There were, however, no short-term solutions to overcoming the strong historical relationship between policing and the army. To change the military acculturation that had shaped the lives of these men before they joined the *Bundesgrenzschutz* was more challenging. More time was needed to overcome the military traditions even though there was a significant top-down effort to do so. In 1951, the West German government was focused on rapidly

⁸⁶⁰ Memorandum, Dr. Renthe-Fink zu Bundesministerium des Innern, “Schulung von Offizieren und Unterführern,” 23 July 1951, BArch-K B106/15076; for Renthe-Fink’s work in the *Wehrmacht*, see Ulfried Geuter, *The Professionalization of Psychology in Nazi Germany* (Cambridge: Cambridge University Press, 1992), 37.

⁸⁶¹ Memorandum, Dr. Renthe-Fink zu Bundesministerium des Innern, “Schulung von Offizieren und Unterführern,” 23 July 1951, BArch-K B106/15076.

⁸⁶² Subjects detained by the BGS were handed over to the local police authorities; see for example, the collections of activity reports submitted by the BGS to the Passkontrolldirektion at Koblenz, BArch-K B273/18, Band 4: 1951-1957.

deploying its border policemen along the inner-German border as a response to the *Volkspolizei*. For the time being, the increased promotion of civilian themes in training would have to wait until its staff could make the necessary improvements.

Dr. Renthe-Fink's detailed analysis, however, was influential in identifying several problem areas and helped to develop future education and training programs. He emphasized that the men who were expected to fill leadership positions, especially at the line-level in platoons, needed much more training.⁸⁶³ Moreover, he argued that during the forthcoming training cycle, police science, civics, political-ideological training, professional ethics, and psychology should be given greater priority. To accomplish this, he recommended that training plans for these topics be adapted to match those already in use at the state police schools, especially the course plans recently developed by the Interior Ministry under the supervision of *Ministerialdirigent* and Prussian *Schutzpolizei* veteran Ludwig Dierske.⁸⁶⁴ Dr. Renthe-Fink also recommended that instructors should primarily consist of civilian academics specializing in legal studies or senior police officers with advanced law degrees. The challenge was to take these important theoretical topics and present them in such a manner that they were interesting, practical and useable by border policemen.⁸⁶⁵ It is telling that members of the training staff and the Interior Ministry were already taking these decisive steps to civilianize training at such an early stage of the organization's development. Although by 1950, former *Wehrmacht* General Wolf Graf von Baudissin's philosophy of *Innere Führung* (moral leadership) was discussed by officials in the *Amt Blank* (Ministry of Defense), its influence remained largely theoretical until the *Bundeswehr* was established.⁸⁶⁶ In all likelihood, however, early discussions of *Innere Führung* did influence *Bundesgrenzschutz* leaders since they were all *Wehrmacht* veterans and the organization was used as a source for the first *Bundeswehr* recruits (see Chapter 3). By the 1960s, *Innere Führung* was a topic regularly featured in border police officer

⁸⁶³ Memorandum, Dr. Renthe-Fink zu Bundesministerium des Innern, "Schulung von Offizieren und Unterführern," 23 July 1951, BArch-K B106/15076.

⁸⁶⁴ Ibid.

⁸⁶⁵ Ibid.

⁸⁶⁶ Rudolf J. Schaffler and Wolfgang Schmidt, (eds.), *Wolf Graf von Baudissin 1907-1993*, 1-2.

candidate training plans.⁸⁶⁷ Nevertheless, in spite of some lingering problematic influences in its training programs, the motivation for reform and the focus on more topics related civilian law enforcement practices came from within the border police command staff.

An interesting aspect of Dr. Renthe-Fink's analysis pointed to a complete lack of education for border policemen in subjects relating to political ideology.⁸⁶⁸ He used the East German *Volkspolizei* and its political training as a hypothetical model for how this could also be accomplished in the *Bundesgrenzschutz*. He cited intelligence reports from the *Bundesministerium für Gesamtdeutsche Fragen* (Federal Ministry for Intra-German Relations) that reflected the number of hours *Volkspolizei* recruits and their officers spent studying political topics, especially the ideologies of Marxism, Leninism, and the history of the German Revolution. These reports showed that the *Volkspolizei* spent a total of forty hours per week on training related to these topics. While he was quick to dismiss the Marxist subject matter as "pure propaganda," he suggested there were two primary learning points that West Germany's border policemen could adopt for their own training.⁸⁶⁹ First, he believed it was critical to understand the worldview and political ideologies of their eastern enemies. Secondly, he argued, "while the west has no closed ideology like Marxism, more could and should be done to consolidate our own worldview and, more importantly, to develop the critical thinking and reasoning skills of our officers."⁸⁷⁰ To accomplish this, he emphasized the importance of professional ethics training under the framework of what he called the "Oxford Movement," which was more popularly known at the time as "moral rearmament."⁸⁷¹ The movement was founded by the American Christian Evangelist Frank Buchman

⁸⁶⁷ See for example, "Ordnung der Unterführerprüfung im Bundesgrenzschutz: Ausbildungsplan für einen Lehrgang zur Ausbildung zum Unterführer im BGS – Allgemeiner Unterführerlehrgang," Anlage 3, "Erziehungsfragen und Ausbildungsmethodik," 15 October 1963, BArch-K B106/15080, Band 5: 1960-1963.

⁸⁶⁸ Memorandum, Dr. Renthe-Fink zu Bundesministerium des Innern, "Schulung von Offizieren und Unterführern," 23 July 1951, BArch-K B106/15076.

⁸⁶⁹ Ibid.

⁸⁷⁰ Ibid.

⁸⁷¹ Ibid; For an overall background of this movement see Daniel Sack, *Moral Re-armament: The Reinventions of an American Religious Movement* (New York: Palgrave Macmillan, 2009); Philip Boobbyer, *The Spiritual Vision of*

during the 1920s and gained popularity again during the Cold War as an ideological response to the material-atheist worldview of Communism.⁸⁷² The central objective of the movement was to change the lives of followers by bringing them into a closer relationship with God. According to Historian Daniel Sack, those who advocated moral rearmament “drew on a wide variety of theological ideas and religious practices, mixing them with psychological theories and a hefty dollop of popular culture.”⁸⁷³ Renth-Fink’s invocation of this approach as a basis for implementing some form of political-ideological training reflected his participation in the broader anti-Communist movement in the Western world.

Officer-Candidate Training

As the first training year progressed, key officials in the Interior Ministry worked with the training staff of the Border Police School to evaluate the effectiveness of their programs. These officials were concerned with developing excellent officer candidates since the men leading the platoons and companies were supposed to be role models for the younger postwar generations of recruits. The training staff’s greatest challenge was finding new officer candidates who had completed their high school leaving certificate (*Abitur*).⁸⁷⁴ They would need further education before they could be considered for promotion. In response to this shortcoming, the instructors developed a special junior officer program for men who lacked their *Abitur*. In July 1952, Lehr sent *Oberregierungsrat* Kretschmann as an observer to Lübeck-St. Hubertus to assess the overall effectiveness of the program. Lehr wanted to find out if Müller’s observation regarding the lack of high school education was indeed an obstacle to the prospect for

Frank Buchman (University Park: Pennsylvania State University Press, 2013); see also Clifford Green (ed.), *Dietrich Boenhoffer: Ethics* (Minneapolis: Fortress Press, 2005), 122-123.

⁸⁷² Daniel Sack, *Moral Re-Armament*, 2.

⁸⁷³ *Ibid.*, 3.

⁸⁷⁴ Memorandum from Heinrich Müller to Interior Minister Robert Lehr, 6 December 1951, BArch-K B106/15083.

promotion? Kretschmann spent two days observing the officer candidates and presented his findings to the Interior Ministry in a comprehensive report.⁸⁷⁵

He sat in classrooms to observe instructors, participated in staff curriculum development meetings, watched the remediation process of men who failed exams, and evaluated the platoon leaders courses.⁸⁷⁶ His analysis gives us closer insights into the students, curriculum, and staff included in this program. It also demonstrated the challenges West Germany's government faced in creating a professionalized national police force in the aftermath of the war. The program included forty-four men from all over Germany ranging from entry-level policemen (*Grenzjäger*) up to the rank of Sergeant Major (*Hauptfeldwebel*). The ages of the candidates varied, but were classified into the following three groupings: twenty-eight between the ages of 20 and 25 years, ten between 26 and 30 years, and six who were between 31 and 40 years. Forty-one of these men were judged by their instructors to have "average maturity" while only three were rated as being above average. Only fourteen candidates had completed *Volksschule* (combination of primary and lower secondary education) thirteen of which had what Kretschmann described as extra training in technical or vocational skills.⁸⁷⁷ Their teachers, all of whom were secondary school instructors, also came from throughout Germany. They ranged in age between 30 and 45 years, all with combat experience as frontline reserve officers. The Headmaster, Dr. Hoffmann, was the current Principal at the Oldenbourg secondary school and had also been a teacher in the *Wehrmacht*.⁸⁷⁸

The candidates were instructed in the following topics: German, history, civics, mathematics, natural sciences (physics, chemistry and biology), geography, and foreign languages (English and

⁸⁷⁵ Oberregierungsrat Kretschmann, "Besuch beim Kommando der Bundesgrenzschutz-Schulen in Lübeck – St. Hubertus am 31. 7. Und 1. 8 1952," BA-MA BW1/15972.

⁸⁷⁶ Ibid.

⁸⁷⁷ *Volksschule* is the basic compulsory education that a student normally begins at 6 years of age and completes at 14 years of age – See Hans-Martin Moderow, *Volksschule zwischen Staat und Kirche: Das Beispiel Sachsen im 18. und 19. Jahrhundert* (Köln: Böhlau Verlag, 2007).

⁸⁷⁸ Oberregierungsrat Kretschmann, "Besuch beim Kommando der Bundesgrenzschutz-Schulen in Lübeck – St. Hubertus," BA-MA BW1/15972.

French).⁸⁷⁹ Foreign languages in particular were considered important for policemen expected to patrol and monitor the state's international borders. Only those men who scored above average in all subjects would be acceptable for promotion. The results for the forty-four men who took part in this special program were telling. Only twenty-one of them, or 48% were considered acceptable.⁸⁸⁰ Three of those who failed had been highly decorated NCOs from the *Wehrmacht*, one of which held Nazi Germany's coveted Knights Cross (*Ritterkreuz*) award for bravery. While the instructors explained that these three men were indeed decent policemen with superb combat records, they lacked the basic educational requirements expected of anyone promoted to a civilian police leadership rank.⁸⁸¹ Thus, contrary to the critics who believed the prevalence of veteran soldiers would overly militarize the *Bundesgrenzschutz*, Kretschmann's report showed that education was more desirable for its leaders than a record of heroic deeds in combat.⁸⁸² Moreover, Kretschmann also explained that there was a platoon leaders course taking place at the same time where out of the twenty-two candidates, all of whom combat veterans of the birth cohort 1917-1925, only six candidates passed. Here again, one of those who failed was a Knights Cross winner with an outstanding combat record, but who was unable to meet the most basic reading and writing requirements for promotion. The minimum qualifications needed to advance in rank were such that even those who had distinguished themselves in combat as soldiers were not automatically qualified to become civilian police officers without demonstrating an aptitude for the job.⁸⁸³

The experiences of the first instructors and staff at the Border Police School showed that training in the *Bundesgrenzschutz* had a rough start. Even veteran soldiers with previous law enforcement experience struggled to adapt to the new demands of democratic policing. In spite of these challenges, however, the Interior Ministry and its teaching staff were determined to improve the quality and quantity

⁸⁷⁹ Ibid.

⁸⁸⁰ Ibid.

⁸⁸¹ Ibid.

⁸⁸² The SPD, and particularly representative Walter Menzel, accused Adenauer and his Interior Minister Robert Lehr of remilitarizing West Germany by re-employing so many veteran soldiers as border policemen; See Chapter 1.

⁸⁸³ Oberregierungsrat Kretschmann, "Besuch beim Kommando der Bundesgrenzschutz-Schulen in Lübeck – St. Hubertus," BA-MA BW1/15972.

of training for leaders and their personnel. Many men were thus passed over for promotion even though they were combat veterans. The knowledge, skills, and abilities demanded of civilian policemen were significantly different than those needed to be a soldier. If West Germany's border police force was going to survive, then the education and training of its personnel, especially those selected as officer-candidates, had to evolve. Senior members of the staff, such as Colonel Müller and Dr. Dippelhofer, recommended that more instruction in subjects related to law, civics and democracy were necessary. In addition to increasing the course hours devoted to legal topics, Müller recommended that instructors engage with their students in debates and conversations designed to enhance their critical reasoning skills.⁸⁸⁴ Müller's open discussion format showed how education and training in the *Bundesgrenzschutz* was reflective of the broader discussions culture that emerged in 1950s West Germany.⁸⁸⁵ Policing in a democracy demanded officers who had the ability to think and carefully weigh the moral consequences of their decisions. The old notion of making important decisions based upon a rigid obedience to orders from above was no excuse for abusing one's authority.

The emphasis on critical thinking skills for border policemen emerged in conjunction with similar discussions taking place among former *Wehrmacht* generals about the merits of *Innere Führung* (See Chapter 3).⁸⁸⁶ The concept, which is best described as a moral leadership philosophy or personal code of conduct, was supposed to guide soldiers, and in this case policemen, in carrying out their duties. Soldiers were now held accountable for their actions and could not, as had been the case in the Third Reich, use the excuse that they had no choice but to follow orders from above no matter how criminal or immoral

⁸⁸⁴ Memorandum from Heinrich Müller to Interior Minister Robert Lehr, "Durchführung von Aussprachen (Diskussionen) gemäße Ausbildungsplan bis zu den Hundertschaftsbesichtigungen," Lübeck, 28 March 1952, BArch-K B106/15076.

⁸⁸⁵ For an excellent analysis of this movement, see Nina Verheyn, *Diskussionsust: eine Kulturgeschichte des "besseren Arguments" in Westdeutschland* (Göttingen: Vandenhoeck and Rupprecht, 2010).

⁸⁸⁶ Baudissin's concept was already being discussed among the cohort of former *Wehrmacht* Generals in the *Amt Blank* as early as 1952 and the BGS leadership was closely aligned with the men in *Amt Blank*, especially considering the use of border policemen as the nucleus for the Bundeswehr (see Chapter 3); See Claus Freiherr von Rosen, "Erfolg oder Scheitern der Inneren Führung aus Sicht von Wolf Graf von Baudissin," in Rudolf Schlaffer and Wolfgang Schmidt, *Wolf Graf von Baudissin 1907 bis 1993*, 203-204.

they might have been. Teaching policemen the philosophy of *Innere Führung* was intended to make them better critical thinkers and force them to seriously consider the moral consequences of their actions.⁸⁸⁷

One educational approach relevant to *Innere Führung* and popular among border policemen were the debates over ethical questions surrounding the Nazi past, especially those connected with the anti-Hitler resistance movement. The focus on the plot to kill Hitler in the Federal Republic was a catalyst for conservative politicians to advance the argument that the anti-Nazi resistance proved the fallacy of collective German guilt for the criminal policies of the Third Reich.⁸⁸⁸ *Oberregierungsrat* Kretschmann claimed, “the treatment of the resistance movement against Hitler is one of the most difficult problems of national political education because it touches on the boundary of responsibility...the ethics of acting out of an inner state of emergency has always been controversial.”⁸⁸⁹ Many of Germany’s veteran *Wehrmacht* officers, especially those in veterans associations and members of the *Dienststelle Blank*, were bitterly divided in their opinions of the resistance movement (See Chapter 3). The *Verband deutscher Soldaten* (VdS) veterans association, for example, would not publicly support rearmament until the honor of the *Wehrmacht* was restored and fought against any privileged status reserved for members of the resistance.⁸⁹⁰ Men like General Hasso von Manteuffel believed the plotters had betrayed their oath of loyalty and were thus unreliable as leaders in the new *Bundeswehr*.⁸⁹¹ The same rifts and divided opinions were reflected in the discussions among border policemen whenever the July 20 plot was discussed. The *Bundesgrenzschutz* was criticized for sending honor guards to the funerals of General

⁸⁸⁷ BGS Inspekteur Kurt Andersen An den Herrn Bundesministerdes Innern, “Erfahrungsbericht über den 9. OA-Lehrgang vom 29.7.58 bis 29.4.59,” BArch-K B106/15085.

⁸⁸⁸ See Jay Lockenour, *Soldiers as Citizens*, 157-159.

⁸⁸⁹ See Memorandum and Training Plan from Referat VI B 6, ORR Krtetschmann, March 1956, BArch-K B106/15085.

⁸⁹⁰ David Clay Large, “A Gift to the German Future? The Anti-Nazi Resistance Movement and West German Rearmament,” *German Studies Review*, Vol 7, No. 3 (Oct., 1984), pp. 499-529, 515.

⁸⁹¹ *Ibid.*, 509.

Guderian and Field Marshal von Rundstedt because they remained loyal to the Nazi regime and took part in actions against the conspirators in the aftermath of the assassination attempt.⁸⁹²

Historian Wolfgang Foerster's biography, *Generaloberst Ludwig Beck*, as well as relevant readings on the Third Reich from Otto Breiting's text on political education in the *Bundesgrenzschutz*, were used as a basis for instruction and debate on the Anti-Hitler resistance.⁸⁹³ Whereas Foerster's book describes Beck in hagiographic terms, Breiting more problematically explained the Third Reich as a lesson of how democracy can and did ultimately fail solely because of "one man and his clique."⁸⁹⁴ This narrow perspective and selective distancing ignored the widespread support the Nazis enjoyed or the general knowledge of the war crimes perpetrated by the *Wehrmacht* during the war. Thus, men like Ludwig Beck and Colonel Stauffenberg were presented as ideal examples of *Innere Führung* because they acted against the Nazi regime according to their conscience even though it cost them their lives. In a *Die Parole* article dedicated to the twentieth anniversary of Stauffenberg's attempt to kill Hitler, Curt-Wolf Roeder explained its importance for border policemen by pointing out Field Marshall Keitel's closing speech at the Nuremberg War Crimes Trial in which he admitted that he "failed to see the limits of a soldier's duty" and would have rather chosen death than permit himself to be "dragged into the networks of such pernicious rulers."⁸⁹⁵

Colonel Müller believed that lively debates and discussions on topics such as the plot to kill Hitler helped to increase the education levels of policemen. He explained to Interior Minister Lehr that the open discussions between instructors and students at Lübeck was a promising model that should be

⁸⁹² Ibid., 515.

⁸⁹³ Wolfgang Foerster, *Generaloberst Ludwig Beck: Sein Kampf gegen den Krieg* (München: Isar Verlag: 1953); Otto Breiting, Kurt Hoffmann, *Verantwortung, Freiheit, Recht: Lehr- und Lesebuch für die politische Bildung und staatsbürgerliche Erziehung im Bundesgrenzschutz* (Braunschweig: Gersbach, 1955).

⁸⁹⁴ Otto Breiting, Kurt Hoffmann, *Verantwortung, Freiheit, Recht*, 46.

⁸⁹⁵ Curt-Wolf Roeder, "Zum 20. Juli 1944," *Die Parole* 14, no. 7 (15 July 1964), 17.

encouraged outside the academy at the company and platoon level.⁸⁹⁶ He suggested this would build the credibility of border police leaders to their men and foster open relations between supervisors and subordinates. He wanted leaders to use literature, films, visits to local historical monuments and even museums as a means to encourage debates that could be facilitated by subordinates acting as class officers. The object of these discussions was to encourage an intellectual exchange of ideas surrounding politics, science, education and other contemporary issues that might benefit all the participants. Some of the subjects he recommended included: The Schuman Plan, European thought, Socialism, Bolshevism, and the moral rearmament movement of Frank Buchman.⁸⁹⁷ Other areas that Müller found relevant were the foundations of Hellenistic culture, Christianity, and the expression of Western culture in painting, architecture, music, theater, and film. He wanted to facilitate debates rather than simply delivering anecdotal lectures. Müller insisted, “The subjects selected for discussion must be presented in a manner that encourages everyone to participate. A mere listening to lectures does not accomplish this. Only by elaborating the topic of discussion is there any benefit gained by the men.”⁸⁹⁸

What Müller was suggesting amounted to providing border policemen with the foundations for developing better critical thinking skills. This is interesting at such an early stage of the organization’s development and clearly demonstrated that a grassroots effort for improved education based in the humanities began to emerge from within its ranks. This was a good beginning, but many problematic legacies of Germany’s recent past remained. Many of the topics Müller suggested for these discussions, for example, still emphasized the moral superiority of Western culture based upon Christian values. Konrad Adenauer and his conservative Christian Democratic party played an influential role here. As Owen Chadwick remarked, “Adenauer’s tough personality symbolized a Christian, pro-West, anti-Communist, anti-Russian stance – defend liberty and the right to worship by arming the West against the

⁸⁹⁶ Memorandum from Heinrich Müller to Interior Minister Robert Lehr, Lübeck, 28 March 1952, BArch-K B106/15076.

⁸⁹⁷ Ibid.

⁸⁹⁸ Ibid.

Eastern threat – and for a time he helped to make the Cold War colder.”⁸⁹⁹ This stance opened space for a continuation of problematic themes championed by the Nazis in their depiction of the East as the region of “wild Asiatic hordes.”⁹⁰⁰ Müller’s memorandum thus reflected the many profound contradictions and non-linear evolution of West Germany’s democratization. On the one hand, his proposal of a liberal education emphasizing critical thinking skills seems remarkably innovative for its time. The assigned reading list he recommended as a basis for these discussions, for example, included over sixty titles with works by Jacob Burckhardt, Max Planck, Benedetto Croce, Søren Kierkegaard, Schiller, Goethe, and Shakespeare.⁹⁰¹ On the other hand, Müller also spoke about Oswald Spengler’s controversial *Decline of the West* in hagiographic terms.⁹⁰² Spengler’s monumental work was a favorite of conservatives because it emphasized elite culture and authoritarianism. According to Walter Sturve’s analysis of 1920s Germany, Spengler “added his voice to the cries on the Right for a great leader to alleviate the sufferings of the German people and overcome internal conflicts.”⁹⁰³ While Spengler’s relationship to Hitler and the Nazis before his death was ambiguous, the movement embraced many points of his philosophy that rejected liberal ideals and called for an authoritarian or “Caesarist” form of rule.⁹⁰⁴ According to Müller, “Spengler’s [book] *Untergang* [downfall/decline] should be read by every officer because it remains such a superior historical overview with profound implications in all fields.”⁹⁰⁵ He also recommended writings by the influential Spanish philosopher José Ortega y Gasset who argued against the dangers of democracy because of its empowerment of the masses who were unqualified to rule without an aristocratic “elite” to

⁸⁹⁹ Owen Chadwick, *The Christian Church in the Cold War* (New York: Penguin Books, 1993), 10.

⁹⁰⁰ This language appears throughout the articles and political cartoons of border police journals during the 1950s, see Hermann Bohle, “40 Jahre Bolschewismus: Wird er noch 40 Jahre leben? – Kommunist Djilas bezweifelt es,” *Die Parole* 7, no. 10 (15 October 1957), 2-3.

⁹⁰¹ Memorandum from Müller to Lehr, 28 March 1952.

⁹⁰² Oswald Spengler, *The Decline of the West* (New York: A.A. Knopf, 1926).

⁹⁰³ Walter Sturve, *Elites Against Democracy: Leadership Ideals in Bourgeois Political Thought in Germany, 1890-1933* (Princeton: Princeton University Press, 1973), 269-270.

⁹⁰⁴ Roger Woods, *The Conservative Revolution in the Weimar Republic* (New York: St. Martin’s Press, 2001), 127; this point is also emphasized in Anton Kaes, Martin Jay, and Edward Dimendberg (eds.), *The Weimar Republic Sourcebook* (Berkeley: University of California Press, 1994), 355

⁹⁰⁵ Memorandum from Heinrich Müller to Interior Minister Robert Lehr, Lübeck, 28 March 1952, BArch-K B106/15076.

guide them.⁹⁰⁶ The significance of his preference for the works by Spengler and Ortega y Gasset reflected that while he encouraged improved critical thinking skills for border policemen, he also championed the ideals of the 1920s conservative revolution and 1950s conservatism in his thinking about training and education. Müller's ideas reflected the ongoing organizational struggle between continuity and change that shaped the longterm development of the *Bundesgrenzschutz*.

Training and the Problematic Legacies of Counterinsurgency Warfare

The contradictions between the emerging democratic policing models in the Federal Republic and the conservative political legacies that predated Nazi Germany were especially prominent in how the *Bundesgrenzschutz* approached counterinsurgency training. In contrast to Müller emphasizing the value of a traditional education in the humanities, the popularity of counterinsurgency themes in training reflected the ongoing struggle between change and continuity in the *Bundesgrenzschutz*. The fear of border infiltrations by gangs of communist insurgents or members of the *Volkspolizei* were a central feature of these topics. The training vocabulary alone evoked controversial themes. Counterinsurgency, or *Bandenbekämpfung* (Anti-Bandit-Warfare) as it was labeled in the course plans, was described as the preferred method for fighting criminal gangs, smugglers, and agents during training year 1952/53.⁹⁰⁷ The German word *Bandenbekämpfung* was closely associated with anti-partisan warfare and the annihilationist policies in Nazi occupied Europe where it was used to justify reprisals against civilian populations.⁹⁰⁸ According to historian Hannes Heer, *Bandenbekämpfung* was a term used at the direction of SS and Nazi German Police Chief Heinrich Himmler to deliberately label all partisans as criminal

⁹⁰⁶ Heinrich Müller expressed his support for Ortega y Gasset's ideas in his 1955 lecture: "Autorität und Gehorsam im BGS," BArch-K B106/20765; José Ortega y Gasset, *The Revolt of the Masses* (New York: W.W. Norton & Company, 1993); See also Andrew Dobson, *An Introduction to the Politics and Philosophy of José Ortega y Gasset* (New York: Cambridge University Press, 1989), 75.

⁹⁰⁷ Memorandum: "Stab für Ausbildung und Vorschriftenbearbeitung, Betreff: Nachtrag zu den Weisungen für die Ausbildungsjahr 1952/53," Bonn, 28 January 1953, BArch-K B106/15076.

⁹⁰⁸ Hannes Heer and Klaus Naumann (eds.), *War of Extermination*, 113; see also Philip W. Blood, *Hitler's Bandit Hunters: the SS and the Nazi Occupation of Europe* (Washington D.C.: Potomac Books, 95-97).

bandits who were undeserving of any quarter when captured.⁹⁰⁹ Like the *Wehrmacht* and *SS* units many border policemen came from, the command staff of the *Bundesgrenzschutz* also formed *Einsatzgruppen* (special action squads) and *Jagdkommandos* (hunter units) to combat criminal gangs and smugglers operating in border zones. The use of the term *Einsatzgruppen* was especially troubling because it evoked the mobile killing squads of *SS* security policemen (*Sicherheitspolizei*) used to hunt down and shoot millions of Jews during the war.⁹¹⁰ The training plan specified that men chosen to staff these units must “have excellent shooting skills, be capable of independent action, and be in top physical condition to endure long periods outdoors in inclement weather.” Moreover, the men had to have “excellent hunting skills, be cunning and agile, skilled in the use of camouflage and trapping, and able to use detection dogs.”⁹¹¹ Specialized units such as these, particularly named in this manner, gave critics of the border police justification to question the motives of the organization. They certainly seemed to defy what the Allied powers and West German lawmakers envisioned for democratized policing in the postwar era.

More problematically, however, evidence in organizational journals directly linked the focus on counterinsurgency or *Bandenbekämpfung*, as it was referred to in the *Bundesgrenzschutz*, to the violent measures used against Soviet irregular fighters during the Second World War and even earlier street fights between policemen and communists in the 1920s. The retired *Schutzpolizei* Colonel Herbert Golz, for example, authored a lengthy “lessons learned” article that was published in *Die Parole* over three separate issues.⁹¹² Golz provided readers with a history of irregular warfare going back to the *francs-tireurs* (free shooters) – civilian irregular fighters who attacked the Prussian Army occupying France at the end of the Franco-Prussian War. The paranoia and fear of *francs-tireurs* were major justifications for

⁹⁰⁹ Ibid.

⁹¹⁰ Christopher Browning, *The Origins of the Final Solution: The Evolution of Nazi Jewish Policy, September 1939 – March 1942* (Lincoln: University of Nebraska Press, 2004), 16; Helmut Langerbein, *Hitler's Death Squads: The Logic of Mass Murder* (College Station: Texas A&M University Press, 2004), 15.

⁹¹¹ Memorandum: “Stab für Ausbildung und Vorschriftenbearbeitung, Betreff: Nachtrag zu den Weisungen für die Ausbildungsjahr 1952/53,” BArch-K B106/15076.

⁹¹² Herbert Golz, “Erfahrungen aus dem Kampf gegen Banden,” *Die Parole* 5, no. 2 (15 February 1955), 14-15; Part II, *Die Parole* 5, no. 3 (15 March 1955), 12-14; Part III, *Die Parole* 5, no. 4 (15 April 1955), 17-19.

the targeting of civilians in 1870-71 and again during the beginning months of the First World War.⁹¹³ His primary focus, however, were the Soviet partisans of the Second World War, which he said were very dangerous because of “ancient Slavic habits particularly endemic to the Balkans.”⁹¹⁴ Golz claimed that border policemen must be trained to deal with insurgents because they were likely to encounter them in their duties at the frontiers. He argued that the best way to combat insurgents and communist fifth column agents was to form *Jagdkommandos*, which proved to be the most effective method from experience in the war against the Soviets. These units could then be used to track down, encircle and ultimately “crush” the insurgents.⁹¹⁵

Another article in *Die Parole* emphasized the Prussian *Schutzpolizei*'s violent suppression of striking communist workers at the Leuna factory in 1921. The article advocated this incident as an ideal model for training border policemen to counter social unrest.⁹¹⁶ There were 35 policemen and 145 civilians killed in the assault against the Leuna factory. More problematically, the *Schutzpolizei* carried out reprisals by executing captured strikers on the spot without trial. The head of the operation, Police Colonel Graf von Poninski, was placed in command of the state police training school at Brandenburg an der Havel during the 1920s where his suppression of the strikers was used as a model for crushing communist riots.⁹¹⁷ The uprisings of 1921 were a foundational myth for both the German Communist Party (KPD) and the Socialist Union Party (SED); they and also inspired the postwar monumental art movement in East Germany. According to the art historian Claudia Mensch, the revolt was “a key

⁹¹³ Ibid.

⁹¹⁴ Ibid., *Die Parole* 5, no. 2, 15.

⁹¹⁵ Ibid., *Die Parole* 5, no. 4, 18.

⁹¹⁶ General a.D. Schmidt-Hartung, “Artillerie gab den Ausschlag: Typischer Einsatz von Polizeikräften zur Einschliessung und Einnahme eines Aufstandsnestes (Leuna-Werk am 29. März 1921),” *Die Parole* 3, no. 5 (15 May 1953), 3; See also Eric Weitz, *Creating German Communism, 1890-1990: From Popular Protests to Socialist State* (Princeton: Princeton University Press, 1997), 106.

⁹¹⁷ For a description of the *Schutzpolizei* assault against the Leuna Factory see Peter Lessmann-Faust, “Blood May: The Case of Berlin 1929,” in Richard Bessel and Clive Emsley (eds.), *Patterns of Provocation: Police and Public Disorder* (New York: Berghahn Books, 2000), 22-23.

moment of recovery for the German Communist Party after the debacle of the failed 1919 revolution.”⁹¹⁸

The *Die Parole* article was written by a former Lieutenant Colonel in the *Schutzpolizei* who took part in putting down the uprising. It emphasized the key use of artillery against the workers, which ultimately gave policemen the upper hand; it also recommended the usefulness of similar tactics and equipment for the *Bundesgrenzschutz*.⁹¹⁹ The 1921 *Schutzpolizei* attack at the Leuna factory as a model for border policemen in the 1950s reflected the striking continuities in militarized policing themes that predated the National Socialist era.

Many of these problematic themes lasted well beyond the 1950s. They re-emerged again in the 1960s after the *Bundestag* awarded combatant status to the *Bundesgrenzschutz* and coincided with the publication of a “Street Fighting Manual” used to train border policemen in urban combat tactics.⁹²⁰ It was written by Colonel Karl Winkelbrandt, the Interior Ministry’s Director of Education, Training, and Support for the *Bundesgrenzschutz*. Winkelbrandt was typical of many senior border police leaders. He began his law enforcement career with the Prussian *Schutzpolizei* in 1928 working his way up to the rank of Lieutenant. In 1936, he was drafted into the *Wehrmacht* where he served as a staff and training officer in various units during the war.⁹²¹ When the manual was first introduced, it was accompanied by a lecture on the 1944 Warsaw Uprising given by *Schutzpolizei* and *Wehrmacht* veteran Lieutenant Pantenius.⁹²² Pantenius had been an instructor at the *Wehrmacht Kampfschule für Strassen- und Festungskampf* (Combat School for Street and Fortress Fighting) and also led *Volksgrenadier Infantry Regiment 690* in

⁹¹⁸ Claudia Mensch, *Modern Art at the Berlin Wall: Demarcating Culture in the Cold War Germanys* (London: I.B. Tauris, 2009), 220.

⁹¹⁹ General a.D. Schmidt-Hartung, “Artillerie gab den Ausschlag,” 3.

⁹²⁰ Oberst i. BGS Winkelbrandt, “Strassenkampffibel für den Bundesgrenzschutz,” December 1965, BArch-K B106/83898.

⁹²¹ See short biography: “Der neue Kommandeur: Brigadegeneral im BGS Winkelbrandt,” *Der Grenzjäger* 17, no. 3 (March 1967), 5.

⁹²² Oberleutnant i. BGS Pantenius, “Einführung zum Vortrag: Der Aufstand in Warschau 1944,” anlässlich der Planuntersuchung “Strassenkampf” am 25.11.1965, BArch-K B106/83898. The 1944 uprising should not be confused with the 1943 Warsaw Ghetto Uprising; for A general history of the 1944 resistance movement see Włodzimierz Borodziej, *The Warsaw Uprising of 1944* (Madison: University of Wisconsin Press, 2006).

action against the Polish Resistance at Warsaw.⁹²³ He explained to his audience that present day tensions with Eastern Europe were such that understanding street-fighting tactics as experienced by the *Wehrmacht* against the Polish resistance was critical for border policemen.⁹²⁴

But officials in the Interior Ministry who worried about the negative perceptions these themes might evoke, acted quickly to revise the manner in which the street-fighting manual was presented to border police trainees. When the manual was first published in draft form, the *Bundesgrenzschutz* was under attack from Werner Kuhlmann, head of the state police union (GdP), who accused the West German government of secretly attempting to re-militarize its civilian police. Colonel Winkelbrandt's introduction and preface were especially problematic because it spoke of using artillery and anti-tank weapons in urban combat, which the Interior Ministry correctly pointed out were purely military options.⁹²⁵ *Regierungsdirektor* Dr. Einwag and *Bundesgrenzschutz Inspekteur* Heinrich Müller worked to rewrite Winkelbrandt's preface and introduction by omitting all references to heavy military weapons. Whereas the original introduction spoke about the need to "attack" and "dominate" subversive forces concealed in "built-up urban areas," the revised language outlined "the need for border policemen to be familiar with inhabited urban dwellings in case there is a need for law enforcement to respond for an emergency."⁹²⁶ Even the idea of border policemen having the need for a "Street Fighting Manual" was problematic, not to mention the awkward references to the Nazi suppression of the Warsaw Uprising in 1944 as a model case study of urban warfare for policing in a democracy. The persistence of these problematic themes reflected the divergent opinions and experiences of veteran policemen who served as instructors. The intervention by the Interior Ministry to edit and remove the references to obvious military themes shows that the process of civilizing the *Bundesgrenzschutz* needed constant attention.

⁹²³ Ibid.

⁹²⁴ Ibid.

⁹²⁵ Bundesministerium des Innern Regierungsdirektor Dr. Einwag to BGS Unterabteilungsleiter VI C, "Strassenkampffibel für den Bundesgrenzschutz," 13 December 1965, BArch-K B106/83898.

⁹²⁶ Ibid.

But it also showed the layers of accountability in the organization as its senior leaders constantly negotiated what was acceptable and problematic in the discourse of its training doctrine.

While problematic legacies in training doctrine and particularly the naming of special border police units as *Einsatzgruppen and Jagdkommandos* (discussed above) evoked troubling memories of the harsh policing methods in Weimar and Nazi Germany, border policemen in these units were trained and used for completely different objectives. There is no evidence of anti-democratic practices manifested in the actions or behavior of border policemen as they carried out their duties. During the 1950s, for example, black marketeering and smuggling remained prolific along all of West Germany's borders.⁹²⁷ At that time, coffee, always in short supply and in heavy demand, was pedaled by bands of criminals popularly known as *Rabbatz* gangs. The *Rabbatz* bands were highly mobile and enjoyed a mythical "Robin Hood" status among those living in the border regions because they delivered luxury consumables and goods that were otherwise too expensive or unavailable.⁹²⁸ Local residents and business owners often helped and supported the *Rabbatzer* by providing shelter and helping them to elude capture by local authorities. In 1952, the *Einsatzgruppen* and *Jagdkommandos* of the *Bundesgrenzschutz* carried out "Operation Martha" to fight smuggling along what was known as the German-Belgian "coffee border." The Border Police Lieutenant Colonel Kurt Andersen, a tough combat veteran of two wars and member of the interwar Baltic *Freikorps*, led the operation. Under his command, the coffee smuggling in the region was effectively, albeit temporarily, disrupted. In commending Andersen for his leadership, Interior Minister Robert Lehr noted that the *Einsatzgruppen* and *Jagdkommandos* under his command arrested 1,581 smugglers, seized 36 luxury vehicles, 300 pounds of coffee, significant amounts of

⁹²⁷ For a good overview of the early postwar era in Berlin, See Paul Steege, *Black Market Cold War*.

⁹²⁸ See "Jäger jagen Schmuggler: Einsatz an der Kaffee Grenze," *Die Parole* 2, no. 1 (1 January 1952), 4-5; There is very little research concerning the *Rabbatz* bands or the "coffee border" around Aachen. In April, 2015, a special exhibit about the *Rabbatzer* and coffee smuggling, "Schmuggle in Aachener Grenzgebiet," opened at the Charlemagne Center of the RWTH-Aachen Universität; see <http://denkmal.arch.rwth-aachen.de/lehre/2015ss/ls15steg-ausstellungsdesign-schmuggel-im-aachener-grenzgebiet>.

tobacco, jewelry, and other consumables totaling over 655,884 DM.⁹²⁹ More importantly, the operation took place without incident and there were no injuries suffered by policemen or any of the smugglers they arrested. Operation Martha shows that there was a distinct difference between the rhetoric and names of these units and their actual operational use. Thus, border police *Einsatzgruppen* and *Jagdkommandos* were used as a measured approach to combat smugglers in spite of the terrible legacies these terms evoked from the Third Reich.

Besides preparing and using these new specialized police units to combat the financial burden of smuggling, the training plan for 1952/53 also included additional elements that reflected a clear break from the problematic policing methods of the past. The authors of the plan, for example, pointed out that there was still a serious deficiency in training border policemen in civilian law enforcement techniques. The introduction to the plan emphasized, that “our border policemen and NCOs still lack a systematic legal basis in their training that is provided as standard material in state police academies...they need these tools in order to ensure that offenders are treated justly.”⁹³⁰ The lack of legal and traditional police science subjects such as criminal investigation techniques, collection and preservation of evidence, and preparation for trial testimony set members of the *Bundesgrenzschutz* apart from their counterparts in state and municipal police forces. Nevertheless, the instructors and training staff recognized these deficiencies and gradually increased the course hours to accommodate these topics as the organization evolved during the 1960s and 70s.⁹³¹

⁹²⁹ Robert Lehr An Einsatzstab Andersen, 17 January 1952, BArch-K B136/1929, Fiche Nr. 1, Slide Nr. 110.

⁹³⁰ Ibid.

⁹³¹ This was a gradual process that was not fully realized until the national police reforms of 1968 and 1972 brought border police training in line with other police forces; this is discussed in greater detail below.

The Use of Force and the Evolution of Basic Training Programs

Another training category reflecting this gradual shift towards democratic policing dealt with shooting and fire discipline skills. In democracies, the taking of another human life by agents acting on behalf of the state is always a last resort that must be both legally and morally justified.⁹³² Thus, how policemen were trained when to shoot, or more importantly, when not to shoot was critical. In the 1952/53 training plan, the authors pointed out that recent exercises carried out with blank ammunition showed that border policemen often fired “wildly” without regard. Most likely, this reflected their military experience where the objective was to eliminate the enemy at all costs. As Sociologists Michael Wiatrowski and Nathan Pino have recently argued, changing the training philosophy among policemen in democratizing societies is challenging because “it is common that significant former police officers remain in their positions, or demobilized soldiers are given positions in newly formed police forces.”⁹³³ Considering that most border policemen came from the *Wehrmacht*, it is unsurprising that the teaching staff attributed this “wild” shooting to the lack of civilian law enforcement training.⁹³⁴ Moreover, the 1952/53 plans emphasized accurate single shots at clearly identified targets over indiscriminate shooting. In terms of when to shoot, instructors were reminded that “it should always be remembered that every single shot fired must be fired deliberately and appropriately and must be legally and morally justified as a last resort to protect human life.”⁹³⁵ These strict rules of engagement for shooting reflected the distinct difference between border policemen and soldiers even though many of them had come from the *Wehrmacht*. Despite their militarized uniforms and equipment, the personnel in the *Bundesgrenzschutz* were trained and functioned along the lines of a democratic law enforcement agency.

⁹³² See Jyoti Belur, *Permission to Shoot? Police Use of Deadly Force in Democracies* (New York: Springer, 2010), 1-6; P.A.J. Waddington, *Policing Citizens: Authority and Rights* (New York: Routledge, 1999), 15-16.

⁹³³ Nathan W. Pino and Michael D. Wiatrowski, “The Principles of Democratic Policing,” in Nathan W. Pino and Michael D. Wiatrowski (eds.), *Democratic Policing in Transitional and Developing Countries* (New York: Routledge, 2016), 70.

⁹³⁴ Memorandum: “Stab für Ausbildung und Vorschriftenbearbeitung, Betreff: Nachtrag zu den Weisungen für die Ausbildungsjahr 1952/53,” BArch-K B106/15076.

⁹³⁵ Ibid.

By the mid 1950s, two events shaped the further development of training in the *Bundesgrenzschutz*. First, in response to the uprisings in East Berlin, the Interior Ministry succeeded in gaining approval from the *Bundestag* to increase the force by 10,000 men. Training had to be expanded and professionalized to accommodate the potential influx of so many new recruits, a significant number of which would enter service without prior law enforcement or military experience. Secondly, by 1955, the West German government had already decided to use the *Bundesgrenzschutz* as the nucleus for a new army – the *Bundeswehr*. Thus, in addition to the ongoing objective of preparing border policemen for traditional law enforcement duties, motorized infantry and combat tactics were still heavily emphasized as part of their foundational training. In anticipation of these developments, however, the Interior Ministry and the staff of the Border Police School in Lübeck-St. Hubertus worked diligently on creating training plans to meet the demands facing this new cohort of border police recruits.

The expansion of the *Bundesgrenzschutz* to 20,000 men in 1953 necessitated the development of standardized training procedures. Until then, the expediency of getting border policemen into the field meant that the training for entry-level candidates was rudimentary and significantly limited. This all began to change in 1955 when a comprehensive basic-training plan was issued under the direction of the organization's Chief, retired *Wehrmacht* General Gerhard Matzky.⁹³⁶ Matzky managed the force from his post as *Ministerialdirigent* in the Interior Ministry's Office of Public Safety. He was a long-serving combat veteran and strong advocate of Prussian conservatism. He was influential in shaping the *Bundesgrenzschutz* during the Adenauer era before the construction of the *Bundeswehr*. A leader of his standing who had previously served in the radical paramilitaries of the 1920s and in Von Seeckt's *Reichswehr* appeared to many critics as the antithesis of civilian policing.⁹³⁷ In spite of his personal

⁹³⁶ Ministerialdirigent Gerhard Matzky an alle BGS Grenzschutzkommandos, Grenzschutzschulen, Vorpüfungstelle, und Stab für Ausbildung und Vorschriftenbearbeitung, "Richtlinien für die 6-monatige Ausbildung der jungen Grenzjäger (Grundausbildung)," 19 April 1955, BArch-K B106/14916.

⁹³⁷ Matzky was accused by the West German press in 1951 of secretly building a new *Wehrmacht* when he mentioned to reporters at a BGS exercise that policemen should be given armor piercing ammunition to counter the Volkspolizei; See – "Entmilitarisierte BGS," *Frankfurter Allgemeine Zeitung* (3 August 1951), 3.

service record, however, Matzky did more to embrace the civilianization of policing than most critics recognized. When he took over leadership of the organization from retired General Anton Grasser, for example, Matzky made most if not all of his public appearances in civilian clothing rather than in uniform. He deliberately appeared at border police training exercises and maneuvers wearing his trademark gray business attire signaling to subordinates and members of the public alike that the *Bundesgrenzschutz* was under civilian leadership.⁹³⁸ Matzky's effort to embrace civilian policing both in appearance and practice showed how key individuals contributed to democratization at the grass roots level. This was vital since Matzky through his long military service had earned the respect of veteran soldiers. He led by example in words and deeds, which helped to convince others that democratic policing was the correct path forward.

The new basic-training plan was an intensive six-month program lasting a total of twenty-three weeks.⁹³⁹ Before beginning, recruits participated in a one-week orientation where they met the training staff and learned what was expected of them over the next six months. Once they began, a typical training week consisted of 48 hours of instruction that included classes, practical exercises, and regular physical fitness drills. Recruits received a total of 1,104 hours of formalized instruction. They were given 377 hours of classes with 60 hours focused on legal studies, police and border protection law, and criminal law and procedure.⁹⁴⁰ The addition of these course hours was in direct response to observations by the staff in Lübeck-St. Hubertus that border policemen lacked significant education in these critically important topics. This deficiency was also noted as a weakness for *Bundesgrenzschutz* members who later applied to join state and municipal police departments. The commander of the State Police School (*Landes-Polizeischule*) in Freiburg im Breisgau, for example, remarked that border policemen who attempted to join the state police in 1954 lacked basic legalistic training and often failed to meet the

⁹³⁸ See "General a.D. Gerhard Matzky: Ein Lebensbild des Inspektors des Bundesgrenzschutzes," *Der Grenzjäger* 6, no. 4 (April 1956), 5.

⁹³⁹ "Richtlinien für die 6-monatige Ausbildung der jungen Grenzjäger (Grundausbildung)," 19 April 1955, BArch-K B106/14916.

⁹⁴⁰ *Ibid.*

minimum requirements for graduation.⁹⁴¹ The remaining 317 hours of classroom instruction consisted of courses focused on the border police chain of command, firearms safety procedures, first aid, politics and current events, the principles of combat, and technical subjects such as vehicle maintenance and radio operations. Recruits were given a two-week period of vacation, but had to spend significant amounts of free time studying for the regular examinations. If a recruit failed any examinations they were given remedial training and might ultimately be dismissed from the program unless they showed measurable improvements.⁹⁴²

Besides regular classroom instruction, trainees completed over 391 hours of in-field exercises that included military drill and marching. The purpose of these drills was to build teamwork and instill pride in the candidates rather than make them into soldiers. 92 of these hours were devoted to weapons handling where a recruit had to successfully demonstrate firearms safety and the nomenclature of the weapons they might have to use as border policemen. The weapon types ranged from basic pistols and rifles up to heavy machineguns, mortars, and hand grenades. Candidates also underwent 115 hours of live fire exercises with these weapons. Here again, the men had to pass a series of tests on the firing range that showed their level of proficiency with individual weapons or they risked failure in the program. Firearms safety was strongly emphasized and the men were taught to assume every weapon they handled was loaded. The final phase of their basic field training included 184 hours split between simulated combat exercises with blank ammunition and practical exercises in patrol field-craft. These exercises included driving all-terrain vehicles, constructing barricades, and using outdoor survival skills. Recruits also had to pass a demanding orienteering course using a map and compass, demonstrate the effective uses of camouflage, and take part in several night exercises where they were required to stay outdoors for

⁹⁴¹ Polizeioberberrät Heizmann, "Die Zusätzliche Ausbildung der vom Bundesgrenzschutz in die Länderpolizeien übernommenen Beamten (Lehrpläne und Erfahrungen)," in Herbert Kalicinski (ed.), *Schriftenreihe für Oberbeamte der Polizei: Mitteilungen aus dem Polizei-Institut* 3 (Münster: Polizei-Institut Hilltrup, 1959), 48-53.

⁹⁴² "Richtlinien für die 6-monatige Ausbildung der jungen Grenzjäger (Grundausbildung)," 19 April 1955, BArch-K B106/14916.

long periods of time. Training accidents sometimes occurred on the shooting range with negligent handling of firearms, but more often than not, recruits were injured in vehicle accidents.⁹⁴³

In 1955, the Interior Ministry also introduced a series of handbooks to assist candidates successfully pass their six-month basic training.⁹⁴⁴ These guides provided trainees with detailed explanations for the subjects they were required to master and also functioned as useful study references for the exams they were expected to pass. They were the first in a series of publications that covered all aspects of *Bundesgrenzschutz* training and later evolved to include manuals for NCO and leadership courses as well as guides for the technical services needed to perform certain border police duties. The basic training manuals were very explicit and included detailed images combined with specific instructions for the proper methods to carry out a variety of tasks.⁹⁴⁵ The instructions covered everything from the proper carrying of their weapons and the best positions from which to safely fire them at the range and in the field. These manuals included explicit images for the recruit to visualize the task he was expected to perform.

Considering the Cold War context of the 1950s, especially the fears of a Third World War, a significant section of each training manual was focused on how to survive atomic attacks. The fear of atomic weapons was based on the threat of war breaking out between Soviet and U.S. forces along the inner-German border. The armed forces on both sides of the demarcation line had tanks and artillery that were capable of firing smaller or tactical nuclear munitions. In fact, the NATO defense of Western

⁹⁴³ These accidents were rare; recruits were more likely to be injured and/or killed in off-road vehicle accidents, see Der Inspekteur des Bundesgrenzschutzes (Kurt Andersen) An Herrn Bundesminister des Innern, Betr: "Unterrichtung der GS-Beamten über Verkehrsrecht: Anzahl der KF. Unfälle," 24 January 1958, BArch-K B106/15078.

⁹⁴⁴ See Bundesministerium des Innern, GDV Nr. 203/A, "Die Einzelausbildung Leitfaden," (Wilhelmshaven: Verlaghaus Brune, 1955); Bundesministerium des Innern, PV 13, "Handbuch für den Bundesgrenzschutz: Sammlung Bestimmungen für den Bundesgrenzschutz," (Bad Nauheim: Deutsches Buch Kontor: 1955).

⁹⁴⁵ GDV Nr. 203/A, "Die Einzelausbildung Leitfaden," 2.

Europe relied on the use of these tactical nuclear weapons.⁹⁴⁶ Since border policemen would be the first to encounter Soviet invasion forces, their training manuals emphasized that, “nuclear explosions surpass all other weapons with their devastating effects and should be expected to take place anywhere at any time.”⁹⁴⁷ Diagrams showed the destructive radius of atomic explosions and their effects on buildings and terrain. Trainees were warned that they should always be alert to the dangers of fall-out and especially the harmful effects of radiation. The manuals included instructions on how to find the safest places to take shelter in an attack.⁹⁴⁸ The focus on atomic war was important since border policemen were responsible for patrolling the front lines of what many expected might become a flashpoint for a nuclear third world war. For West Germans, the NATO strategy of nuclear deterrence meant the destruction of their nation if war did erupt between East and West on the inner-German border. Training policemen what to do in case atomic weapons were used provided them with at least some basic skills even though the likelihood they would survive an attack was low.⁹⁴⁹

The Interior Ministry’s publication of the basic-training syllabus and the detailed instruction manuals it produced for new recruits sheds light on the evolution and professionalization of training in the *Bundesgrenzschutz*. With 10,000 more recruits potentially joining the organization between 1953 and 1955, the Command Staff could no longer afford to allow expediency to replace structured forms of training. Border policemen were expected to know more than just simply how to fire a weapon and march in formation. Yet as the 1955 syllabus showed, a majority of the field-service course hours (391) were still devoted to the tactics, shooting, and simulated combat exercises of a militarized police force. Moreover, even the classroom hours (317) were largely focused on these topics. Only sixty hours were

⁹⁴⁶ See Militärgeschichtliches Forschungsamt ed., *Anfänge westdeutscher Sicherheitspolitik, vol. 3, Die NATO-Option*, 707-712; See also Marc Cioc, *Pax Atomica: The Nuclear Defense Debate in West Germany During the Adenauer Era* (New York: Columbia University Press, 1988).

⁹⁴⁷ GDV Nr. 203/A, “Die Einzelausbildung Leitfaden,” 289.

⁹⁴⁸ *ibid.*

⁹⁴⁹ *ibid.*

allocated to legal training.⁹⁵⁰ The overemphasis on military tactics in basic training, however, can be explained by the West German government's decision to use border police units as the foundation for the new army. Many key officials in the Interior Ministry, including Gerhard Matzky, believed at the time that most of the men in the *Bundesgrenzschutz* would choose to join the army.⁹⁵¹ Thus, providing enhanced military-style training made sense to officials in the Interior Ministry as they negotiated with the Ministry of Defense over how best to construct the *Bundeswehr*. While the limited instruction in non-military topics stands out prominently in the 1955 syllabus, civics, law, and political education remained important topics nonetheless.

The fact that the Interior Ministry was determined that its instructors and staff taught new policemen about the importance of democracy in their profession is reflected in the course syllabus and the writings of those chosen to teach these classes. From this perspective, it is clear that the Interior Ministry wanted its training and education programs oriented towards the nuances of democratic policing methods. Border policemen were taught that people's homes could not be searched without a search warrant and these warrants had to be based upon probable cause given under oath to a judge. The students also received instruction by civilian lawyers who covered legal topics such as the exercise of authority over individuals including limits on the rights of policemen to detain, search, and seize persons or property.⁹⁵² In addition to the fundamental basics of democratic policing methods based on the respect of civil rights, border policemen were also given political science courses aimed at teaching them the importance of democracy. The political science courses included a combination of lectures and readings from historical case studies and current events. As stated in the syllabus, "the study of current events in

⁹⁵⁰ "Richtlinien für die 6-monatige Ausbildung der jungen Grenzjäger (Grundausbildung)," 19 April 1955, BArch-K B106/14916.

⁹⁵¹ During a top-secret meeting at the Interior Ministry in 1955, Matzky claimed up to 16,000 policemen would likely transfer to the new army; it thus came as a shock when less than 10,000 men elected to transfer; See Vertraulich Vermerk: "über Staatsekretär-Besprechung über Bundesgrenzschutz von 7.11.1955," BA-MA BW 1/17960

⁹⁵² "Richtlinien für die 6-monatige Ausbildung der jungen Grenzjäger (Grundausbildung)," 19 April 1955, BArch-K B106/14916.

politics is intended to help the recruit develop their own opinions through discussion and lively debate with their instructors. The ultimate goal is to develop in the men a deep commitment to the democratic system of government and ensure their steadfast loyalty to the state.”⁹⁵³ Captain Amberg, one of those responsible for teaching political science courses at the Border Police School, wrote an article in the journal *Der Grenzjäger* further emphasizing the importance of political education.⁹⁵⁴ Amberg cited what he called the “twin failures” of 1918 and 1945 as the best justification for teaching recruits about politics and democracy. Since police and military forces are important state institutions to exert control over the public, understanding how they were used during the German Revolution and by the Nazis to suppress internal resistance were valuable pedagogical lessons to prevent a repeat of past abuses. Amberg argued that while discipline and obedience were important principles for law enforcement officers, the higher objective was to balance these principles with the individual freedoms and independence demanded by citizens in a democracy. For Amberg, the most important goal of political education was thus to “loosen up our authoritarian thinking and leadership methods, which have been handed down to us through historical tradition and which are still very much alive as self-evident habits in all facilities.”⁹⁵⁵ He recognized that even democratic states like West Germany could use their monopoly of coercive violence to undermine the civil rights of citizens. Thus, what Amberg and his fellow instructors hoped was that the political education they provided to their students made them better critical thinkers who were ideologically committed to democracy.⁹⁵⁶

⁹⁵³ “Richtlinien für die 6-monatige Ausbildung der jungen Grenzjäger,” 19 April 1955, BArch K B106/14916.

⁹⁵⁴ Hauptman i. BGS M. Amberg, “Ziel und Methode der politischen Erziehung: Ein Referat von Hpt. i. BGS M. Amberg,” *Der Grenzjäger* 6, no. 4 (April 1956), 6-7.

⁹⁵⁵ *ibid.*, 7.

⁹⁵⁶ *ibid.*

Professional Ethics Training

1955 also marked the beginning of an extensive and formalized professional ethics program for border policemen. The ethics training curriculum showed that the *Bundesgrenzschutz* was part of what historians have argued was a wider “re-Christianization” movement in postwar West Germany.⁹⁵⁷ Ethics courses for border policemen were institutionalized during the Adenauer era, but remained part of the routine ongoing training well into the 1970s and early 80s. While newly hired policemen were given ethics classes during their basic training, the Interior Ministry believed the subject was important enough to include as part of the continuing education it provided all of its personnel at every level in the organization – especially those in leadership positions. But what the Interior Ministry and its border police clergy envisioned for professional ethics was much more complex than simply teaching personnel to differentiate between right and wrong. Instead, they set out to completely indoctrinate young men and their leaders with a socially and politically conservative worldview, which they believed was vital to preserving the “Christian West.” Christian ethics were used as the foundation for teaching policemen that it was their manly duty to embrace democracy.

The emergence of this training during the 1950s and its continuation throughout the Cold War was a calculated response to the perceptions of moral danger underscoring the fears of communism by West Germany’s conservative elites. Yet it was also a consequence of what conservatives feared about the creeping influences of mass society associated with Americanization and the disruption of traditional gender roles. A critical aspect of re-defining gender was focused on the family and especially the transition from a patriarchal, authoritarian father to one that was distinctly democratic. As Till van Rahden has argued, Christian ethics were an important factor in how West Germans attempted to re-establish democracy in the aftermath of war and genocide. Thus, professional ethics training by the

⁹⁵⁷ See Till van Rahden, “Fatherhood, Rechristianization, and the Quest for Democracy in Postwar West Germany,” 142.

Christian churches in the *Bundesgrenzschutz* also functioned as a site for reconstructing gender and especially West German notions of a new, non-militarized masculinity in the aftermath of the war.⁹⁵⁸

The Korean War coupled with Soviet crack-downs on popular uprisings in Berlin, Budapest, and later during the Prague Spring caused many West Germans to believe it was only a matter of time before these regional tensions would boil over into another, most likely nuclear world war. The surprise construction of the Berlin Wall in 1961 and the Cuban Missile Crisis in 1962 also contributed to these ubiquitous Cold War fears. From this perspective, the ethics curriculum also tells us a great deal about the political-ideological framework of the *Bundesgrenzschutz*. It especially reflected how the organization's leaders hoped to shape the worldviews and lives of their subordinates. If their personnel were lacking these "ideal" qualities, then the leaders and instructors believed professional ethics was the best solution to deal with their shortcomings.

The training was provided over multi-day periods on a quarterly basis in each of the border police regional commands and was administered through members of its Evangelical and Catholic *Seelsorge* (Police Chaplains/pastoral Care); attendance was mandatory. Prior to 1955, however, there was only one Catholic – Father Reinhold Friedrichs, and one Evangelical – Pastor Leis, assigned to handle all spiritual care duties for the border police.⁹⁵⁹ By 1965, the Interior Ministry had reached a formal agreement with administrative leaders from both the Catholic and Evangelical churches for the curriculum of professional

⁹⁵⁸ See for example, Uta Poiger, *Jazz, Rock, and Rebels*, 55; Mary Nolan, "Americanization as a Paradigm of German History," in Frank Biess, Mark Roseman, Hanna Schissler, *Conflict, Catastrophe and Continuity*, 201-202; Axel Schildt, "Zur so genannten Amerikanisierung in der frühen Bundesrepublik – einige Differenzierung," in Lars Koch (ed.) *Modernisierung als Amerikanisierung?: Entwicklungslinien der westdeutschen Kultur 1945-1960* (Bielefeld: Transcript Verlag, 2007), 31-35; Uta Poiger's chapter, "A New, Western Hero? Reconstructing German Masculinity in the 1950s," in Hannah Schissler, *The Miracle Years*, 412-427, is a particularly instructive framework for my emphasis here on the *Bundesgrenzschutz* as a "site" for the reconstruction of West German masculinity; See also Friederike Bruehoefener, "Defining the West German Soldier."

⁹⁵⁹ Dekan Breuer, "Sind die ethischen Grundsätze tief genug verankert?" *Die Parole* 11, Sonderausgabe: 10 Jahre Bundesgrenzschutz, (28 May 1961), 6; Father Reinhold Friedrichs was arrested by the Gestapo during the war and was held in concentration camps at Sachsenhausen and Dachau – see Wolfgang Hinz, "Geschichtliche Entwicklung der Polizeiseelsorge," in Kurt Grützner, Wolfgang Gröger, Claudia Kiehn, Werner Schiewek (eds.), *Handbuch Polizeiseelsorge* (Göttingen: Vandenhoeck & Ruprecht, 2012), 54; Biographical details for Pastor Leis are unknown.

ethics courses.⁹⁶⁰ There was very little variation in the subject matter or objective of ethics training despite subtle differences between the two confessional doctrines. In fact, in some cases, the students were provided with ethics programs presented jointly by both Catholic and Evangelical chaplains.⁹⁶¹ The common ground between both confessions relied on a specifically Christian ethos. Like other instruction provided to border policemen, and West Germany's democratization more generally, however, professional ethics reflected many contradictory themes.

On the one hand, border policemen and their leaders were provided with a comprehensive morality-based education that included a series of regular lectures, detailed assigned readings, and open debates. The aim of which was to encourage personnel to think about the complex issues they might encounter in both their professional and personal lives. Policemen, after all, were empowered by the state to make life and death decisions. From this point of view, lectures and discussions attempted to square Christian teachings with the right to kill and also the use of nuclear war as a means of self-defense.⁹⁶² On the other hand, however, the training emphasized ethno-chauvinistic tropes about the superiority of the Christian West and supposed backwardness of eastern cultures. Bolshevism in particular, was the main ideological target of the clergy and instructors who taught these courses. Chaplains and ethics instructors broad-brushed eastern or "Asiatic" culture as inherently Bolshevik and claimed it was the greatest existential threat to the Christian way of life in the West. They employed the same ideological rhetoric and stereotypical labels used by the Nazis to justify their annihilationist war against the Soviets. Although there is no measurable data, most likely many of the clergy conducting this training, like the

⁹⁶⁰ Notiz, Der Bundesministerium des Innern, 8 March 1965, "Ergebnisbericht: über die Besprechung der Entwürfe der Vereinbarungen zur Regelung der Seelsorge im Bundesgrenzschutz am Montag, den 8. März 1965 im Bundesministerium des Innern mit Vertretern der Evangelischen Kirche in Deutschland, des Katholischen Büros Bonn und des Bundesministerium der Finanzen," BArch-K B106/20766.

⁹⁶¹ See for example, Grenzschutzkommando Nord An den Bundesminister des Innern, Betreffend: "Erfahrungsbericht über Arbeitstagungen für berufsethische Erziehung der Grenzschutzbeamten bei den evangelisch und katholisch Akademien," 14 February 1955, BArch-K B106/20766.

⁹⁶² The course plans and activity reports from both the Evangelical and Catholic professional ethics programs contain numerous references to lectures and discussions of bible verses in both the Old and New Testament that support the fact that as a Christian, killing is justified for the protection of life; See Course plans and lecture transcripts in: BArch-K B106/20765, 20766.

border policemen themselves, were *Wehrmacht* veterans. Historians have shown that thousands of chaplains from both confessions served in the German army during the war and many of these men would have been active on the Eastern Front. In her study of the *Wehrmacht's* Catholic *Seelsorge*, Lauren Rossi suggested that 17,000 priests served in a variety of military roles during the war.⁹⁶³ Thus, continuities in the xenophobic framing of Bolshevism in *Bundesgrenzschutz* ethics training was still grounded in themes from the war of annihilation against the Soviet Union..

In 1954, the Interior Ministry outlined the objectives, content, and methodological approach of ethics training, which targeted the moral preparation of young border policemen for their careers. This approach was particularly aimed at defining an ideal type of masculinity for men in the *Bundesgrenzschutz* and reflected broader tensions among conservatives in re-defining gender roles in the aftermath of the war. One of the objectives of ethics training, for example, was to shape the morals of young men by “affirming the life values of home, emphasizing a civic attitude through service to the community, and helping individuals to live responsibly.”⁹⁶⁴ To accomplish this, the content of the programs emphasized, “all life is orderly life, which is shaped by causally predetermined and inherent principles of order independent of man.” The goal was to teach young men to live according to a specifically conservative moral code by rejecting the prevailing materialistic worldview that placed individual needs above those of the community. The clergy also hoped ethics would function to counter the lure of the hyper-sexualized, materialistic lifestyles associated with American culture. Christianity was the fundamental principle at the basis for all ethics training in the *Bundesgrenzschutz*. Instructors

⁹⁶³ See Lauren Faulkner Rossi, *Wehrmacht Priests: Catholicism and the Nazi War of Annihilation* (Cambridge: Harvard University Press, 2015), 1; for a broader study of military pastoral care in the Wehrmacht, see Dagmar Pöpping, “Die Wehrmachtseelsorge im Zweiten Weltkrieg: Rolle und Selbstverständnis von Kriegs- und Wehrmachtspfarrern im Ostkrieg 1941-1945,” in Manfred Gailus and Armin Nolzen (eds.), *Zerstrittene “Volksgemeinschaft” : Glaube, Konfession und Religion im Nationalsozialismus* (Göttingen: Vandenhoeck & Ruprecht, 2011).

⁹⁶⁴ See letter exchange between Grenzschutzkommando Süd and Bundesministerium des Innern, 4 March 1954, “Berufsethik,” BArch-K B106/20765.

used books, magazines, films, newspapers, and their own life experiences to “shape and formulate in their students the realities of what they might encounter in both their professional and personal lives.”⁹⁶⁵

A pedagogical map outlining the sphere of professional ethics was included with the Interior Ministry’s plan. It depicted a hierarchical order showing the relationship between ethics, religion, and the cosmos on the one hand and contemporary issues facing policemen in their personal and professional lives on the other.⁹⁶⁶ God as the divine creator and giver of all universal law was at the center of the map and linked to all the moral issues listed in descending order. Ethics was presented as the framework that kept policemen honest and helped them cope with the dangers of their profession. Under the heading “Ideals and Duty of the BGS,” ethics was defined as: “Founded in the order of nature and the creation of life; given by nature-order image for inclusion in a well-planned whole.” A line directly linking the concepts of heterosexual marriage and family to “the fate of the nation” reinforced traditional gender roles. Marriage was especially defined as forming the ideal relationship between men and women. The focus on marriage reflected both the crisis in masculinity and the breakdown of the family that were consequences of Germany’s defeat in the Second World War. Thus, marriage and ultimately procreation were highlighted as a corrective response to the category labeled: “The sex drive and its abuse.”⁹⁶⁷ Sexual promiscuity was a particular target of ethics training by border police chaplains from both confessions. This underscored the fears of postwar conservatives that the decadence of materialism and especially Americanization with its flamboyant styles, music, and aggressive consumerism were significant cultural threats to the nation’s future.⁹⁶⁸

Although there are very good activity reports that explain the subject areas covered for a given professional ethics class or period, detailed descriptions are not provided about how the students reacted

⁹⁶⁵ Ibid.

⁹⁶⁶ Ibid.

⁹⁶⁷ Ibid.

⁹⁶⁸ This is particularly evident in the scholarship of postwar West German social history by Ute Poiger, Frank Biess, Hanna Schissler, Mark Roseman, and Robert Moeller noted above; See also Friederike Bruehoefener, “Defining the West German Soldier.”

to this material or if they found it useful. The instructors always simply noted in their activity reports that their presentations were well received by the students and led to lengthy, productive discussions. Nevertheless, we can determine a great deal about the general themes from the descriptions and titles of the topics they presented. Gender relations and especially masculinity from the conservative perspective were consistently represented. Again, very little distinction in the interpretation of gender relations is noted between the two confessions. Chaplains of the Evangelical and Catholic *Seelsorge*, for example, presented the following gender related topics to students at Border Police Command Middle: “Man’s duty to his family, border policemen and the proper attitude towards women, the cardinal virtue of prudence, look before you leap: rules of thumb for selecting a wife, and natural joy in a relationship.”⁹⁶⁹ The focus on sex within marriage was part of what Dagmar Herzog has argued was a wider postwar conservative shift away the partially more permissive sexual culture emphasized during the Third Reich.⁹⁷⁰ Similar topics such as courses covering sexually transmitted diseases, birth control through abstinence, the right to life, sexual relations, and friendship between men and women were still being presented into the 1960s. The topic of birth control, however, was noticeably missing on the activity reports of the Catholic *Seelsorge*. The slogan propagated by chaplains from both confessions for professional ethics reflected the conservative interpretation of masculinity quite well: “Watch, stand in faith, be manly, and be strong!”⁹⁷¹

Christianity, the instructors argued, was the core value or moral compass that offered the best defense against the twin dangers of materialism and communism. It was literally the philosophical basis for indoctrinating young policemen and their leaders with a morally conservative worldview and lifestyle. A lecture given by Colonel Heinrich Müller at the meeting for members of the Protestant Academy in

⁹⁶⁹ Evangelischer und katholischer Kommandopfarrer Grenzschutzkommando Mitte An den Herrn Bundesminister des Innern: “Tätigkeitsberichte der Kommandopfarrer GSK Mitte, vom 1.7.1955 bis 31.12.1955,” Kassel, den 13.1.1956, BArch-K B106/20766.

⁹⁷⁰ See Dagmar Herzog, *Sex After Fascism: Memory and Morality in Twentieth-Century Germany* (Princeton: Princeton University Press, 2005), 101-106.

⁹⁷¹ Pfarrer Oskar Rohrbach GSK Süd An den Herrn Bundesminister des Innern: “Tätigkeitsbericht über die evangelisch Seelsorge im Bereich des GSK Süd Januar – Juni 1961,” München, Ende Juni 1961, BArch-K B106/20766.

Hofgeismar entitled “Christian Beliefs and the Troops,” for example, sheds significant light on the re-Christianization movement taking hold in West Germany and linked the movement directly to ethics in the *Bundesgrenzschutz*.⁹⁷² Müller was an influential leading personality in border police training programs. From his perspective, the purpose of ethics was to ensure that those who guarded West Germany’s borders were inseparable from a Christian worldview. He argued “the Westerner cannot disconnect from the embrace of Christianity, unless he denies his Western existence [and] cannot be a Westerner without being a Christian at the same time.”⁹⁷³ His position reflected a strikingly narrow and nativist platform. In his analysis, for example, Jews or other non-Christian denominations for that matter were simply not considered within the exclusivist status he reserved for the “Westerner.” This is somewhat unsurprising given his strong advocacy for the pedagogical uses of Oswald Spengler’s philosophies in *Decline of the West*.⁹⁷⁴ But staking out such an exclusionary platform not only demonstrated the dominant conservatism of senior *Bundesgrenzschutz* leaders, but also showed they interpreted their role for the state as a critical part of the larger and ongoing ideological battles between East and West.

Müller also made it perfectly clear that the *Bundesgrenzschutz* was not just protecting a physical border, but more importantly, was tasked with safeguarding a “cultural” border against dangers from the East. He claimed, for example, that border policemen were “in the middle of a huge German battle between East and West that threatens to crush us. In the midst of this struggle, we [border policemen] have been given a special position as guardians of a cultural border and ultimately are responsible for defending our Western heritage.”⁹⁷⁵ He suggested that this cultural border was a divide between the ills of modern American culture on the one hand, and the excessively technological life of the Soviet state on

⁹⁷² Transcript: Colonel Heinrich Müller, “Christlicher Glaube und Truppe,” (Vortrag gehalten am 3.9.54 auf der Tagung für Angehörige des BGS/GSK Mitte an der Evangelischen Akademie von Kurnessen-Waldeck in Hofgeismar), 6 September 1954, BArch-K B106/20765.

⁹⁷³ Ibid.

⁹⁷⁴ See footnote No. 55 (above), Memorandum from Heinrich Müller to Interior Minister Robert Lehr, Lübeck, 28 March 1952, BArch-K B106/15076.

⁹⁷⁵ Transcript: Colonel Heinrich Müller, “Christlicher Glaube und Truppe,” BArch-K B106/20765.

the other. Thus, he argued it was important for policemen to understand that a significant aspect of their duty was to “find a way that strikes a path between the dull flatness of the Asian steppes and the cold objectivity of the American skyscrapers.”⁹⁷⁶

For Müller, however, the primary threat came from what he called the “Asiatic far east.” He suggested that Russia was still living with the memory and influences of thirteenth-century Mongol invaders; Moscow, he insisted, “thrives on the myth of Genghis Kahn.” He argued border policemen



Figure 5.1
Political cartoon, Die Parole 13, no. 8 (15 August 1963)

needed Christianity as a means to shield the West against the new modern threat emanating from the Asian steppes.⁹⁷⁷ His explanations revived the racist stereotypes of Nazi propaganda, especially its claim

⁹⁷⁶ Ibid.

of defending Europe from the dangers of “Asiatic Hordes.”⁹⁷⁸ Although it is difficult through documentary evidence alone to evaluate the effects of these ideas on the students, a post-lecture report by *Bundesgrenzschutz* Pastor Ulbrich claimed the lively student debates that followed a given lecture affirmed their commitment to the “Christian profession.”⁹⁷⁹ The re-emergence of these problematic themes reflected one way West Germans reframed the legacies of the Nazi past into useable narratives for the present. For West Germans, the war against the East never really ended in 1945. The “Bolshevik hoards,” many believed, was only temporarily halted in Berlin waiting for an opportunity to conquer the rest of Germany and ultimately, the rest of Christian Europe as well. These tropes pre-dated the Cold War and were already entrenched in the German memory during the *Kaiserreich*.⁹⁸⁰ The Soviet suppression of popular uprisings in East Berlin and later at Budapest and Prague reinforced these fears. Western Allied support for the Federal Republic as a front in the Cold War also helped to legitimize these controversial themes because they viewed the Soviets as a common enemy to the free world.⁹⁸¹

Evidence of the popularity of these narratives can be found among border policemen who were veteran soldiers. In a letter to the editor of the journal *Der Grenzjäger*, for example, a border policeman argued that he should be able to wear his original combat medals even though they still displayed the swastika. Although this was forbidden in spite of his demand, he justified this arguing that Nazi Germany had already been “fulfilling a European mission by fighting the Bolshevists, which should be recognized by the western world since it is now also engaged in the struggle against the advance of Bolshevism.”⁹⁸² Beginning in March 1955, the journal *Die Parole* built upon these ethno-chauvinistic themes in a six-part

⁹⁷⁷ Ibid.

⁹⁷⁸ Aristotle A. Kallis, *Nazi Propaganda and the Second World War* (New York: Palgrave Macmillan, 2005), 66

⁹⁷⁹ Pastor Ulbrich, Evangelische Seelsorge im Grenzschutzkommando Mitte, “Erfahrungsbericht über berufsethische Lehrgänge auf den evangelischen Akademien Hofgeismar und Friedewald für den Bereich des GSK Mitte, 14 February 1955, BArch-K B106/20766.

⁹⁸⁰ See Troy R. E. Paddock, *Creating the Russian Peril: Education, the Public Sphere, and National Identity in Imperial Germany, 1890-1914* (New York: Camden House, 2010), 230.

⁹⁸¹ Erica Carter, *How Germany is She?: Postwar West German Reconstruction and the Consuming Woman* (Ann Arbor: University of Michigan Press, 1997), 117; Tony Judt, *Postwar*, 274.

⁹⁸² Sergeant R., BGS Süd III, “Orden?” *Der Grenzjäger* 3, no. 4 (April 1953), 7.

article by *Bundesgrenzschutz* Major Reischle entitled “The Defense of the West.”⁹⁸³ Reischle claimed that historically, the greatest existential threat to the West had come from the Asian steppes. He supported his thesis by analyzing six decisive battles between East and West.⁹⁸⁴ For Reischle, fending off Eastern enemies was literally a struggle for the very survival of the Christian West (*Abendlandes*); and it depended exclusively upon the superior “quality” of its men and their leaders.⁹⁸⁵ David Messenger and Katrin Paehler have suggested that these narratives and many others like them helped the German conservative elite “disassociate” themselves from the crimes of the annihilationist war in the east; it was consistent with what they identified as a “value-conservative, post defeat, broadly Christian *Schicksalgemeinschaft* (community of fate)” that was deliberately recast for “consumption in the Federal Republic.”⁹⁸⁶

Even the basic textbooks used for civics courses in the *Bundesgrenzschutz* emphasized the superiority of the Christian worldview as a central tenet of democratic policing. The instruction book used for political and civics education, for example, emphasized Christianity as the foundation for all decisions a police officer makes between right and wrong.⁹⁸⁷ Besides its function as an ideological instrument for teaching morals, however, Christianity and its defense were considered primary duties for all West German policemen. The authors explained that policemen were responsible for protecting life and property, but were also charged with upholding the “moral and social rules and norms” of society. More specifically, they were supposed to contribute to the “peaceful and prosperous co-existence of the people by defending their honor, decency, and the external ecclesiastical order against any anti-social

⁹⁸³ Major Reischle, “Die Verteidigung des Abendlandes: Die Abwehrkämpfe Europas gegen Angriffe auf seine Freiheit,” *Die Parole* 5, no. 3 (15 March, 1955), 20; Major Reischle’s biographical details are unknown, but it is interesting to note that there was an SS Dr. Hermann Reischle who worked in Heinrich Himmler’s Race and Resettlement Main Office, but his postwar career is unknown; he died in 1983; See Peter Longreich, *Heinrich Himmler*, 413.

⁹⁸⁴ 451 against the Huns; 732 against the Arabs at Tours and Poitiers; 955 against the Huns at Lechfeld; 1241 against the Mongolians at Liegnitz; and 1529 and 1683 against the Turks at Vienna.

⁹⁸⁵ Major Reischle, “Die Verteidigung des Abendlandes,” *Die Parole* 5, no. 9 (15 September, 1955), 6.

⁹⁸⁶ David Messenger and Katrin Paehler, *A Nazi Past*, 6.

⁹⁸⁷ Otto Breiting and Kurt M. Hoffmann, *Lehr- und Lesebuch*, 15.

elements.”⁹⁸⁸ The references to defending an “ecclesiastical order” went beyond the fundamental democratic duties of policing – the protection of life and property - and extended them to include a specifically religious, or in this case, a Christian community. While this undoubtedly reflected the widespread anti-Communism of 1950s West Germany, it also showed the state’s willingness to employ force as a guarantor of its cultural and ideological values.

Examples of the influences of Christianity and the problematic ethno-chauvinistic descriptions of those excluded from the *christliches Abendland* (Christian West) were particularly prevalent in the 1950s, but remained popular themes in professional ethics training well into the 1970s and beyond. The fears of materialism and abandonment of religion as expressed in this ideological indoctrination was part of a wider cultural reaction by conservative postwar society against modernist influences. As Axel Schildt and Arnold Sywottek have argued, the “Conservative rhetoric of a *christliches Abendland* not only helped establish the Federal Republic as a bulwark against the Soviet Union, it also hindered the development of liberal, democratic attitudes.”⁹⁸⁹ In 1956, for example, *Die Parole* published a lengthy article entitled, “What Does the West Have to Defend?” – an assessment of the professional ethics curriculum from a recent workshop held at the Protestant Academy in Hofgeimsar.⁹⁹⁰ The workshop included a joint lecture by Pastor Jentsch and *Bundesgrenzschutz* Colonel Voigt on the: “Possibilities and Limits of a Defense of the Christian Heritage.” The lecture identified three “enemies of Christianity” two of which were external threats and one that emerged internally from within West German society. Of course, Bolshevism was the first external enemy, but the instructors also argued that Christians were under threat and outnumbered by “Mohammedanism and Hinduism” as “religions that incorporated all colored peoples of Asia and parts

⁹⁸⁸ Ibid., 126.

⁹⁸⁹ Axel Schildt and Arnold Sywottek, “Reconstruction and Modernization: West German Social History during the 1950s,” in Robert Moeller, *West Germany Under Construction*, 437.

⁹⁹⁰ Oberleutnant im BGS Fischer, “Was hat der Westen zu verteidigen? Bericht über die berufsethische Arbeitstagung an der Evangelischen Akademie in Hofgeismar vom 3. Bis 6. Dezember 1956,” *Die Parole* 7, no. 1 (15 January 1957), 18.

of Africa (not controlled by Bolsheviks).⁹⁹¹ The third, or internal threat was the rejection of religion and its replacement by the pursuit of material wellbeing in the West, especially by the younger generation. The instructors emphasized that reckless materialism would undermine the moral fabric of society and pave the way for West Germany's foreign enemies to easily destroy its Christian culture. They argued that unless people recognized the "elementary truth of a divine order against the dubious nature of the so-called economic miracle, there would be no inner strength to face the spiritual confrontation with the forces of darkness."⁹⁹²

To be sure, this Christian conservative worldview was not specifically German, but rather emerged as part of a much wider global response by the West to the cultural polarization of the Cold War. Similar attitudes, for example, were popular in the conservative Evangelical Christian movement in the United States. David Settle has suggested that U.S. presidents from Harry Truman to Ronald Reagan publicly expressed using "America's spiritual strength" against Communism while "churches and religious leaders employed a language of a holy war when describing the Cold War."⁹⁹³ It should come as no surprise then that these attitudes remained popular in the *Bundesgrenzschutz*, and were prevalent in professional ethics training for the duration of the Cold War. Thus, in 1978 when border police instructor Otmar Stöcker described modern developments such as women in the workplace and so called "latch-key" children as spiritually damaging to German families, he was echoing and reinforcing similar themes about gender roles popularized in the 1950s.⁹⁹⁴ According to Stöcker, the modern demands of economic wellbeing and the need to conform or "keep up" with others had undermined the "spiritual substance" of the family. The family and its role in shaping the moral education of its members had been eroded. He referred specifically to the philosophies popularized by the American Sociologist David Riesman in his

⁹⁹¹ Ibid.

⁹⁹² Ibid.

⁹⁹³ David E Settle, *Faith and War: How Christian's Debated the Cold and Vietnam Wars* (New York: New York University Press, 2011), 24.

⁹⁹⁴ Otmar Stöcker, "Die Verantwortung des Erziehers," *Der Bundesgrenzschutz: Zeitschrift für die Polizei des Bundes*, Nr. 4 (November 1978), 13.

1950 book *The Lonely Crowd*, which Stöcker said should be required reading for all border police instructors. Riesman's book analyzed American culture using three separate frames of reference: "other-directed," "inner-directed," and "tradition directed."⁹⁹⁵ For Stöcker, society had drifted into the "other directed" category because people mimicked or conformed to the lifestyles of the crowd and lost their individuality. Newspapers, television, and popular culture rather than core family values were now shaping behavior. He argued professional ethics training should re-emphasize the religious and God-fearing values characteristic of Riesman's "inner-directed" frame of reference.⁹⁹⁶ Stöcker's use of Riesman's ideas can be directly linked to Colonel Heinrich Müller's 1955 lecture at the Protestant Academy in Hofgeismar in which he argued that border policemen "must follow the American Sociologist David Riesman's model of an inner-directed man – one that is guided by their own conscience as set by religious and moral principles."⁹⁹⁷

The professional ethics curriculum shows that the *Bundesgrenzschutz* remained grounded in 1950s conservatism, yet this did not impede the evolution of the organization into a modern democratic police force. In spite of their conservative values and ethics, border policemen still supported the democratic state and believed they had an important function in defending it. As Axel Schildt and Arnold Sywottek have aptly suggested about postwar West German society more generally: "The positive assessment of social modernity in contemporary commentaries reflected the belief that liberal principles – such as individual achievement, individual freedom, or equality before the law – could be combined with traditional values of the family and conceptions of morality grounded in religion."⁹⁹⁸ The professional ethics program in the *Bundesgrenzschutz* is a good example of what Schildt and Sywottek described. Although the instructors and chaplains warned against the moral dangers of individualism and emphasized problematic ethno-chauvanistic themes, they also produced a curriculum that linked the

⁹⁹⁵ David Riesman, Reuel Denney, Nathan Glazer, *The Lonely Crowd: A Study of the Changing American Character* (New Haven: Yale University Press, 1950), 24-25.

⁹⁹⁶ Otmar Stöcker, "Die Verantwortung des Erziehers," 13.

⁹⁹⁷ Heinrich Müller, "Autorität und Gehorsam im BGS," BArch-K B106/20765.

⁹⁹⁸ Axel Schildt and Arnold Sywottek, "Reconstruction and Modernization," 438.

traditional role of the father as the defender of his family with that of the moral duties of border policeman as defenders of the democratic state. Thus, teaching the men traditional values and ethics, in spite of some lingering problematic themes, was still compatible with and enabled West Germany's democratization because these concepts were merged in the curriculum. To be good, God-fearing family men also meant that policemen had a moral obligation to to promote and defend democracy.

Conclusion

In addressing the first class of *Bundesgrenzschutz* NCOs, Dr. Dippelhofer's challenge to forget past habits and "ruthlessly eradicate outmoded training" was a noble objective indeed. Yet, as this chapter has demonstrated, the evolution of professional training was not linear; in many ways it reflected the ongoing struggle between continuity and change linked to the wider social and cultural challenges of West Germany's postwar democratization. This helps to explain why problematic concepts such as *Bandenbekämpfung* and the ethno-chauvinistic characterizations of "outsiders" existed alongside progressive reforms and calls for increased education. Whereas the controversial naming of special "bandit fighting" units as *Einsatzgruppen* or *Jagdkommandos* evoked Germany's legacies of racial warfare, they were used quite differently than their predecessors. Hunting coffee smugglers and staging mass arrests without injuring the suspected perpetrators or denying their constitutional rights to a fair trial is one of many notable examples reflecting the challenges of a society undergoing democratization in the aftermath of war and dictatorship. Another can be found in the Interior Ministry's immediate censure of the "Street Fighting" manual, which in its draft form advocated the "attack" of urban dwellings with heavy weapons. The definition for what was and was not acceptable language for democratic policing models was constantly evolving. There was an underlying tension between continuity and change. Although some practices were abandoned, others were adapted or re-purposed to fit the new approach to policing.

Bundesgrenzschutz training also reflected the strong influence of Nazi Germany's *Wehrmacht* and the longstanding relationship between soldiers and policemen traceable to the *Kaiserreich*. Thus, when Konrad Adenauer established his federal police force, it was unsurprising that he favored unemployed *Wehrmacht* officers and policemen to train the first recruits. While this can be partially explained as a consequence of rearmament and the demand by conservatives to restore the honor of German soldiers, it also reflected practical realities. In the aftermath of the war, very few men, even those who only fought as teenage conscripts, escaped military service; many had also been POWs. Because so

many of these men were already shaped by the regimentation of military life, their experiences were useful in building the quasi-military structures needed to form a civilian police force from scratch. As Dr. Renthe-Fink's reports showed, however, even though military training topics remained popular, promotion to higher ranks depended upon education and merit regardless of whether one had a record of heroic deeds in combat. It was strong evidence that expertise, skills, and education had begun to replace military principles.

Unlike soldiers, border policemen were trained to respect human life and discouraged from shooting anyone unless it was a last resort for self-defense or to protect the life of another. Shooting had to be both morally and legally justified. Policemen were trained to fire single, aimed shots as opposed to soldiers who fired their weapons to attack and destroy their opponents. Thus, border police training emphasized the democratic principles of policing aimed towards the protection of life and property over engaging with and annihilating an enemy. Nevertheless, the unique internal-external security role of the *Bundesgrenzschutz* meant its personnel had to be trained to confront both possible threats. This dilemma generated controversy and exposed the organization to ongoing criticism for confusing the lines between policing and soldiering. This controversy peaked after its personnel were given combatant status in 1965. While the training staff recognized the need to balance the curriculum by increasing the instruction hours for topics related to civilian law enforcement, this was never really achieved until major revisions of the Basic Law were passed in 1972 (See Chapter 7).

Finally, the ongoing professional ethics training programs revealed a great deal about the political, moral, cultural, and ideological values of the *Bundesgrenzschutz*. Of course, given the Cold War context and the role of border policemen in defending West Germany's external borders, anti-Communism played a prominent role here – especially while Adenauer's CDU retained its power base. The re-emergence of ethno-chauvinistic stereotypes of eastern and especially Asian cultures were directly linked to anti-Communism and the fear of Soviet invasion made more ominous by the danger of nuclear war. Although President Kennedy's had declared that “a wall was a hell of a lot better than a war,” the

Soviet crackdowns in Budapest, Prague, and the Cuban Missile Crisis increased fear that a new war was possible.⁹⁹⁹ It was this largely imagined war that border policemen believed, in spite of détente, that they would likely face at the demarcation line. The role of Christianity and its rejection of the “godless atheism” of Communism was influential in the selection of topics for the lessons by both the Evangelical and Catholic *Seelsorge*. Yet the subject matter also reflected the fears of postwar conservatives that the cultural threat from Americanization challenged traditional social and cultural norms.

In the aftermath of Germany’s collapse, training in the *Bundesgrenzschutz* had greater meaning than simply preparing a young man to guard the borders. Instead, it functioned as a postwar site of reconstruction where, to use David Messenger and Katrin Paehler’s phrase, conservative society attempted to redefine or “recast” young policemen into its own version of an ideal type of new German man – in this case one who was a loyal, strong, man of Christian faith, devoted to God, country, and family. As the organization evolved into the 1960s, the imagined war border policemen believed they would have to fight against the forces of the East was influenced by insurgent warfare in Algeria, Vietnam, and other regions of the developing world. As the next chapter will show, by 1965, the *Bundesgrenzschutz* entered a new phase of militarization as its command staff planned and trained for the possibility of a guerilla war on the inner-German border.

⁹⁹⁹ For Kennedy’s quote see Robert Dallek, *John F. Kennedy* (New York: Oxford University Press, 2003), 41.

Chapter 6: Border Policemen as Military Combatants

Our group was captured by American soldiers and taken to a farm while being subjected to repeated physical abuse. We could not believe our eyes when we found ourselves locked in prepared torture chambers. In these inhumane conditions, we were subjected to unbearable noises and extremely hot temperatures. The American soldiers then took us from our cells for interrogation; they tied us to chairs and poured large volumes of cold water over us. We were then beaten with clubs and kicked; one of our officers was stripped naked, taken outside and tied to a tree by his genitals.¹⁰⁰⁰



Figure 6.1
Mortar practice, Die Parole 9, no. 3 (15 March 1959)

¹⁰⁰⁰ Briefe, Vom Major Sleik Grenzschutzabteilung I/1 Deggendorf an das Grenzschutzkommando Süd München, 11 June 1964 – VS-NUR FÜR DEN DIENSTGEBRAUCH – Betr.: “Übung Südbayern Erfahrungsbericht,” BArch-K B106/83905.

At first glance, the quote above might appear to have described a group of insurgents captured and taken to a CIA interrogation center during the post-9/11 era. Remarkably, however, this report came from a border policeman who participated in a 1964 joint U.S.-West German war games exercise known as *Übung Südbayern* (exercise south-Bavaria). *Bundesgrenzschutz* personnel played the role of the enemy forces. During the exercise, which simulated a border infiltration by communist guerillas, the policeman and his colleagues were captured by American Green Berets assigned to the U.S. 10th Special Forces Group who were training for deployment to South Vietnam.¹⁰⁰¹ What was going on here? Why were civilian border policemen engaged in counterinsurgency training? What was the purpose of using such harsh interrogation and, ultimately, torture techniques during a hypothetical exercise? Even more striking was the opinion of Border Police Command that the treatment of its personnel at the hands of the Green Berets was appropriate because exercises such as these were valuable for training policemen to fight communist insurgents - or “bandits” as they were referred to in the documents.¹⁰⁰² The German term *banden* or “bandit” had been used for counterinsurgency warfare (*bandenbekämpfen*) during the Second World War. In 1965, after a contentious public debate, the *Bundestag* voted to legally recognize members of the *Bundesgrenzschutz* as military combatants. Border policemen could now defend federal territory by fighting external enemies – a task that was previously reserved for the *Bundeswehr*.

This chapter explores what was a new phase of militarization that affected the *Bundesgrenzschutz* during the 1960s. The shift in what had been its gradual transformation into a civilian police force was influenced by the Cold War and the small wars of decolonization fought in the developing world. Surprisingly, few studies have investigated why border policemen were given combatant status and those have focused primarily on analyzing the legal, sociological and political aspects of the legislation.¹⁰⁰³ As

¹⁰⁰¹ Ibid.

¹⁰⁰² Ibid.

¹⁰⁰³ Stefan Schmink’s 1966 dissertation, “Die Völkerrechtliche und Staatsrechtliche Problematik des Kombattantenstatus” which was completed shortly after combatant status was awarded to the BGS was written from a legal perspective and defended the federal government’s legislation; Patricia Schütte-Besteck’s sociological analysis, *Aus Bundesgrenzschutz wird Bundespolizei*, includes some material about the combatant status debates, but

this chapter will show, border policemen played a greater role in the controversial politics surrounding West Germany's national defense than historians have previously acknowledged. What was a civilian police force with less than 20,000 men expected to do if confronted by an invading army? How did the legacies of Germany's military past shape the debate for those with a stake in its outcome? How did officials in the Interior Ministry convince West German lawmakers to support their plans considering the longstanding fears many of them held about mixing military with policing duties? In what manner did the Cold War and fears about an attack from Communist forces influence the government's decisions? What role did police labor unions have in shaping the final outcome of the debate? Finally, what does this change in policy tell us about the state of democracy in West Germany? The debate over border policemen as combatants emerged against the background of America's expansion of the Vietnam War and the outbreak of various small wars in the developing world linked to decolonization. During the 1960s, the fear of small guerilla wars with Communist insurgents was also fresh on the minds of many West German security experts at the Interior Ministry. These asymmetrical conflicts shaped an "imagined war" that border policemen believed they would have to fight in spite of the growing détente between governing elites in the Cold War. East German border security forces also imagined and prepared for war with the West. The militarization of the *Bundesgrenzschutz* was thus a West German response to this imagined war and shows how its democracy was imperfect – problematic themes and practices could and did co-exist alongside liberal reforms and professionalization.

Cold War Tensions and Emergency Legislation

Although the division of Germany and possession of nuclear weapons by both superpowers led to an uneasy integration of both German states into antagonistic Cold War blocs, there was still plenty of

relies heavily on older sources; More recently, from a Political Science perspective, David Parma's book, *Installation und Konsolidierung des Bundesgrenzschutzes*, offers a more nuanced analysis of the issue using some key archival documents. All three studies, however, analyze the subject from a top-down legal-sociological-political perspective and thus overlook how the legislation affected and was used by members of the *Bundesgrenzschutz*. There are also many new archival documents presented in this chapter that contributes a qualitative/historical dimension to the work by Schmink, Schütte-Bestek, and Parma.

global tension for West Germans to be concerned about as the sixties began. The 60s were a decisive period that historians have suggested represented the height of the Cold War.¹⁰⁰⁴ In May 1960, a U.S. spy plane was shot down deep inside the Soviet Union and its pilot, Francis Gary Powers, was captured and held prisoner.¹⁰⁰⁵ In April 1961, a proxy force of CIA Cuban Exiles landed at the “Bay of Pigs” and failed in a blundered attempt to overthrow Fidel Castro’s communist regime.¹⁰⁰⁶ Later that same year, Berliners awoke to discover that the Soviet backed East German government had begun building a wall to seal off the communist sector of the city. The Berlin Wall, or what came to be known by most Berliners as simply “the Wall,” was a lasting symbol of Germany’s postwar division and a powerful iconic image of the global Cold War. Shortly after construction on the Berlin Wall began, East Germany integrated its border policemen into the National Peoples Army (*National Volksarmee* – NVA), a move that increased tensions and alarm in the West.¹⁰⁰⁷ Then in 1962, the United States and the Soviet Union came the closest they ever had to a nuclear conflict during a thirteen-day standoff over the deployment of Soviet nuclear missiles in Cuba.¹⁰⁰⁸ Thus, in spite of the strategic stability offered by borders, walls, and nuclear weapons, these global incidents were a sign for many West Germans, especially those in its government, that the prospects of the Cold War turning hot were still very real. Opinion polls conducted in the late 1950s showed that most Germans feared being caught in a nuclear conflict that would destroy their nation. According to Holger Nehring, although most poll respondents were not pacifists, they had a

¹⁰⁰⁴ The nuclear deterrent effect is discussed at length in John Lewis Gaddis, *The United States and the End of the Cold War: Implications, Reconsiderations, Provocations* (New York: Oxford University Press, 1992), 108-116; See also Marc Trachtenberg, *A Constructed Peace: The Making of the European Settlement, 1945-1963* (Princeton: Princeton University Press, 1999), 186; James F. Pasley, “Chicken Pax Atomica: The Cold War Stability of Nuclear Deterrence,” *Journal of International and Area Studies* 15, no. 2 (2008), 21-39, 21.

¹⁰⁰⁵ Francis Gary Powers and Curt Gentry, *Operation Overflight: A Memoir of the U-2 Incident* (Washington: Potomac books, 2004).

¹⁰⁰⁶ Howard Jones, *The Bay of Pigs* (Oxford: Oxford University Press, 2008).

¹⁰⁰⁷ Stephan Fingerle, *Waffen in Arbeiterhand? Die Rekrutierung des Offizierkorps der Nationalen Volksarmee und ihrer Vorläufer* (Berlin: Ch. Links Verlag, 2001), 211.

¹⁰⁰⁸ See Melvyn P. Leffler, *For the Soul of Mankind: The United States, the Soviet Union and the Cold War* (New York: Hill and Wang, 2008), 151-160; see also Sheddon M. Stern, *The Cuban Missile Crisis in American Memory: Myth Versus Reality* (Stanford: Stanford University Press, 2012).

“profound skepticism towards the military functions of the state.”¹⁰⁰⁹ Moreover, NATO remained focused on West Germany as the likely flashpoint for an east-west conflict and continually planned and practiced for what many believed was an inevitable conflict with Soviet backed Communist forces. Against this backdrop, the Federal Government began working on a series of new laws aimed towards protecting the free democratic order of the state in case of an internal security threat such as civil unrest. These legal debates culminated with the passage of the *Notstandsgesetze* (Emergency Acts) on 30 May 1968.¹⁰¹⁰

In 1960, however, the *Bundesgrenzschutz* remained somewhat of an anomaly in West Germany’s national security system; was it a police better suited for internal security or as a military force for external defense? It was this ongoing question about its national security role in combination with the debates over emergency legislation that prompted the Interior Ministry to look more closely at how the *Bundesgrenzschutz* might be used in case of a war or conflict with Communist forces. The East German government’s decision to militarize their border police by integrating them into the NVA prompted the Interior Ministry to act with greater urgency in addressing this question. To be sure, the first draft proposal of the new law authorizing border policemen to fight as combatants followed this new East German policy.¹⁰¹¹ At the time, *Ministerialdirektor* Hans Schnepfel, head of Interior Ministry’s Police

¹⁰⁰⁹ For information and results of the polls, see Holger Nehring, *Politics of Security: British and West German Protest Movements and the Early Cold War, 1945-1970* (Oxford: Oxford University Press, 2013), 77; See also Michael Geyer, “Cold War Angst,” 380-385.

¹⁰¹⁰ The emergency laws and their influence are discussed in greater detail in chapter 7 - they were first introduced for debate in 1958, see for example: Michael Schneider, *Demokratie in Gefahr? Der Konflikt um die Notstandsgesetze: Sozialdemokratie, Gewerkschaften und intellektueller Protest 1958-1968* (Bonn: Verlag Neue Gesellschaft 1986), 45-47; Boris Spornol, *Notstand der Demokratie: Der Protest gegen die Notstandsgesetze und die Frage der NS-Vergangenheit* (Essen: Klartext, 2008); Karrin Hanshew, *Terror and Democracy in West Germany*, 62-63; Timothy Scott Brown, *West Germany and the Global Sixties: The Antiauthoritarian Revolt, 1962-1978* (Cambridge: Cambridge University Press, 2013), 25.

¹⁰¹¹ Letter from Staatssekretär Dr. Josef Hölzl, Bundesministerium des Innern to Herrn Staatssekretär des Bundeskanzleramtes, 27 December 1961, Betr.: Entwurf eines Gesetzes zur Ergänzung des Gesetzes über den Bundesgrenzschutz und die Einrichtung von Bundesgrenzschutzbehörden, BArch-K B136/1928. Fiche Nr. 1, slides 105 – 108; Bonner Redaktion, “Grenzschutz darf zurückschiessen: Bonn will umgehend völkerrechtlichen Schutz sicherstellen,” *Bremer Nachrichten* (16 March 1962), 1, BA-MA BH28-2-257; this was also covered in the Bundesgrenzschutz Journal *Die Parole*, see Regierungsassessor Dr. E. Andrews, “Bundesgrenzschutz und Kombattantenstatus,” *Die Parole* 12, no. 5 (15 May 1962), 5-6.

Branch (*Polizeiabteilung*) had already requested that the Foreign Office and the Federal Ministers of Justice and Defense explore how the international laws of war applied to all of West Germany's civilian police forces.¹⁰¹²

Like so many others in Adenauer's Interior Ministry, Hans Schnepfel had previous law enforcement experience. After attending law school, he began his career as a member of the Prussian Political Police in Berlin and was among the first men to join the newly formed *Gestapo* (secret political police) shortly after Hitler came to power.¹⁰¹³ In the *Gestapo*, Schnepfel's specialty was hunting Communists and he was the agent responsible for signing the arrest warrants for the two men accused of starting the infamous *Reichstag* fire in 1933.¹⁰¹⁴ In a top-secret memorandum, Schnepfel asked the federal ministers for feedback about all of West Germany's civilian police forces, but particularly focused his questions as they related to members of the *Bundesgrenzschutz*. In the event of a war, he wanted to know whether border policemen who fought and resisted enemy soldiers would be protected under international law.¹⁰¹⁵ If not, he asked whether a legal means by way of amending existing laws or passing new emergency legislation was necessary. He believed it was imperative to address this question since confrontations with enemy soldiers were more likely at border outposts than in West Germany's interior regions. In conclusion, Schnepfel explained: "A clarification of the international legal position of our police in all conceivable situations is inevitable. The Members of the German Police, who during the last war suffered severely from the fact that such a clarification had not taken place at the time, are rightly expecting this to happen."¹⁰¹⁶

¹⁰¹² Memorandum: Ministerialdirektor Hans Schnepfel An: das Auswärtige Amt, den Bundesminister der Justiz, und den Bundesminister für Verteidigung, 3 Februar 1960, Betreff: Kriegsvölkerrechtlicher Status der Polizeien in der Bundesrepublik, BA-MA BW1/112244.

¹⁰¹³ Shlomo Aronson, *Reinhard Heydrich und die Frühgeschichte von Gestapo und SD* (Stuttgart: Deutsche Verlag, 1971), 86.

¹⁰¹⁴ Klaus Wiegrefe, "Flammendes Fanal," *Der Spiegel* 15 (9 April 2001), 38-58, 56.

¹⁰¹⁵ Ministerialdirektor Hans Schnepfel, 3 Februar 1960, Betreff: Kriegsvölkerrechtlicher Status der Polizeien in der Bundesrepublik, BA-MA BW1/112244.

¹⁰¹⁶ *ibid.*

Schnepffel's reference to the German Police "suffering" during the last war reflected the policemen who were ordered to enforce reprisal killings as part of counterinsurgency operations that were later determined to be criminal acts. But the execution of reprisal killings and counterinsurgency measures by militarized security forces during wartime was a problematic legacy of Germany's past that predated the Third Reich and had previously been the subject of debate in response to the murder of Belgian civilians by German forces in 1914.¹⁰¹⁷ The historical context of these debates were important because the Interior Ministry wanted to ensure that members of the *Bundesgrenzschutz* were immune from prosecution if they fought with irregular Communist forces at the border. As Isabel Hull's recent work on the laws of war demonstrates, among the many charges leveled at Germany after the First World War was that its conduct violated international Law. According to Hull, "Imperial Germany" was branded "as a criminal state that disregarded law altogether."¹⁰¹⁸ These accusations along with the controversial "war guilt" clause of the Versailles Treaty was bitterly contested by the German Foreign Office during a postwar propaganda or "innocence" campaign to discredit the Allied powers for their own conduct.¹⁰¹⁹ After the Second World War, international law played a much more prominent role in the judgment of Germany's conduct. The trials of Nazi war criminals first and most famously at Nuremberg, but also during many follow-up proceedings, formally established that Germany's conduct had violated international law. Members of Nazi Germany's security police forces and those who commanded them were often charged with murder for perpetrating reprisal killings under the pretext of anti-partisan warfare. Many of the men accused of these crimes justified their conduct by pointing out that reprisals were permitted under the international laws of war.¹⁰²⁰ Neither the 1907 Hague nor the 1929 Geneva

¹⁰¹⁷ For an analysis of these murders see John Horne and Alan Kramer, *German Atrocities 1914: A History of Denial* (New Haven: Yale University Press, 2001).

¹⁰¹⁸ Isabel V. Hull, *A Scrap of Paper: Breaking and Making International Law during the Great War* (Ithaca: Cornell University Press, 2014), 2.

¹⁰¹⁹ *Ibid.*; This effort was led by Legation Secretary Bernhard Wilhelm von Bülow who headed the Foreign Ministry's *Schuldreferat* of "guilt office."

¹⁰²⁰ Luftwaffe General Albert Kesselring used this in his defense for war crimes in Italy; See for example, Kerstin von Lingen, *Kesselring's Last Battle: War Crimes Trials and Cold War Politics, 1945-1960* (Lawrence: University Press of Kansas, 2009), 51-53; Albert Kesselring, *Soldat bis zum letzten Tag* (Bonn: Anthenaum Verlag, 1953), 299.

Conventions specifically prohibited reprisals against non-combatants; it was only the revised 1949 Geneva Conventions that outlawed this practice.¹⁰²¹

Schneppel's inquiry and the responses to it were evidence that Germany's past experiences with international law shaped the approach of the Interior Ministry towards border policemen. Defense Minister, Franz Josef Strauss, for example, pointed out that German policemen in the Second World War actively took part in combat operations and were especially effective against partisans, but also as security forces protecting key infrastructural sites (*Objektschutz*).¹⁰²² He suggested it would be necessary to "distinguish the police services with combatant status from those with only civilian tasks by means of special symbols, whereas, in the case of an integration of all police formations and servants into the armed forces, the police uniform would already serve this purpose."¹⁰²³ Ministerialdirigent Walter Roemer responded on behalf of the Justice Ministry.¹⁰²⁴ Like Schneppel, Roemer was another veteran jurist of the Third Reich who easily found a new job in the Adenauer government. He had served the Nazi regime as a prosecutor for the Bavarian State Court in Munich where he was responsible for enforcing death sentences, among them, the execution of Sophie Scholl and other members of the White Rose resistance movement.¹⁰²⁵ Roemer's opinion was that border policemen might be considered either combatants or non-combatants depending upon what actions they took once hostilities began. Like

¹⁰²¹ James Crawford, Alain Pellet, Simon Olleson, and Kate Parlett (eds.), *The Law of International Responsibility* (New York: Oxford University Press, 2010), 1189; see also Pieter Lagrou, "1945-1955: The Age of Total War," in Frank Biess and Robert G. Moeller eds., *Histories of the Aftermath: The Legacies of the Second World War in Europe* (New York: Berghahn Books, 2010), 287-289.

¹⁰²² Franz Josef Strauss An: Hans Schneppel, 15 Februar 1960, Betreff: Völkerrechtlicher Status der Polizeien in der Bundesrepublik; Ihr Schreiben von 2 Februar 1960/Geheim! BA-MA BW1/112244.

¹⁰²³ Ibid.

¹⁰²⁴ Ministerialdirigent Walter Roemer An: Hans Schneppel, 2 März 1960, Betreff: Völkerrechtlicher Status der Polizei in der Bundesrepublik; Ihr Schreiben von 2 Februar 1960/Geheim! BA-MA BW1/112244.

¹⁰²⁵ See Marc von Miquel, *Ahnden oder amnestieren? Westdeutsche Justiz und Vergangenheitspolitik in den sechziger Jahren* (Göttingen: Wallenstein Verlag, 2004), 66-67.

Strauss, Roemer pointed out that as long as members of the *Bundesgrenzschutz* were easily identifiable by their uniforms, they should be afforded the protections guaranteed under international law.¹⁰²⁶

According to the Defense and Justice Ministers, it appeared that border policemen were already covered by the international laws of war as long as they were wearing uniforms. Language in both The Hague and Geneva Conventions supported this initial assessment. Article 1 of the 1907 Hague agreements, which was carried over into the 1949 Geneva Conventions stated:

The laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps fulfilling the following conditions: 1. To be commanded by a person responsible for his subordinates; 2. To have a fixed distinctive emblem recognizable at a distance; 3. To carry arms openly; and 4. To conduct their operations in accordance with the laws and customs of war.¹⁰²⁷

Moreover, Article 2 permitted anyone who is confronted by the sudden approach of an enemy armed force to spontaneously defend themselves whether in or out of uniform as long as they carry weapons openly in plain sight.¹⁰²⁸ So even irregular fighters were afforded protection under international law as long as their weapons were not concealed. Since border policemen were always in uniform while serving at their posts and clearly could not be mistaken for irregular fighters, there was no reason, at least on its face, for new legislation recognizing them as combatants in case of war.

But the relying exclusively on what was expressed in the Geneva and Hague Conventions was not enough. The Interior Ministry wanted explicit legislation to protect its policemen because it feared the international laws might be turned against them. There was no consensus over legal interpretations and postwar West Germans were still influenced by the legacies of what many saw as victors' justice – that is

¹⁰²⁶ Ibid.

¹⁰²⁷ James Turner Johnson, Eric D. Patterson (eds.), *The Ashgate Research Companion to Military Ethics* (New York: Routledge, 2016), 315-16; Ingrid Detter, *The Law of War* (Cambridge: Cambridge University Press, 2000), 136

¹⁰²⁸ Ibid.

justice as determined by those who emerge as the winners.¹⁰²⁹ On 22 June 1960, Interior Ministry *Staatsekretär* Sigfried Fröhlich wrote a top-secret memorandum summarizing the opinions expressed by the Justice, Defense, and Foreign Ministries on the international laws of war.¹⁰³⁰ The memorandum staked out the opinions of the various federal ministers about the *Bundesgrenzschutz*, the Bavarian Riot Police (BePo), the Individual Police Service (*Einzeldienst*), and the Auxiliary Police.¹⁰³¹ According to Dr. Fröhlich, however, the positions expressed by the ministers reflected a general lack of consensus over what was expected from West Germany's police forces, and the *Bundesgrenzschutz* in particular, if they did encounter an enemy armed force. The ministers were unable to agree upon which international laws of war, if any, covered policemen who attacked enemy soldiers as part of an offensive action. Thus, for the time being, he considered the matter unresolved.¹⁰³² For Fröhlich and his colleagues, Germany's negative experiences with international law in the aftermath of their judgment by the victors in two world wars must have weighed heavily on their thinking of how to use the *Bundesgrenzschutz* in case of another war. With the potential of a new war looming, they wanted an added layer of legal insurance for their police officials rather than relying exclusively on competing interpretations of international law. These efforts to find solid legal justifications clarifying the "military" role of policemen opened a polemical debate between the federal government and the police trade unions. Both sides in this debate enlisted their own legal experts to advance interpretations of international law that supported their cause. The debate also reflected the competing politics of postwar memory whereby critics and supporters alike invoked the past uses of the German police and militarism to justify their arguments. The debate showed that problematic themes and the tendency towards militarized policing in West Germany did not completely vanish with the collapse of the Third Reich.

¹⁰²⁹ Victors' justice was a complaint by the German the governments after both World Wars; see John Horne and Alan Kramer, *German Atrocities 1914*, 329; see also William Schabas, *Unimaginable Atrocities: Justice, Politics, and Rights at the War Crimes Tribunals* (New York: Oxford University Press, 2012), 73-75.

¹⁰³⁰ Memorandum: Streng-Geheim! Staatsekretär Sigfried Fröhlich An Bundesministerium des Innern: Betreffen: Kriegsvölkerrecht; hier: Völkerrechtlicher Status der Polizeien in der Bundesrepublik," 22 Juni 1960, BA-MA BW1/112244.

¹⁰³¹ Ibid.

¹⁰³² Ibid.

Competing Legal Interpretations and Memories of Germany's Militaristic Past

The controversy was already stirring when *Ministerialdirigent* Schnepfel first solicited input about international law from his fellow state ministers. While the Allied Occupation Authority (HICOG) encountered resistance from policemen to the ban on militarized policing in West Germany, by 1960 most state and municipal forces had complied with this objective.¹⁰³³ The newly formed federal government under Chancellor Adenauer fought hard for establishing the *Bundesgrenzschutz* in 1951 and preserving it in 1956 on the sole premise that it was strictly a civilian police force and not a clandestine army as alleged by many critics.¹⁰³⁴ Awarding any policemen combatant status contradicted the postwar aim to demilitarize all civilian police forces in West Germany. Dr. Hans Jess, a CDU representative in the *Bundestag* who had also been a prewar police chief from the city of Schwerin, wrote directly to Schnepfel and requested that he refrain from further secret discussions or inquiries about the matter until lawmakers could weigh in. Jess feared that the police trade unions would strongly condemn and protest any mention of West Germany's policemen as combatants. He explained that the unions had always "expressed their support for a clear separation of tasks between the police and the Bundeswehr."¹⁰³⁵ Even Interior Minister Hermann Höcherl proceeded cautiously when discussing the matter because he believed it would invite criticism from the Left and possibly present the GDR with fodder for its propaganda campaign against the Federal Republic. In 1962, he opened further secret discussions with the Interior Ministers and Senators of West Germany's *Länder* to secure combatant status for their forces. At a conference held in Bad Reichenhall on 17-18 May 1962, the delegates unanimously agreed that combatant status was necessary to protect all of West Germany's policemen from potential allegations

¹⁰³³ See for example, Stefan Noethen. *Alte Kammeraden und neue Kollegen*.

¹⁰³⁴ See chapters 1 and 3.

¹⁰³⁵ Memorandum: Dr. Hans Jess An: Hans Schnepfel, Federal Interior Ministry, 24 Februar 1960, Geheim! Betreffs: Völkerrechtlicher Status der Angehörigen des Bundesgrenzschutzes und der Polizeien der Bundesrepublik Deutschland, BA-MA BW1/112244.

that they violated international law.¹⁰³⁶ While the delegates agreed to move forward with new legislation to this effect, many state ministers expressed concern that the GDR would exploit the decision and use it to accuse the Federal Republic of aggressive politics. But Höcherl insisted the best way to prevent action by the GDR was to combine combatant status for the police with other emergency legislation where it would be “least noticeable and would provide the fewest possible starting points for propaganda.”¹⁰³⁷ Although combatant status was initially part of the larger effort to pass new emergency laws, the two issues were never combined into one legislative package.

In spite of the Interior Ministry’s efforts to keep their combatant status plans secret, the West German police unions – the *Gewerkschaft deutscher Polizei* (GdP) and also the *Gewerkschaft Öffentliche Dienst, Transport und Verkehr* (ÖTV) – learned about them from their membership. Union representatives immediately went on the offensive and enlisted the assistance of highly respected legal scholars to refute what they saw as a deliberate effort by the federal government to re-militarize civilian policing. The differing positions of each side with a stake in the outcome of the debate showed how competing memories of Germany’s past were adapted to justify a particular course of action. Whereas the Interior Ministry relied on rules that governed the German armed forces in both World Wars to justify new legislation, the Police Unions turned those same arguments against the government to oppose any new laws declaring policemen as combatants. Beginning in early January 1963, the main Police Branch (*Hauptfachabteilung Polizei*) of the ÖTV requested that Professor of international law, Dr. Friederich “Fritz” Berber from the University of Munich, provide an analysis on whether policemen could serve as combatants in a war.¹⁰³⁸ Dr. Berber was a respected legal scholar who once served as a special advisor to

¹⁰³⁶ Memorandum: Geheim! Bundesministerium des Innern, “Völkerrechtlicher Status der Polizei in einem Verteidigungsfall; hier: Niederschrift über die Sitzung der Ständigen Konferenz der Innenminister der Bundesländer am 17./18. Mai 1962 in Bad Reichenhall,” BA-MA BW1/316268.

¹⁰³⁷ Ibid.

¹⁰³⁸ Gutachten von Professor Dr. Friedrich Berber, Vorstand des Instituts für Völkerrecht an der Universität München, “Völkerrechtlicher Status der Polizei in einem Verteidigungsfall,” 16 Januar 1963, BArch-K B106/83869.

Hitler's notorious Foreign Minister, Joachim von Ribbentrop.¹⁰³⁹ His report was an extensive analysis of the international laws of war – both the Fourth Hague Conventions of 1907 and the Geneva Conventions of 1949 - as they related to civilian police officials. He found that West Germany's civilian policemen were not entitled to the protections guaranteed under the international laws of war. He argued that neither the Hague Conventions nor the newly revised Geneva Conventions considered civilian police forces in any of the categories outlined for combatants. He emphasized policemen were considered “noncombatants” under international law and strictly forbidden from taking part in any direct activities against enemy forces.¹⁰⁴⁰

Berber's analysis directly contradicted the opinions given to Hans Schnepfel by the Justice, Defense, and Foreign Ministries suggesting policemen were covered by the international laws of war if they were in uniform and carried their weapons openly.¹⁰⁴¹ Instead, Berber argued that subordinating civilian police forces to the *Bundeswehr* was the only legal means in which policemen could be classified as combatants. He also pointed out that Article 5 of the Geneva Conventions permitted civilian authorities to continue their work on behalf of the local population even during a hostile occupation by an enemy force. The purpose of Article 5 was to ensure that basic functions of civilian infrastructure such as the police, medical, and fire services remained intact to protect populations living under martial law. According to Berber, under Article 5, “the occupation power is prohibited from changing the position of civil servants or judges in an occupied territory and the concept of civilian servants also includes, of course, the police.”¹⁰⁴² If policemen engaged in combat operations, they would forfeit their right to the protections as “civilian authorities” under Article 5 and might be subjected to severe punishment by enemy forces.

¹⁰³⁹ Michael Stolleis, *Geschichte des öffentlichen Rechts in Deutschland, Vierter Band: Staats- und Verwaltungsrechtswissenschaft in West und Ost, 1945 – 1990* (München: Verlag C.H. Beck, 2012), 43.

¹⁰⁴⁰ Gutachten von Professor Dr. Friedrich Berber, BAArch-K B106/83869.

¹⁰⁴¹ Cited above - see letters by Franz Josef Strauss to Hans Schnepfel, 15 Februar 1960 and Ministerialdirigent Walter Roemer to Hans Schnepfel, 2 März 1960, “Völkerrechtlicher Status der Polizei in der Bundesrepublik,” BA-MA BW1/112244.

¹⁰⁴² Ibid.

Remarkably, Berber's analysis included troubling examples from Germany's military past, and specifically its invasion of Belgium in 1914, as examples of what he called a "blurring" of policing and military tasks. He claimed this misunderstanding of roles led directly to the "disastrous consequences" of the *franc-tireur* war of 1914."¹⁰⁴³ His use of the German atrocities against Belgian civilians in analyzing whether contemporary police officials could be considered combatants reflected the lasting influence of Germany's negative experiences with international law. More problematically, however, Berber drew upon and reinforced the myth that Belgian citizens, and specifically, its paramilitary *Garde Civique*, had engaged in an illegal "people's war" against invading German soldiers. Thus, from his perspective, the harsh reprisals perpetrated against the Belgians were their own fault since they failed to distinguish their army from their civilian police forces. He completely ignored that Germany had blatantly violated Belgian neutrality and initiated a war against civilians as a response to fears, not the reality, of the *franc-tireur*.¹⁰⁴⁴ To support his claims, he relied exclusively on the writings of Professor Christian Meurer, a lawyer employed by the German government in 1921 to defend the Imperial Army's actions in Belgium. In their seminal study of the German atrocities in Belgium, John Horne and Alan Kramer showed that Meurer essentially "whitewashed" the German army of any responsibility in the murder of Belgian civilians. Moreover, they argued, "for Meurer, Belgian popular resistance had flouted international law and prompted legitimate German reaction on the grounds of military necessity."¹⁰⁴⁵ Berber's report makes it clear that he agreed with Meurer's findings and specifically in his description of the Belgian *Garde Civique* as what Meurer called a "hermaphrodite meddling of the armed forces and the police."¹⁰⁴⁶ And because the *Garde Civique* resisted the German invasion, Berber suggested that they forfeited their protection as civilians under international law, the consequences of which led directly to "the bloody

¹⁰⁴³ Ibid. Berber was referring here to the German invasion of neutral Belgium at the outbreak of the First World War. The term *franc-tireur* – or free-shooter - is a French term that refers to guerilla or partisan fighters that resisted German forces during the 1870 Franco-Prussian War; For a comprehensive analysis of these incidents see John Horne and Alan Kramer, *German Atrocities 1914*.

¹⁰⁴⁴ John Horne and Alan Kramer, *German Atrocities 1914*.

¹⁰⁴⁵ Ibid., 377.

¹⁰⁴⁶ Gutachten von Professor Dr. Friedrich Berber, BArch-K B106/83869.

massacre of the Belgian peoples.”¹⁰⁴⁷ Berber’s use of examples from the First World War might have been a deliberate attempt to avoid the more obvious and recent comparison of Germany’s actions in the Second World War.

Since Berber’s analysis was written on behalf of the police unions, it was clearly aimed at convincing the federal government that policemen could never be considered combatants and still be treated as civilians. But the federal government countered with its own legal experts. Dr. Heinz Knackstedt, an attorney assigned to the Ministry of Defense, was the first expert to weigh-in on behalf of the government. According to Knackstedt, police forces, and the *Bundesgrenzschutz* in particular, did not have to be subordinated to the *Bundeswehr* to be protected under international law.¹⁰⁴⁸ He concluded, “there are no laws that a state must have only one class of armed forces, all of which had to be organized under the same department.”¹⁰⁴⁹ For Knackstedt, the Belgian *Garde Civique* was clearly an example of a “militia” covered by both the 1907 Hague Conventions and the Geneva Conventions. Moreover, he argued that Berber’s opinions of the *Garde Civique* as an illegal executor of a “people’s war” was incorrect. Instead, he compared it to forces like the *Waffen-SS*, military police battalions, the *Reichsarbeitsdienst* (Reich Labor Service - RAD), and the *Volkssturm* (home guard), which he said were all examples of the different types of German armed forces protected under international law during the Second World War. For other nations, he cited comparable examples to include the British Home Guard, the Polish State Police, and the Soviet NKVD, which were all forces with military roles, but still under the jurisdiction of a civilian Interior Minister rather than the army.¹⁰⁵⁰ Thus, according to Knackstedt, a state’s civilian police forces could participate in combat operations without belonging to the Ministry of Defense and still be afforded the protections of the international laws of war. He concluded, “the BGS can, therefore, be fully autonomous alongside the *Bundeswehr* and be part of the jurisdiction of the

¹⁰⁴⁷ Ibid.

¹⁰⁴⁸ Memorandum: Dr. Heinz Knackstedt to Bundesministerium für Verteidigung, 26 Januar 1963, Betreff: “Kombattantenstatus der Polizei,” BArch-K B106/83869.

¹⁰⁴⁹ Ibid.

¹⁰⁵⁰ Ibid.

Interior Ministry, but nevertheless be part of the Federal Republic of Germany's armed forces while remaining civil servants."¹⁰⁵¹ Knackstedt's use of Germany's past reflected one example of how these competing narratives were used to inform and justify both sides of the combatant status debate. To be sure, what he and the others who supported using border policemen as combatants intended was to find any legal precedent that justified their position. Whether it was examples from the First or Second World War, the Interior Ministry drew upon these narratives to support the passage of new legislation.

Memories of the German Revolution and the violent street fighting between Communists, police, and right-wing paramilitaries also played a role in these competing narratives. In 1963, when the federal government first introduced formal legislation to award the *Bundesgrenzschutz* combatant status, the border police journal *Die Parole* ran a monthly feature by the Hamburg Journalist Walther von Schultendorff under the title "*Bürgerkrieg in Deutschland*" (Civil War in Germany).¹⁰⁵² It was at this same time that border police *Inspekteur* Heinrich Müller and his Command Staff began secretly planning how they could use their personnel in combat (see below). While the article series also included features about radical right-wing activities, such as the *Kapp-Lüttwitz Putsch* and Hitler's failed 1923 coup attempt, the thematic focus was overwhelmingly directed towards comparing Weimar Communist radicals with forces from Soviet-backed East Germany. The fears of civil war and the use of police to fight communist guerillas played a significant role. The introductory article, for example, directly linked the East German *Sozialistische Einheitspartei Deutschlands* (Socialist Unity Party – SED) with the leftist radicals in the Weimar Republic. The narrative link between all twelve articles, however, emphasized the importance of police as combatants in maintaining order against radical uprisings. Shultendorff argued the following: "From the Spartacus uprising in Berlin in January 1919 to the bloody street fighting in Hamburg in October 1923, again and again, the communists tried to seize power with armed insurrections

¹⁰⁵¹ Ibid.

¹⁰⁵² Walther von Schultendorff, "Bürgerkrieg in Deutschland: Blutige Kämpfe in der Zeit nach dem ersten Weltkrieg," *Die Parole* 13, no. 1 (15 January 1963), 8-10.

in the hope of replacing democracy with the dictatorship of the proletariat – and this was only prevented by the police bands all over Germany who had to pay a high price.”¹⁰⁵³ The article series reflected what some scholars have called the “Weimar Syndrome” - an expression of fear that West Germany’s democracy would suffer the same fate as its republican antecedent.¹⁰⁵⁴ According to Dirk Moses, the Weimar Syndrome “contributed to the hysteria and paranoia of postwar West German politics...the passionate effort of Bonn intellectuals to ensure that the turmoil of the 1920s would not ruin the Federal Republic meant that some of the spirit of those years would live on decades later nonetheless.”¹⁰⁵⁵ Konrad Adenauer regularly invoked the street battles of Weimar Germany as justification for his original plans to build a paramilitary federal police force. But this narrative contradicted opponents of the government’s plans who saw in it a warning of what might happen if civilian policing returned to the oppressive, militarized law enforcement tactics deeply ingrained in Germany’s past.

It was during these debates over combatant status that the chairman of the GdP, Werner Kuhlmann, first emerged as an outspoken critic of the federal government and the *Bundesgrenzschutz* in particular. As a teenager, Kuhlmann was active in socialist youth groups, and particularly the leftist *Sozialistische Jugend Deutschlands* (SJD), popularly known as the Falcons.¹⁰⁵⁶ Like many other young men of his generation, he joined the RAD and was later drafted into the *Wehrmacht*. After the war, he joined the *Länder* Police in the state of North Rhine-Westphalia. As a policeman, Kuhlmann continued his political activism and became a prominent trade unionist and member of the SPD. In 1958, he was

¹⁰⁵³ Ibid.

¹⁰⁵⁴ See Sebastian Ullrich, *Der Weimar-Komplex: das Scheitern der ersten deutschen Demokratie und die politische Kultur der frühen Bundesrepublik, 1945-1959* (Göttingen: Wallstein, 2009); See also Dirk Moses, “The Weimar Syndrome in the Federal Republic of Germany”; see also Dirk Moses, *German Intellectuals and the Nazi Past* (Cambridge: Cambridge University Press, 2007), 49.

¹⁰⁵⁵ Dirk Moses, *German Intellectuals and the Nazi Past*, 49.

¹⁰⁵⁶ The Falcons socialist youth groups were originally founded in 1909, see for example, Heinrich Eppe, “100 Jahre Sozialistische Jugend in Deutschland im Überblick,” in Heinrich Eppe (ed.), *Sozialistische Jugend im 20. Jahrhundert: Studien zur Entwicklung und politischen Praxis der Arbeiterjugendbewegung in Deutschland* (München: Juventa, 2008), 43-68.

elected Chairman of the GdP and held this influential post until 1975.¹⁰⁵⁷ On 24 January 1963, the Committee for Internal Affairs officially introduced a bill recommending that the *Bundestag* revise the Federal Border Police Act of 1951 to recognize border policemen as combatants.¹⁰⁵⁸ The Conference of Interior Ministers for West Germany's *Länder* followed suit and voted unanimously in favor of including their own state police forces, but rejected any legislation that might subordinate them to the *Bundeswehr*.¹⁰⁵⁹ Kuhlmann protested the actions by the Federal and *Länder* administrations. In an open letter to representatives in the *Bundestag*, he declared: "We [GdP] have vigorously opposed this creeping process of the merging of police and military tasks in the interest of a clear delineation. The police institution is, as a matter of fact, just as unsuitable for combat as the Salvation Army!"¹⁰⁶⁰ Representatives of the Bavarian GdP branch also wrote to their Interior Minister, Heinrich Junker, and strongly condemned the Conference of Interior Minister's decision to do the same for *Länder* policemen. The representatives alleged "the negative reaction of the police officers to this plan confirms the strong position of the union to limit the jurisdiction of the police in emergency situations to defend against dangers in the interior of the Federal Republic and clearly distinguish it from military tasks."¹⁰⁶¹ This reaction was based on the fear by labor unions that a heavily armed militarized police force could be used like an army to suppress strikes as was common during the Weimar era.

In March 1963, Kuhlmann published a scathing 32-page written condemnation of the government's plans to recognize policemen as combatants, which appeared as a brochure under the title:

¹⁰⁵⁷ Gerd Goch, "Porträt der Woche: Werner Kuhlmann (SPD)," *Lantag intern* 10, no. 32 (14 December 1979), 15.

¹⁰⁵⁸ Deutsche Bundestag, Drucksache IV/343, "Schriftlicher Bericht des Ausschusses für Inneres (6. Ausschuss) über den von der Bundesregierung eingebrachten Entwurf eines Gesetzes zur Ergänzung des Gesetzes über den Bundesgrenzschutz und die Einrichtung von Bundesgrenzschutzbehörden," BA-MA BW1/317989.

¹⁰⁵⁹ The provision against subordination to the *Bundeswehr* was clearly stated in the Standing Conference of the Interior Ministers of West Germany's Federal States on 17-18 May 1962, BA-MA BW1/316268.

¹⁰⁶⁰ Unserer Bonner Redaktion, "Völkerrechtler widerspricht Bonn: Professor Berber gibt Gutachten zum Kombattanten-Status für die Polizei," *Deutsche Zeitung*, Nr. 36 (12 February 1963), 2, BArch-K B106/83869.

¹⁰⁶¹ Bonn Staff, "Polizei nicht unter Befehl der Bundeswehr: Starke Bedenken der Gewerkschaft – Keine militärischen Aufgaben," *Bonnischer Anzeiger* (3 March 1963), 11, BA-MA BW1/31628.

*Police Must Remain Police!*¹⁰⁶² The publication cover included a full-page glossy photograph of a steel-helmeted border policeman firing a mortar. The brochure included references to the previous analysis by the GdP's legal expert, Dr. Berber, as well as two new interpretations by Dr. Felix Ermacora and Dr. Andreas Hamann.¹⁰⁶³ Both men had divergent backgrounds, but held similar opinions. Felix Ermacora, for example, was a liberal professor of International Law at the University of Innsbruck and a prominent advocate of human rights who later held many leading diplomatic posts for the United Nations. Andreas Hamann, on the other hand, was a conservative lawyer and social sciences professor at the *Hochschule für Sozialwissenschaften* in Willhelmshaven who had been a member of the Nazi Party and the *Sturmabteilung* or SA.¹⁰⁶⁴ Both Ermacora and Hamann agreed that the government's plans to make policemen military combatants was outside the scope of international law and also violated civil service regulations in West Germany's Basic Law. They pointed out that there was no provision or mention of police forces in either the Geneva Conventions of 1949 or the earlier Hague Conventions of 1907. Thus, according to their interpretation, policemen were "civilian non-combatants" and should avoid engaging in fighting against the enemy at all costs.

Ermacora and Hamann also emphasized that Article 12 of West Germany's Basic Law – the freedom to choose one's profession - protected the rights of civil servants from action by the government to impose or change working conditions from those existing at the time of employment. In other words, according to their interpretation, the government's decision to give civilian policemen military duties violated Article 12 by fundamentally altering the profession from what it was at the time they originally accepted employment. They suggested that protecting vital infrastructure - *Objektschutz* as it was referred to in military doctrine – was a task for the armed forces and policemen could only perform these

¹⁰⁶² Werner Kuhlmann, "Polizei muss Polizei bleiben: Stellungnahme und Rechtsgutachten zum Kombattantenstatus der Polizei," (Düsseldorf-Benrath: Gewerkschaft der Polizei, 1963), BArch-K B106/83869.

¹⁰⁶³ Ibid.

¹⁰⁶⁴ For biographical details of Felix Ermacora, see Otto Kimminich, "Nachruf für Felix Ermacora," *Archiv des Völkerrechts*, Vol. 33, No. 3 (July 1995), pp.305-308; for Andreas Hamann see obituary "Rechtsanwalt Dr. Andreas Hamann," *Neue Juristische Wochenschrift* 17, no. 26 (June 1964), 1217.

duties if they were transferred to the *Bundeswehr*. They pointed out, however, that while the Interior Ministers of the *Länder* agreed to award state policemen combatant status, they were unanimously opposed to subordinating them into the army. Ermacora and Hamann argued, “in a democratic constitutional state, the only legally faultless alternative [for policemen to engage in combat] has to be covered by international law.” While Ermacora and Hamann argued against the mixing of police and military roles, Ermacora believed the *Bundesgrenzschutz* was exceptional because it was a “special” police force (*Sonderpolizei*). He suggested, therefore, that nothing stood in the way of the government passing legislation to make it part of the armed forces in the event of a war.¹⁰⁶⁵ By contrast, however, Kuhlmann claimed: “The police have already been abused in Germany for tasks that are foreign to their lives – this historical example should warn and frighten us. One cannot condemn the abuse of the police during the last war, and at the same time reconsider the circumstances under which military use of police forces can continue in the future.”¹⁰⁶⁶

Kuhlmann’s protests and especially his detailed brochure outlining the analyses of Professors Ermacora and Hamann made headlines in West German newspapers and professional police journals. The publicity was problematic for the Interior Ministry, especially because such a well-respected human rights advocate like Felix Ermacora took a stand against their plans to award combatant status to the police.¹⁰⁶⁷ The notion of human rights as a political language was influential in postwar West Germany as the new state and its officials searched for a way forward that contrasted with the legacies of the Third Reich. Thus, Ermacora in particular spoke with a good deal of credibility and his opinion on combatant status mattered to the Interior Ministry. Lora Wildenthal has argued that by emphasizing human rights across a broad spectrum of institutions, “West Germany self-consciously measured their progress away

¹⁰⁶⁵ Ermacora’s analysis is included in Werner Kuhlmann, “Polizei muss Polizei bleiben,” 39.

¹⁰⁶⁶ Werner Kuhlmann, “Polizei muss Polizei bleiben,” 4.

¹⁰⁶⁷ “Komattantenstatus kein Schutz,” *Deutsche Polizei*, Heft 121, No. 62 (March 1963), 67-68.

from dictatorship.”¹⁰⁶⁸ The police unions were using the political language of human rights to resist the government’s plans to militarize the police with combatant status. Not everyone, however, was swayed by this strategic use of human rights. The Hanseatic Interior Minister and future SPD Chancellor Helmut Schmidt, for example, publicly criticized the GdP and its “legal experts” for politicizing the issue.¹⁰⁶⁹ Schmidt claimed that Kuhlmann’s fear of West Germany returning to policing methods of the past was “unfounded and absurd.” Schmidt explained to reporters that awarding combatant status to policemen was not a move towards re-militarization, but simply provided them with the legal authority for their own protection to “act within the framework of the laws and carry out their duties in a war without being viewed by the enemy as irregular fighters.”¹⁰⁷⁰ In fact, a poll by the magazine *Der Spiegel* found that many state policemen were surprised that the Interior Ministers of the *Länder* voted overwhelmingly in support of the proposal. Even the local Hanseatic Association of Social Democratic Policemen (*Arbeitsgemeinschaft sozialdemokratischer Polizeibeamten*) turned against Schmidt and publicly declared that its members refused “to return to a position that reflected the years 1933 to 1945.”¹⁰⁷¹

Correspondence between officials at the Interior and Defense Ministries reflected the tensions surrounding the legal rebuff of the government’s plans by the police unions’ experts. The government moved to counter these findings, but also recognized the validity of the arguments against their plans. Ministry of Defense *Oberregierungsrat* Dr. Otto Hinz, for example, wrote to his colleague *Ministerialrat* Gieseler, and explained that, “apart from a few inaccuracies, the expert opinions on International Law are essentially correct.”¹⁰⁷² Hinz emphasized that the government would have to address these findings if they chose to move forward with further plans to address the combatant status of police forces. Hinz suggested that a future “international investigation into the combatants’ status of the police would have to

¹⁰⁶⁸ Lora Wildenthal, *The Language of Human Rights in West Germany* (Philadelphia: University of Pennsylvania Press, 2013), 6.

¹⁰⁶⁹ “Polizei: Komattanten-Status unter die Soldaten,” *Der Spiegel* 17, no. 13 (27 March 1963), 37-39.

¹⁰⁷⁰ *Ibid.*

¹⁰⁷¹ *Ibid.*

¹⁰⁷² Letter from *Oberregierungsrat* Dr. Hinz to *Ministerialrat* Gieseler, 28 February 1963, “Völkerrechtlicher Status der Polizei in einem Veteidigungsfall,” BArch-K B106/83869.

be based on the duties of the police, which will be necessary for a number of reasons in case of a war... It would then have to come to the conclusion that the police needed combatant status.”¹⁰⁷³ So rather than accept the findings, which they largely found to be credible, officials in these ministries looked for alternative approaches and/or loopholes in the law to justify their actions. Dr. Hans-Hugo Pioch of the Interior Ministry’s Police Branch also wrote to the Defense Ministry with suggestions on how to counter the police unions’ experts.¹⁰⁷⁴ Pioch explained that he had reached out to historians at the Institute of Contemporary History and the *Militär-geschichtliches Forschungsamt* (Military History Research Institute - MGFA) seeking clarification on the role of the police in past conflicts. It was Pioch’s opinion, based on documents he obtained from these historians, that the precedent for legally recognizing policemen as combatants was already established during the Second World War.¹⁰⁷⁵ For reference, he attached copies of orders to that effect issued by Chief of the *Wehrmacht* High Command (OKW) – Wilhelm Keitel, from 28 August 1944 expressly declaring that uniformed members of the German police were combatants under the terms of the Hague Laws of War on Land.¹⁰⁷⁶

Dr. Stahl, a historian at the MGFA, provided Pioch with a more detailed analysis of the role played by German police battalions in the Second World War, and specifically, the combat duties of Nazi security forces against partisans.¹⁰⁷⁷ Stahl explained that Nazi security police forces including the *Ordnungspolizei* (Order Police – OrPo), SS battalions, and units of the SD (*Sicherheitsdienst* – security service) were given responsibility for counterinsurgency operations – *Bandenbekämpfung* – and were thus considered combatants. Moreover, Stahl pointed out “there is no documentary evidence that members of

¹⁰⁷³ Ibid.

¹⁰⁷⁴ Letter with attachments from Dr. Hans-Hugo Pioch to Bundesministerium für Verteidigung, Betr.: “Kombattantenstatus der Polizei im 2. Weltkrieg,” 26 February 1963, BArch-K B106/83869.

¹⁰⁷⁵ Ibid.

¹⁰⁷⁶ Wilhelm Keitel, Oberkommando der Wehrmacht, “Kennzeichnung der Kombattanten im Sinne der Haager Landkriegsordnung,” OKW Nr. 5490/44 AWA/W/Allg. (II c) – WR, 28 August 1944, BArch-K B106/83869.

¹⁰⁷⁷ Militär-geschichtliches Forschungsamt (II –Az.:50-31-05) An Herrn Dr. Pioch, den Bundesministerium des Innern, Betr.: “Kombattantenstatus der Polizei im 2. Weltkrieg,” BArch-K B106/83869.

these security police forces were treated any differently from regular soldiers if they were captured.”¹⁰⁷⁸ Stahl emphasized that their combatant status was never really questioned during or after the war. And *Bandenbekämpfung* operations were explicitly military tasks that were under the jurisdiction of the *Reichsführer-SS* and Chief of the German Police, Heinrich Himmler. Stahl said that the problem during the war had less to do with policemen functioning as soldiers, but rather “the unfortunate fusion of police and ideological political tasks imposed on the police under Himmler’s leadership.”¹⁰⁷⁹ Pioch’s letter and his use of documentary support from the Second World War again reinforced the striking competing use of memory on both sides of the debate. Whereas members of the police union pointed to legacies of the Nazi era, where police forces operated as regular soldiers during the war, as a reason to fight what GdP Chairman Kuhlmann warned was a “creeping process of militarization,” the Interior and Defense Ministries emphasized examples from Nazi policing to justify their policies.¹⁰⁸⁰ These underlying tensions over the legacies of policemen used as soldiers were not isolated to the combatant status debate. As historians have shown, the tensions were part of the broader postwar memory culture of West Germany.¹⁰⁸¹ As Germans rebuilt in the aftermath of the war and attempted to move forward, certain aspects of the past were forgotten or ignored. Yet, other experiences were re-shaped or used in a manner to distance themselves from the negative legacies of National Socialism.¹⁰⁸² In this case, Dr. Stahl of the MFGA drew an ideological separation between the function of policemen in combat and their criminal use and abuse by Himmler. The uses of memory in the combatant status debate was therefore a

¹⁰⁷⁸ Ibid.

¹⁰⁷⁹ Ibid.

¹⁰⁸⁰ Hubert Devlos, “Wird die Polizei militarisiert,” *Frankfurter Allgemeine Zeitung* (13 June 1963), 2.

¹⁰⁸¹ There is an extensive literature on postwar memory in West Germany. For an entry into the literature and an excellent general overview see, Robert Moeller, *War Stories: The Search for a Useable Past in the Federal Republic of Germany* (Berkeley: University of California Press, 2001); for how these tensions shaped local memory culture, see Neil Gregor, *Haunted City: Nuremberg and the Nazi Past* (New Haven: Yale University Press, 2008).

¹⁰⁸² Neil Gregor, *Haunted City*, 5; Robert Moeller, *War Stories*, 5-7.

manifestation of this wider process of remembering and forgetting that shaped how West Germans dealt with the war.¹⁰⁸³

Because the police unions publicized the opinions of their experts (Berber, Ermacora, and Hamann) the Interior Ministry turned to yet another legal scholar, Dr. Ulrich Scheuner, for support. Scheuner was a conservative professor of Public Law at the University of Bonn and had a dubious past like some of the others involved in the ongoing debate. During the Third Reich, he was professor of Public Law in Jena and an ideologically committed member of the Nazi Party.¹⁰⁸⁴ He was a prolific writer and in many of his early publications, Scheuner defended the Nazi Party's racial laws and specifically provided legal justification for the Reichstag Fire Decree and the Enabling Act.¹⁰⁸⁵ He even justified the Nazi Seizure of power in 1933 as a uniquely German form of revolt against the individualism of Weimar democracy.¹⁰⁸⁶ In his extensive analysis, Scheuner emphasized that Berber, Ermacora, and Hamann were essentially correct to point out that outside of self-defense, civilian policemen were unable to legally take part in combat without being part of the state's armed forces.¹⁰⁸⁷ Like Dr. Berber, Scheuner problematically used the German atrocities in Belgium as an example of what could potentially go wrong when the duties of policemen and soldiers were mixed.¹⁰⁸⁸ He also agreed with the police unions that Article 12 of the Basic Law made it unconstitutional for the Interior Minister's of the *Länder* to change the working conditions of their policemen by using them to defend against external military attacks. Thus, Scheuner's report dealt a decisive blow to the state Interior Ministries and their plans for

¹⁰⁸³ Ibid.

¹⁰⁸⁴ Oliver Lepsius, "The Problem of Perceptions of National Socialist Law or: Was there a Constitutional Theory of National Socialism?" in Christian Joerges and Navraj Singh Ghaleigh (eds.), *Darker Legacies of Law in Europe: The Shadow of National Socialism and Fascism over Europe and its Legal Traditions* (Oxford: Hart Publishing, 2003), 39.

¹⁰⁸⁵ Ibid.

¹⁰⁸⁶ See specifically Scheuner's two volume series, Ulrich Scheuner, *Die nationale Revolution: eine staatsrechtliche Untersuchung*, Vol. 1 "Zur staatsrechtlichen Bedeutung der nationalen Revolution," Vol. 2 "Der Verlauf der Revolution und die Grundlagen der neuen Staatsordnung," (Tübingen: Mohr Verlag, 1933).

¹⁰⁸⁷ Ulrich Scheuner, "Gutachten: Zur kriegsrechtlichen Stellung der Polizei und des Bundesgrenzschutz im Verteidigungsfalle," 2 August 1963, 16, BA-MA BW1/316269.

¹⁰⁸⁸ Ibid., 30.

giving *Länder* policemen combatant status.¹⁰⁸⁹ GdP Chairmann Werner Kuhlmann's publication, "Police must Remain Police," appeared to have served its purpose – the legal scholars on both sides of the debate agreed that Article 12 of the Basic Law excluded West Germany's state policemen from military duties.

Scheuner did, however, argue in support of the Interior Ministry's plans to move forward with awarding combatant status to members of the *Bundesgrenzschutz*. He stated very explicitly that the government's proposed amendment to revise the Border Police Act of 1951 was perfectly legal.¹⁰⁹⁰ As a "special paramilitary" police force, he claimed it already met the requirements under international law for an armed force. It was his opinion that a revision of the existing laws would not jeopardize the civilian status of its personnel in peacetime. He suggested that the proposed amendment was the only requirement necessary to comply with the existing international laws of war.¹⁰⁹¹ After all, as Scheuner pointed out, it was the individual nation-state and not international law that determined who was included in its armed forces. Like Dr. Pioch, Scheuner used the memory of the Nazi past to justify his position. He explained that Germany had deployed many different fighting forces during the Second World War, such as the *Waffen SS* and the *Ordnungspolizei*, which were used in combat operations and covered by international law.¹⁰⁹² Moreover, he explained that the *Bundesgrenzschutz* was really a mobile gendarmerie organized and used in the same manner as the French and Belgian gendarmeries, the Italian Carabinieri, the Royal Canadian Mounted Police, the Greek Security Corps, the Spanish Guardia Civil and paramilitary units in many other European nations. All of these forces, he argued, had civilian duties during peacetime and were transferred to the army in the event of a war.¹⁰⁹³

¹⁰⁸⁹ Ibid., 43.

¹⁰⁹⁰ Ibid., 38.

¹⁰⁹¹ Ibid., 24.

¹⁰⁹² Ibid., 14.

¹⁰⁹³ Ibid., 35; see also Clive Emsley, *Gendarmes and the State*.

Revisions and Compromises: the Influence of Trade Union Politics

Dr. Scheuner's report was a turning point for the Interior Ministry. As a response to his findings, the draft amending the Border Police Act of 1951 was revised.¹⁰⁹⁴ The Interior Ministry justified the revisions by citing various points from Dr. Scheuner's analysis, including his argument that the *Bundesgrenzschutz* did not have to forfeit its civilian status in peacetime even though during a war its members were given the status of military combatants.¹⁰⁹⁵ Moreover, the Interior Ministry also claimed, at least for their own federal policemen, that Article 33 superseded their civil service "career choice rights" as outlined by Article 12. According to the draft, under Article 33, "the defense of dangers to the liberal-democratic order in the Federal Republic is to be regarded as an 'overriding community interest' which can legitimize an interference with the fundamental right to freedom of choice."¹⁰⁹⁶ The GdP and ÖTV, however, rejected the Interior Ministry's interpretation of Scheuner's analysis and by May 1964 had succeeded on the basis of Article 12 in stopping the State Interior Ministers from awarding combatant status to their municipal and *Länder* police forces.¹⁰⁹⁷ This decision by the *Länder* governments had no effect on the *Bundesgrenzschutz* because they had no jurisdiction over federal policing. The federal Interior Ministry proceeded with their amendment nevertheless and this reflected the ongoing differences in approaches to policing at the state and federal levels of government – the ever-present tensions of West German federalism. Yet it also demonstrated the influence wielded by the police trade unions (GdP and ÖTV) in shaping the policies of the federal state in determining their own working conditions.

The trade unions successfully blocked the Interior Ministries of West Germany's *Länder* from implementing the plans for making state policemen combatants that they unanimously agreed to at Bad

¹⁰⁹⁴ Letter with revised draft from Ministerialdirektor Hans Schnepfel An das: Auswärtige Amt, Bundesminister der Justiz, Bundesminister der Finanzen, und Bundesminister der Verteidigung, 27 Oktober 1963, Betr.: "Entwurf eines Gesetzes zur Ergänzung des Gesetzes über den Bundesgrenzschutz und die Einrichtung von Bundesgrenzschutzbehörden," BArch-K B136/1928, Fiche Nr. 2, Slides 183-195.

¹⁰⁹⁵ Ibid., slide Nr. 189.

¹⁰⁹⁶ Ibid., slide Nr. 191.

¹⁰⁹⁷ Friederich Karl Fromme, "Die Polizisten möchten ziviler werden: Der Streit um den Kombattantenstatus der Polizei ist ausgetragen," *FAZ* (29 October 1964), 2.

Reichenall.¹⁰⁹⁸ Nevertheless, for GdP Chairman Werner Kuhlmann, this was only a partial victory. On 5 April 1965, he wrote a letter of protest directly to the *Bundestag* before their final approval of the new law awarding combatant status to members of the *Bundesgrenzschutz*.¹⁰⁹⁹ For Kuhlmann, there simply could be no mixing whatsoever of military and civilian law enforcement duties in one organization. In his letter, he explained that giving border policemen combatant status was probably justified, but only if they were stripped of their civilian law enforcement duties.¹¹⁰⁰ He claimed, for example, “it cannot be denied that a motive for giving border policemen combatant status is admissible in the interests of their own welfare. The incompatibility, however, comes from the fact that a police force assumes military tasks normally reserved for armed forces and would cause significant uncertainty for those involved.”¹¹⁰¹ Thus, according to Kuhlmann, the only option for the *Bundestag* would be to remove the classification of the *Bundesgrenzschutz* as a “police force” and place it directly under the *Bundeswehr* as an instrument of external security.¹¹⁰² For the ÖTV, the central focus of their arguments against the amendment was their claim that it was unconstitutional under Article 12 of the Basic Law. Making border policemen combatants, they insisted, violated their civil service rights to choose their profession.¹¹⁰³

Despite the ongoing protests by the police trade unions, on 12 May 1965, the *Bundestag* voted unanimously to pass the amendment confirming the Interior Ministry’s request that its border policemen were legally considered military combatants.¹¹⁰⁴ The law went into effect on 11 July 1965. The amendment was a rare moment when all of West Germany’s political parties were of one mind on

¹⁰⁹⁸ This was formally removed from the *Bundestag* draft under Drucksache IV/3003 on 27 January 1965, BArch-K B136/1928, Fiche Nr. 2, Slide Nr. 247.

¹⁰⁹⁹ GdP Chairmann Werner Kuhlmann an die Abgeordneten des Deutschen Bundestag, 5 April 1965, Betr.: “Trennung von Polizei und Bundesgrenzschutz,” BArch-K B136/1928 Fiche Nr. 2, Slides 246-252.

¹¹⁰⁰ *Ibid.*

¹¹⁰¹ *Ibid.*

¹¹⁰² *Ibid.*

¹¹⁰³ See Rechtsgutachten von Dr. R. Zippelius, Gewerkschaft Öffentliche Dienste Transport und Verkehr, 25 March 1966, “Die Verleihung des Kombattantenstatus an den Bundesgrenzschutz,” BArch-K B136/1928, Fiche Nr. 3, Slides 248 – 261.

¹¹⁰⁴ see Niederschrift der Deutscher Bundestag 181 Sitzung, 4. Wahlperiode, 12 May 1965, 9106-9109, BA-MA BW1/317989.

national security matters. It was a distinct break from the contentious debates over security and the *Bundesgrenzschutz* in particular during the past decade (See Chapters 1 - 3). In presenting the amendment to his colleagues, Representative Artur Anders (SPD) declared: “The purpose of this law is to ensure the welfare and personal safety of BGS members who take part in an armed conflict. We have thus saved our border policemen from being treated as partisans by the enemy in such a conflict and, as such, exposed to all the dangers.”¹¹⁰⁵ How can this unanimous agreement be explained – especially in terms of the SPD, which had routinely criticized the federal government’s use of the *Bundesgrenzschutz*? On the one hand, it appeared as a direct response to the incorporation of East German border policemen into the NVA. Yet, on the other hand, the explanation for the unanimous agreement was based on the political compromise that denied combatant status to West Germany’s *Länder* and community police forces. These police forces remained civilian institutions in accordance with the Geneva Conventions of 1949. For its state and local forces, the federal and state governments agreed to work cooperatively with other nations on negotiations for a multilateral International Police Agreement. The *Bundestag* Vice President Erwin Schoettle (SPD) specifically mentioned these compromises as a key to the success of the new legislation.¹¹⁰⁶ Remarkably, in comments leading up to the final vote, *Bundestag* deputies from all of West Germany’s political parties thanked the GdP and ÖTV representatives for “their great efforts in drawing up the legal opinions, which completely clarified and delimited the tasks of West Germany’s various police organizations and the consequences arising from them.”¹¹⁰⁷ Nevertheless, in spite of the compliments given to the GdP by the *Bundestag* and the exemption of state policemen from combatant status, its leadership stood firm in their opposition to any use of policemen as soldiers. Thus, the GdP rejected any compromise on this subject. The SPD justified its support for the legislation because the compromise limited combatant status to the *Bundesgrenzschutz*. Since the GdP exclusively represented state and municipal policemen, the vote by the SPD had no effect on the GdP’s constituency.

¹¹⁰⁵ Ibid., 9107.

¹¹⁰⁶ Ibid., 9106.

¹¹⁰⁷ Ibid., 9108.

A Force to Fight West Germany's Small Wars

How did members of the *Bundesgrenzschutz* react to these developments and the change in their legal status? To be sure, archival evidence shows senior border police leaders were already preparing their men for war before and during the combatant status debate. They embraced the responsibility to fight West Germany's enemies if necessary and this development exposed the ongoing struggle or tension between continuity and change that shaped the organization over its long-term evolution. The responses and actions of border police leaders to the change in status shows that problematic themes and legacies remained prevalent even though the *Bundesgrenzschutz* was a democratic national police force. Chief *Inspekteur* Brigadier General Heinrich Müller led the organization at this time and welcomed the Interior Ministry's plans because he and many of his subordinate commanders still wanted a national defense role despite the fact that many of them were rebuffed as candidates for the *Bundeswehr* in 1956 (See chapter 3). Müller's command staff consisted entirely of men from the conservative milieu of veteran *Wehrmacht* and even some *Reichswehr* Officers, almost all of which had led troops in combat or at least served as senior members of the General Staff. Many of them were considered Prussian traditionalists because they believed military reformers like General Wolf Graf von Baudissin and his concept of *Innere Führung* were too idealistic. Indeed, during the 1950s, the *Bundesgrenzschutz* was an ideal job for many of these veterans because they served with colleagues who had similar opinions and formed a sort of *schicksaalgemeinschaft* or "community of fate." Some of these men already caused controversy and negative press by advocating a greater military role for the *Bundesgrenzschutz*, most famously during the Bonin scandal (see Chapter 3).

In December 1963, Müller authored two secret documents that outlined his vision and operational objectives to use border policemen in a war or conflict with guerilla forces. These documents showed that for border policemen, like their colleagues in the *Bundeswehr*, militarism and especially combat on

the Eastern Front was still influential.¹¹⁰⁸ The first dealt specifically with leadership and command of policemen in combat.¹¹⁰⁹ According to Müller, “stand-alone BGS tactics” were needed because in his opinion, “it is a fallacy to believe that a BGS division deployed alone in the field could defend or retaliate against an attack without suffering bloody losses.”¹¹¹⁰ Instead, he suggested border policemen would be most effective using their mobility to fight subversive forces of the enemy including what he called: “bandits, sabotage groups, guerillas, and parachutists.” Border policemen, he insisted, were best suited to strike these enemy forces with “hit and run” tactics before rapidly withdrawing. He suggested that the men must be trained to expect they will be quickly outnumbered and might have to face many opponents at once thus forcing them to operate on interior lines.¹¹¹¹ To be sure, Napoleon Bonaparte and Frederick the Great famously used the operational doctrine of interior lines to fight much larger forces and the concept was further developed by military theorists such as Antoine-Henri Jomini and Carl von Clausewitz.¹¹¹² Müller would have been very familiar with these theorists and the “art of war” more generally from his prior service as an instructor at the Prussian *Kriegsakademie* (War Academy). The staff of the *Reichswehr*, some of whom like Müller were now serving as senior members of the *Bundesgrenzschutz*, had advocated similar uses for Weimar era volunteer border guard forces that fought Communists and defend the landed estates of the *Junkers* on Prussia’s eastern borderlands during the immediate aftermath of the First World War.¹¹¹³ These same men were also influenced by their role

¹¹⁰⁸ See Christina Morina, *Legacies of Stalingrad: Remembering the Eastern Front in Germany Since 1945* (Cambridge: Cambridge University Press, 2011), 167.

¹¹⁰⁹ Inspekteur des Bundesgrenzschutz Brigadegeneral i.BGS Müller An den BGS Kommandeur des GSK Süd, Mitte, Nord, Küste, und GS-Schulen, 12 December 1963, Betr.: “Grundsätzliche Hinweise für die Führung des BGS im Einsatz,” BArch-K B106/18019.

¹¹¹⁰ Ibid.

¹¹¹¹ Ibid.

¹¹¹² Interior Lines are a favored operational doctrine of smaller forces against larger armies; see for example, Azar Gat, *A History of Military Thought: From the Enlightenment to the Cold War* (New York: Oxford University Press, 2001), 120; See also Carl von Clausewitz, *On War* (New York: Alfred Knopf, 1993); Baron Antoine-Henri de Jomini, *The Art of War* (Westport, Conn: 1977); Michael Handel, *Masters of War: Classical Strategic Thought* (London: Frank Cass, 2001).

¹¹¹³ Jun Nakata, *Der Grenzer- und Landesschutz in der Weimarer Republik*, 220.

fighting Soviet forces on the Eastern Front and had supported Colonel Bogislaw von Bonin's static border defense strategy that caused so much controversy during the re-armament debates (see Chapter 3).

Müller argued that the model for *Bundesgrenzschutz* leaders on the battlefield should be grounded in these same Prussian-era strategic lessons. He suggested: "The prerequisites for leadership under these circumstances are critical. I would therefore like to introduce the ideas of Moltke, Count York von Wartenburg, and Clausewitz, who are again valid for us – of course in a transcendent sense – for the fundamental tasks, strength, and armament of the BGS."¹¹¹⁴ From these three Prussian theorists, Müller emphasized that bold attacks, rapid movement, and tactical withdrawal were the objectives of border police leaders when suddenly faced by larger enemy forces in the field. He also outlined some of the other duties NCOs and officers might think about in the event of a war including: area reconnaissance, prisoner interrogation, and the securing of roads, bridges, and other key infrastructural nodes.¹¹¹⁵ This document clearly reflected how senior leaders like Müller envisioned the role of their men in the event of a war with communist forces. But it also revealed that in spite of repeated denials by officials in the Interior Ministry that the *Bundesgrenzschutz* was only a police force, the legacy of militarism and the Prussian General Staff in particular, was still very influential in the operational thinking of its leadership cadre. Whereas von Baudissin looked to Prussia's nineteenth century military reformers and the army to "make the subjects of the sovereign into citizens of the nation," Müller used them as examples for *élan* in combat.¹¹¹⁶ The difference in these uses of Prussian military history exposed the tensions between those like Müller in the traditionalist camp and the more progressive-minded men in the *Bundeswehr* like Baudissin.

¹¹¹⁴ Müller, "Grundsätzliche Hinweise für die Führung des BGS im Einsatz," BArch-K B106/18019.

¹¹¹⁵ Ibid.

¹¹¹⁶ Donald Abenheim, *Reforging the Iron Cross*, 97.

This was even more apparent in a second top secret planning document issued by Müller eight days later, which built upon the observations in his previous writings.¹¹¹⁷ He suggested, for example, that regardless of the outcome in the ongoing combatant status debate, the *Bundesgrenzschutz* could “not afford to wait for the emergency decrees” before taking decisive steps to train its personnel for combat. What Müller was referring to was the parliamentary debate over whether to increase the size of the size of the organization by an additional 10,000 men as part of the emergency decrees – a prospect that ultimately failed to pass.¹¹¹⁸ The combatant status for border policemen was legislated separately from the emergency decrees. And since militarized training for policemen was controversial, Müller insisted that all plans be kept confidential for “political reasons.”¹¹¹⁹ He clearly recognized the potential for negative press if members of the public or West Germany’s police unions learned that border policemen were being trained for military duties before the *Bundestag* passed an amendment. From Müller’s perspective, the *Bundesgrenzschutz* was the only force capable of fighting what he termed West Germany’s “small wars” – in other words, combat against irregular forces and “bandits,” which he claimed were being trained by the Soviets to overthrow the state from within.¹¹²⁰ He argued that neither the *Bundeswehr* nor the state police forces were prepared to fight this “insidious enemy” and that the “population of the Federal Republic would be utterly helpless and terrorized into submission against the brutal measures of these fighting groups and thus the responsibility and the burden of this defensive fight will have to be borne by the BGS.”¹¹²¹ And these guerilla-small wars themes were further promulgated in the articles appearing in the monthly border police journal *Die Parole* under such titles as “Kampf gegen

¹¹¹⁷ Inspekteur des Bundesgrenzschutz Brigadegeneral i.BGS Müller An den BGS Kommandeur des GSK Süd, Mitte, Nord, Küste, und GS-Schulen, 20 December 1963, Betr.: “Zusätze zur “Einsatzmöglichkeiten des Bundesgrenzschutzes,” BArch-K B106/18019.

¹¹¹⁸ Dee Michael Schneider, *Demokratie in Gefahr? Der Konflikt um die Notstandsgesetze* (Bonn: Verlag Neue Gesellschaft, 1986), 165-166.

¹¹¹⁹ Inspekteur des Bundesgrenzschutz Brigadegeneral i.BGS Müller An den BGS Kommandeur des GSK Süd, Mitte, Nord, Küste, und GS-Schulen, “Zusätze zur “Einsatzmöglichkeiten des Bundesgrenzschutzes,” BArch-K B106/18019.

¹¹²⁰ Ibid.

¹¹²¹ Ibid.

Banden und Agenten,” and “Rote Methoden im Kampf um Asien” (fight against bandits and agents, red methods in the fight for Asia).¹¹²²

These documents show that what Müller and his command staff feared and were preparing for was defending against subversive or guerilla tactics. The fear of *Bürgerkrieg* or civil war, which might erupt along the Iron Curtain against units of *Volkspolizei* or militarized East German border guards, was also a primary concern. Because of this, he devoted an entire section of the planning document to “unconventional warfare, guerilla tactics and small wars.” To fully emphasize these dangers, he used quotes from Chinese Premier Mao Zedong, Indonesian Army General Abul Nasution, and U.S. President John F. Kennedy.¹¹²³ Thus, for example, he pointed to the strategy of smaller forces fighting a protracted war against a larger foe whereby as Mao suggested: “We wear down the enemy until he is fatigued and then strike him.” Or Abdul Nasution’s dictum that a defender must never forget “guerillas move like lice among the population.”¹¹²⁴ He also reiterated John F. Kennedy’s warning that “the security of the free world cannot only be endangered by an atomic attack, but also a crumbling process on the periphery, carried out by forces of subversion, an indirect and externally unrecognizable aggression, an insurrection, or a diplomatically extortionate small war.” Finally, he referred to U.S. Secretary of Defense Robert McNamara who said “the struggle of subversive warfare is possibly the decisive struggle with Communism in this decade.”¹¹²⁵ What McNamara was referring to here was a protracted guerilla war. Müller and other leaders in the *Bundesgrenzschutz* believed insurgents supported by the Soviet Union would wage a campaign to defeat democracy from within in advance of a larger conventional attack.

¹¹²² These are just a few representative examples of the many articles focused on subversive warfare: See for example, “Kampf gegen Banden und Agenten,” *Die Parole* 12, no. 11 (15 November 1962), 3-4; “Rote Methoden im Kampf um Asien: Flugblattbomben, Perfekter Terror, Wirtschaftshilfe, Ideologie, Revolution,” *Die Parole* 12 no. 8 (15 August 1962), 17-18.

¹¹²³ Ibid.: Nasution and Mao Zedong were two of the most popular theorists of guerilla warfare at the time.

¹¹²⁴ Abdul Nasution was a General in the Indonesian Army who wrote a book on guerilla warfare; See Amdul Nasution, *The Fundamentals of Guerilla Warfare and the Indian Defense System Past and Future* (Djakarta: Indonesian Army Information Service, 1953).

¹¹²⁵ Ibid.

Müller and his colleagues were influenced by their experiences against Soviet partisans on the Eastern front, but also from their understanding and observations of colonial wars in the developing world.

By evoking these fears of guerilla warfare, Müller's thinking reflected how global Cold War tensions and his own military experience shaped his vision for the uses of policemen in combat. The prospect of fighting small wars against irregular guerilla bands was fresh on his mind during the 1960s, when both the United States and Soviet Union regularly engaged in proxy wars to gain strategic influence in developing countries around the world. The United States was also expanding its role in Vietnam and globally many decolonization wars were fought in places like Malaya, Algeria, and Kenya – topics that were regularly featured in *Die Parole* articles.¹¹²⁶ These articles were conceived so that readers would gain an understanding of the type of conflict and the enemies they might face – in particular guerilla-style wars against ideologically driven insurgents. Lora Wildenthal's study on the political uses of human rights by postwar West Germans shows how West Germany's New Left formed "solidarities with non-Germans such as foreign students, foreign guest workers, and anti-national liberation movement activists."¹¹²⁷ This was unsettling to conservative leaders in the *Bundesgrenzschutz*. The radical movements spreading across Europe – that were depicted as potential enemies in border police literature – romanticized the stereotypical guerilla fighter during the 1960s by embracing the images of iconic figures such as Fidel Castro and Che Guevara among many others.¹¹²⁸ Both Castro and Guevara were regularly demonized as conspiratorial figures in *Die Parole* political cartoons. To be sure, Müller believed the *Bundesgrenzschutz* would play a decisive role in defending the Federal Republic against both asymmetrical – radical terrorist movements – and convention armed forces like the *Volkspolizei*. For he

¹¹²⁶ See Michale Burleigh, *Small Wars, Faraway Places: Global Insurrection and the Making of the Modern World, 1945-1965* (New York: Penguin Books, 2014), 6; William J. Lederer, "Der Guerillakrieg, den Roten verloren: Das Beispiel des Malaiischen Bundes zeigt, dass die Kommunisten in Asien keineswegs unbesiegt sind," *Die Parole* 12, no. 11 (15 November 1962), 13-15, 25.

¹¹²⁷ Lora Wildenthal, *The Language of Human Rights*, 11.

¹¹²⁸ *Die Parole* magazine in particular featured numerous articles and politicized cartoons that reflected this linkage; Russell Duncan, "The Summer of Love and Protest: Transatlantic Counterculture in the 1960s," in Grzegorz Kosci, Clara Juncker, Sharon Monteith, and Britta Waldschmidt-Nelson (eds.) *The Transatlantic Sixties: Europe and the United States in the Counterculture Decade* (Bielefeld: Transcript Verlag, 2013), 149.

and members of his staff, it was simply a matter of time before the ongoing East-West tensions led to confrontations that might start in the form of an illegal border crossing or a terrorist attack by a communist guerilla force.

While the Interior Ministry's plans to make military combatants out of the police was welcome news to the leadership cadre of the *Bundesgrenzschutz*, they had already assumed a quasi-military role along West Germany's frontiers. Its units and their personnel regularly took part in NATO war games, most notably, the controversial *Fallex 62* exercise that led to the infamous *Spiegel Affaire* (See Chapter 4). In exercises like *Fallex 62*, border policemen were supposed to disrupt enemy forces by using their mobility to strike and retreat. Border policemen also guarded vital infrastructure sites and were assigned to contain guerilla fighters. In other words, the *Bundesgrenzschutz* was used in *Fallex 62* and other NATO exercises as a delaying force until they could be relieved by heavier armed forces. Since they were stationed at the border and would be the first to encounter an invading enemy army, they were incorporated as part of the larger NATO war plans. According to Helmut Hammerich, "during the Cold War, the North German Plain and the Fulda Gap were considered the most probable axes of advance for Warsaw Pact forces."¹¹²⁹

The *Bundesgrenzschutz* regularly patrolled the region around the Fulda gap and was thus considered an important resource to assist NATO if an attack developed in this area. But the participation of border policemen in exercises like *Fallex 62* sometimes caused problems. During an exercise known as *Übung Südbayern*, for example, the *Bundesgrenzschutz* found itself in the middle of a controversy that came to the attention of West Germany's police unions. The Interior Ministry first learned of these problems in February 1973 when GdP Chairman Kuhlmann brought it forward as part of a general complaint against police militarization in the campaign against the Baader-Meinhoff gang (See Chapter

¹¹²⁹ Helmut Hammerich, "Fighting for the Heart of Germany: The German I Corps and NATO's Plans for the Defense of the North German Plain in the 1960s," in Jan Hoffenaar and Dieter Krüger (eds.), *Blueprints for Battle*, 156.

7).¹¹³⁰ Most of what we now know about *Übung Südbayern* comes from the after action report of the officer in charge and the Interior Ministry's 1973 investigation.¹¹³¹ The exercise took place between 1 and 28 April 1964 and was supposed to test the abilities of border policemen and U.S. soldiers to fight guerilla bands and practice interrogation techniques. The German word used to describe the activity was *Bandenbekämpfen* – or bandit fighting, which was a problematic term used to describe anti-partisan warfare by German security police units in the Second World War (See Chapter 5). There were 196 border policemen that volunteered to act as enemy “bandits” and of these, 20 were captured by the Green Berets and brought to the interrogation center on a farm in the Bavarian village of Lenggries.¹¹³² In the after action report, Major Sleik, who was the senior *Budessgrenzschutz* officer, admitted that some of the men had complained to him about rough treatment. Many of them, he claimed, had reported they were injured in beatings inflicted on them by U.S. soldiers. It was Sleik's opinion, however, that “in order to prepare the men for these kinds of emergencies, they had to be exposed to such hardships” because it replicated what they would ultimately have to face in combat.¹¹³³ An attachment to Major Sleik's report included a listing of allegations from policemen who wished to remain anonymous. Many of them alleged they had been “tortured” during mock interrogations. One of the men stated that Major Sleik simply stood by and laughed rather than put a stop to it and then afterwards threatened them all with discipline if they “violated their oath of secrecy.”¹¹³⁴

¹¹³⁰ Referatsleiter Dr. Alfred Einwig Bundesministerium des Innern, “Bericht des Bundesministers des Innern vor dem Innenausschuss des Deutschen Bundestages am 14. March 1973 zu Vorwürfen gegen den Bundesgrenzschutz,”; Brief, Abteilungsleiter BGS an Bundesministerium des Innern 2 March 1973, Betr.: Vorwürfe des Vorsitzenden der Gewerkschaft der Polizei gegen den Bundesgrenzschutz,” BArch-K B106/83904.

¹¹³¹ See Briefe, Vom Major Sleik Grenzschutzabteilung I/1 Deggendorf an das Grenzschutzkommando Süd München, 11 June 1964 – VS-NUR FÜR DEN DIENSTGEBRAUCH – Betr.: “Übung Südbayern Erfahrungsbericht,” BArch-K B106/83905; Dr. Hermann Maassen, Staatssekretär a.D., “Bericht: betreffend die Vorwürfe der Gewerkschaft der Polizei gegen den Bundesgrenzschutz,” 20 March 1973, BArch-K B106/83906.

¹¹³² Dr. Alfred Einwig Bundesministerium des Innern, “Bericht des Bundesministers des Innern vor dem Innenausschuss des Deutschen Bundestages am 14. March 1973 zu Vorwürfen gegen den Bundesgrenzschutz,” 15, BArch-K B106/83904.

¹¹³³ Major Sleik, “Erfahrungsbericht,” BArch-K B106/83905.

¹¹³⁴ Ibid., Anlage 1: “Bericht eines ehemaligen BGS-Beamten.”

In 1973, the *Bundestag* Internal Affairs Committee asked the Interior Ministry to investigate the allegations and report its findings.¹¹³⁵ The matter was assigned to recently retired *Staatssekretär* Dr. Hermann Maassen. At the conclusion of his investigation, Dr. Maassen found that the border policemen interrogated by the U.S. Special Forces during *Übung Südbayern* were indeed mistreated, especially since none of them had given their express consent for the physical abuse they suffered.¹¹³⁶ He insisted, however, that the two most serious allegations – that an officer had been tied to a tree by his genitals, and others had been beaten with sticks – were completely unfounded. He learned that the techniques employed by the Americans were experimental and had only been approved by Special Forces Command six days before the exercise began. According to Maassen, some of the techniques approved for use by the American interrogators included pouring cold water on prisoners, using leashed dogs to inflict fear, threats of physical abuse, placing prisoners into kneeling and other uncomfortable positions, and temporary restraint. These tough methods were used to see how soldiers would react to them. Nevertheless, Maassen claimed that this one single incident of harsh training “cannot be used to condemn the overall training methods used in the *Bundesgrenzschutz*.”¹¹³⁷ Remarkably, the incident failed to provoke any debate among West Germans about American interrogation methods other than the original complaints from the border policemen who were subjected to them. The reason why the incident did not provoke a wider debate about the American methods had to do with the timing of when the public became aware of it. The operation in question – *Südbayern* – took place in 1964 whereas Kuhlmann’s statements to the press about it were first made nine years later in 1973. By 1973, West Germans were more focused on domestic terrorism and the *Bundesgrenzschutz* had a larger role in promoting stronger internal security (see Chapter 7).

¹¹³⁵ Dr. Alfred Einwag Bundesministerium des Innern, “Bericht des Bundesministers des Innern vor dem Innenausschuss des Deutschen Bundestages am 14. March 1973 zu Vorwürfen gegen den *Bundesgrenzschutz*,” BArch-K B106/83904.

¹¹³⁶ Dr. Hermann Maassen, *Staatssekretär a.D.*, “Bericht: betreffend die Vorwürfe der Gewerkschaft der Polizei gegen den *Bundesgrenzschutz*,” 20 March 1973, BArch-K B106/83906.

¹¹³⁷ *Ibid.*

In spite of Dr. Maassen's findings that the abuses perpetrated during *Übung Südbayern* were isolated, it definitely showed that the *Bundesgrenzschutz* was fundamentally training and functioning more like a military than a civilian police force. What other possible justification could the Interior Ministry give for carrying out joint exercises with elite members of the U.S. Special Forces preparing for combat in Vietnam? Moreover, both *Fallex 62* and *Übung Südbayern* took place before any legislation was passed authorizing policemen to take part in combat.¹¹³⁸ During an introductory lecture at the quarterly meeting of his Command Staff in January 1964, Müller claimed that *Fallex 62* demonstrated the confusion between the state and federal governments over the role of police forces if a national emergency were declared.¹¹³⁹ In commenting on international and domestic affairs, he pointed out that the "Cuba Crisis" demonstrated that a nuclear war would lead to the destruction of the world, but that border policemen must remain vigilant to defend the state against a covert or limited war carried out by subversive means. He also suggested that the government was finally realizing the value of the *Bundesgrenzschutz* to fight these subversive enemies as reflected in the proposed combatant status legislation.¹¹⁴⁰ Müller concluded that the "BGS cannot remain in an ivory tower...the fight over combatant status has been particularly vigorous and I don't see the point of the sides in this debate...however, the loss of combatant status for the Länder police has to be seen as the potential price to pay for its success in the BGS."¹¹⁴¹ In other words, for Müller, the main concern was ensuring that his border policemen were legally recognized as combatants regardless of what happened at the state level of government.

¹¹³⁸ The BGS had been actively involved in war games exercises since its foundation in 1951.

¹¹³⁹ BGS Inspekteur Heinrich Müller, "Einführung zur Kommandeurbesprechung am 21. January 1964, BArch-K B106/93268.

¹¹⁴⁰ Ibid.

¹¹⁴¹ Ibid.

Preparing for *Bürgerkrieg* (civil war) in Divided Germany



Figure 6.2
Border policemen destroying bunkers, BArch-K B106/17074

The revision of the Federal Border Police Act of 1951 read as follows: “The Federal Border Police authorities may, in the event of securing the federal territory outlined in section 2, also use weapons to defend against military attacks.”¹¹⁴² Now that the *Bundesgrenzschutz* was legally permitted to fight in the event of a war, its Command Staff intensified the guerilla – small wars training curriculum. Shortly after the law passed, the Border Police School in Lübeck-St. Hubertus published the first draft of a “Street Fighting Manual,” which emphasized tactics for urban combat and house-to-house fighting.¹¹⁴³

¹¹⁴² See Bundestag Drucksache IV/343.

¹¹⁴³ Oberst i. BGS Winkelbrandt, “Strassenkampffibel für den Bundesgrenzschutz,” December 1965, BArch-K B106/83898.

The manual was introduced along with a lecture about *Wehrmacht* urban fighting tactics during the 1944 Warsaw Uprising (See Chapter 5). Another war game exercise, *Übung Hessen*, took place over a five day period from 10 to 15 October 1965; this time, it only involved border police units.¹¹⁴⁴ In summarizing the lessons learned from *Übung Hessen*, *Inspekteur* Müller pointed out that the exercise demonstrated the importance of leadership in overcoming what were designed to be “insurmountable” tasks for border police units. At the beginning of the exercise, for example, policemen were assigned to protect 450 key civilian infrastructural objects such as factories, power plants, and hospitals. Müller reported that the unit leaders had to decide which objects were most important and whether it was better to stay in a defensive position or actively seek out and “hunt down” the enemy. He was critical of the commanding officer *Grenzschutz-Gruppe Süd* (border police group south) who instantly went on the attack and thus left the 90 infrastructural facilities he was assigned to guard undefended; the result was 89 of them fell into the hands of the Communist insurgents.¹¹⁴⁵

Again and again, Müller emphasized the importance of Prussian military history to shape the leadership lessons he wanted his command staff to learn from *Übung Hessen*. In criticizing actions by the leader of border group south for leaving vital points undefended, he turned to two examples from Frederick the Great’s campaigns during the Seven Years War and explained: “We need commanders who can lead to a Leuthen rather than to a Kunersdorf.”¹¹⁴⁶ Müller claimed that the point of using military history to evaluate commanders in the exercise had less to do with finding concrete solutions to complex problems, but rather enabled his men to understand the “initiative” that differentiated poor from effective leaders. He also insisted, however, that his objective was not to “introduce predominantly military

¹¹⁴⁴ Der Inspekteur des BGS Brigadegeneral i. BGS Müller an den GSK Süd, Mitte, Nord, Küste, und GS-Schulen, Betr.: “Schlussbesprechung Übung Hessen 1965,” 21 October 1965, BArch-K B106/18019.

¹¹⁴⁵ Ibid.

¹¹⁴⁶ Ibid., Leuthen and Kunersdorf were battles fought by Frederick the Great during the Seven Years War; At Leuthen, Frederick outmaneuvered and defeated a larger Austrian Army whereas at Kunersdorf, he was soundly defeated by a combined Russo-Austrian army; On Frederick the Great’s battles see Robert Citino, *The German Way of War: From the Thirty Years War to the Third Reich* (Lawrence: University Press of Kansas, 2005), 83-90; See also Russell F. Weigley, *The Age of Battles: The Quest for Decisive Warfare from Breitenfeld to Waterloo* (Indianapolis: Indiana University Press, 1991), 190.

thinking in the BGS.”¹¹⁴⁷ For Müller, the outcome of a specific battle or its particular historical period was immaterial. Quoting from the memoirs of the Prussian strategist Count Alfred Schlieffen, he reminded his subordinate commanders that in every battle “the basic principles of leadership remain, and one of these laws is that one cannot defeat the enemy without attack.” In fact, in analyzing *Übung Hessen*, he repeatedly quoted from the memoirs of Prussian leaders the likes of Schlieffen, Helmuth von Moltke and even *Reichswehr* General Hans von Seeckt.¹¹⁴⁸ On the one hand, Müller’s use of military leaders who predated the Third Reich might be read as an attempt to find useable military traditions free from the burden of National Socialism. Yet, on the other hand, these same leaders were influential for officers serving on the *Wehrmacht* General Staff. To be sure, he probably invoked these examples because they would have been familiar to him from his tenure as an officer at the Nazi *Kriegsakademie* rather than from a conscious attempt at distancing the border police from problematic legacies.

While Müller claimed he never intended to “introduce military thinking in the BGS,” this is precisely what he was doing. His analysis of *Übung Hessen* read like a “who’s who” of the Prussian General Staff and replicated many of its famous dictums such as the famous battlefield leadership doctrine encompassed by the German term *Auftragstaktik* (flexible command).¹¹⁴⁹ *Auftragstaktik* reflected the Prussian military concept that once given a combat mission and the means to carry it out, subordinate commanders on the battlefield had to use their own initiative within the mission’s parameters to achieve victory.¹¹⁵⁰ In other words, *Auftragstaktik* relied on the ability and creativity of the individual combat leader to carry out the objectives of a given plan or mission using his own skills rather than following a rigid set of orders from superior officers. Müller defined it using the following quote from General von Seeckt: “*Auftragstaktik* is based on the healthy idea that the one who bears responsibility for success must

¹¹⁴⁷ Müller: “Schlussbesprechung Übung Hessen 1965,” 21 October 1965, BArch-K B106/18019.

¹¹⁴⁸ Ibid.

¹¹⁴⁹ Ibid.

¹¹⁵⁰ Robert Citino, *The German Way of War*, 170-172.

also choose the way to achieve it.”¹¹⁵¹ Müller also emphasized Moltke’s definition that “simple action, carried out with success, will most certainly achieve the objective.” *Übung Hessen* must therefore be seen as a military exercise that defied the principles and duties of civilian law enforcement.¹¹⁵² That border policemen were functioning as combatants and relying on Prussian military doctrine showed how it continued to influence senior leaders on the *Bundesgrenzschutz* command staff.

These ghosts of Prussia’s General Staff notwithstanding, what practical lessons did Müller want his subordinates to take away from *Übung Hessen*? The key appeared in the second half of his analysis, which focused exclusively on how to fight guerilla insurgents in a subversive war. To emphasize the main points of his argument, he offered comparative examples of the French and American armies in combat against insurgents in Vietnam.¹¹⁵³ For Müller, the French provided a textbook example of what not to do because they fought the *Vietcong* guerillas using conventional means and thus suffered what he called “pin prick attacks” that slowly demoralized the army during a ten-year protracted war. He suggested that their (French) stubborn defense of villages such as Dien-Bien-Phu ultimately proved counterproductive and failed in the same manner as those Border Police commanders who attempted to protect every assigned objective during *Übung Hessen*.¹¹⁵⁴ In his opinion, focusing exclusively on defensive object protection (*Objektschutz*) without attacking and destroying the opponent was a recipe for disaster. Müller found the American use of Special Forces against the *Vietcong* guerillas to be much more effective when fighting insurgents. The Americans, he claimed, used their Special Forces to covertly strike at known guerilla villages while deploying their stronger combat forces to protect lager objectives.¹¹⁵⁵ Using this American model, Müller suggested that a similar solution for border policemen in *Übung Hessen* might be replicated by using one police unit to protect selected objects while another could actively “hunt and attack guerilla forces.” Müller’s analysis clearly reflected the influence of U.S.

¹¹⁵¹ Müller: “Schlussbesprechung Übung Hessen 1965,” 21 October 1965, BArch-K B106/18019.

¹¹⁵² Ibid.

¹¹⁵³ Ibid.

¹¹⁵⁴ Ibid.

¹¹⁵⁵ Ibid.

Special Forces guerilla warfare doctrine and the conflict in Vietnam on the *Bundesgrenzschutz* that was expressly demonstrated during *Übung Südbayern*. Thus, by the time *Übung Hessen* took place, West Germany's border policemen were already legally and spiritually militarized.¹¹⁵⁶

The preparation of the *Bundesgrenzschutz* for guerilla or civil war went beyond their activities in war games exercises. During the quarterly Command Staff meetings, senior leaders discussed a significant amount of training and pedagogical material devoted to guerilla, revolutionary, and civil war tactics. Officials in the Interior Ministry's Security Branch put together a comprehensive "subversive war" reading list that was distributed to all of the Border Police Command centers (GSK).¹¹⁵⁷ The reading lists included works by Mao Zedong, Che Guevara, Abdul Nasution, Ho Chi Minh and many others. The list was extensive and the titles included subjects such as: civil war, partisan war, the resistance of middle Germany, the civil war army, communist strategies in Asia, warfare in the dark, partisan warfare in the Soviet Union, small war and total resistance, subversive war, behind the front, behind enemy lines, and mountain warfare. The subject described as the "resistance of middle Germany" referred to Germany's position in the middle of Europe with no significant natural barriers. A second reading list with many more additional works on guerilla warfare was circulated in the meetings and listed the specific libraries where the books and articles could be found – many of which were already held by the Interior Ministry.¹¹⁵⁸

Why did the leaders of the *Bundesgrenzschutz* imagine that they might have to fight a civil or guerilla war? To be sure, outside of war game exercises such as *Übung Südbayern* and *Hessen*, there is no evidence to suggest that border policemen ever engaged in combat with communist guerillas. Occasionally, however, West German border policemen did confront NVA border guards and incidents

¹¹⁵⁶ Ibid.

¹¹⁵⁷ See Bundesministerium des Innern, "Literaturhinweise über Schriftum des Subversiven Kampfes," 11 November 1965, BArch-K B106/93268.

¹¹⁵⁸ See Bundesministerium des Innern Bücherei Bonn, "Partisanenkrieg," Literaturübersicht nach den Beständen der Bücherei, 12 January 1965, BArch-K B106/93268.

did occur such as the seizure and temporary detention of a *Bundesgrenzschutz* patrol by NVA border guards in disputed territory near Grasleben-Weferlingen.¹¹⁵⁹ Incidents such as this along with what border police leaders perceived from the Western counterinsurgency campaigns in Vietnam and Algeria played a significant role in stoking fears of a small or guerilla war erupting at some point along the inner-German border. Localized border tensions between security forces following the incorporation of East German border guards into the NVA caused significant angst for the West German government. But opponents on both sides of the border fundamentally believed a German-German civil war might begin with a clash between local security forces. Thus, the incorporation of East German border guards into the NVA and the response by West Germany awarding combatant status to its border policemen directly resulted from these mutually held fears.

To understand how fears over the threat of civil war underscored the combatant status debate, it is necessary to look at how forces on both sides of the divide viewed each other. At the quarterly meeting of *Bundesgrenzschutz* commanders on 24 November 1965, BGS-Major Jansch presented a lecture with detailed intelligence about the status of NVA border guards.¹¹⁶⁰ He emphasized that recent estimates suggested the number of East German border guards had reached 50,000 by 1963. He claimed these forces had better equipment, housing, and training now that they had been taken over by the NVA.¹¹⁶¹ What is striking about Major Jansch's report, however, is the number of minor or localized incidents he reported between East and West German patrols. According to Jansch, in 1963 alone the Border Police Command at Hesse reported some 6,000 minor incidents, mostly related to observations of NVA troops and intelligence gathering by *Bundesgrenzschutz* officials. From these 6,000 reports, however, there were 600 incidents he classified as "attacks," where NVA border troops deliberately crossed into disputed West

¹¹⁵⁹ See "Festnahme einer Streife des Bundesgrenzschutz durch Angehörige der Grenztruppen der NVA bei Grasleben (BRD/Weferlingen (DDR) 1969," NLA-HA, Nds. 220, Acc. 27/91 Nr. 20.

¹¹⁶⁰ Major i. BGS Jansch, "Vortrag anlässlich der Zusammenziehung der Kommandeure des BGS am 24.11.1965 in München, Vertraulich! Betr.: Versuch einer vergleichenden Betrachtung der beiderseits der SBZ – DL eingesetzten Sicherungskräfte, unter besonderer Berücksichtigung der NVA Grenz Truppen," BArch-K B106/93268.

¹¹⁶¹ Ibid.

German territory on reconnaissance missions.¹¹⁶² He pointed out that this dramatic increase in “provocative” incidents along the rural border began in 1961 after the construction of Berlin Wall made it more difficult for refugees to flee west through the city. According to Jansch, the Berlin Wall was a decisive development that transferred tensions from the divided city out to the rural regions of the inner-German border.¹¹⁶³

The GDR viewed the decision legally recognizing members of the *Bundesgrenzschutz* as combatants with the same alarm expressed by West Germans over their consolidation of border guards into the NVA. Detailed GDR intelligence reports from East German archives show that they had an excellent understanding of the personnel, arms, and organization of their potential adversaries on the other side of the border.¹¹⁶⁴ The reports reflected that they too feared the possibility of a civil-war style conflict along the inner-German border and were particularly suspicious of border policemen taking part in NATO war game exercises.¹¹⁶⁵ For GDR analysts, West German border policemen were simply a part of the *Bundeswehr* disguised as a police force that would in all likelihood increase provocations and tensions at the inner-German border. They were concerned about the armaments and superior mobility of their counter-parts, especially their recent acquisition of the British light armored reconnaissance vehicle known as the Saladin.¹¹⁶⁶ The Saladin was essentially a small tank equipped with two medium machineguns and a 76.2-millimeter main gun capable of firing armor piercing projectiles (**See Figure 6.3**).¹¹⁶⁷ The report also provided a detailed analysis of the present status of *Bundesgrenzschutz* forces

¹¹⁶² Ibid.

¹¹⁶³ Ibid; The increased pressure on the rural border is consistent with Sagi Schaefer’s findings for the effects of the Berlin Wall on the agriculture and farmers along the inner-German border whereby the GDR increased its security measures now that illegal crossings in Berlin were less likely – see Sagi Schaefer, *States of Division*, 138.

¹¹⁶⁴ Bundesgrenzschutz data was included in the following GDR report from 1960: “Bericht über die Waffen und Geräte der westdeutschen Wehrmacht,” BA-MA DVW1/25814; See also “Bericht über den Bundesgrenzschutz und die Bereitschaftspolizei,” Stand: 10 March 1961, BA-MA DVW1/25825e.

¹¹⁶⁵ Bericht: “Die Rolle und Aufgaben des Bundesgrenzschutzes in den militärischen Plänen Bonns,” 1 June 1965, BA-MA DVW1/25771b.

¹¹⁶⁶ Ibid.

¹¹⁶⁷ Figure 1 Saladin photo, BA-MA DVW1/25771b; For a description of the Saladin see George Bradford, *Cold War Armored Fighting Vehicles* (Mechanicsburg PA: Stackpole Books, 2010), 53



Aufklärungspanzer "Saladin"

Figure 6.3

"Saladin" light armored vehicle, BArch-MA DVW1/25771b

and included a map of its main operational bases. The GDR estimated that Bonn would attempt to increase the strength of its federal police force and potentially turn it against its own population. The analysts concluded that West Germany had fundamentally "created an additional military formation that, along with the Länder and riot police [BePo] can be used against its [West German] population at any time." Moreover, they also found that it "was in a strong position to carry out limited and independent combat operations" against NVA border security forces.¹¹⁶⁸

Remarkably, many of these reports demonstrate that GDR analysts had a good working knowledge of how the *Bundesgrenzschutz* was staffed, equipped and trained. Obviously, both states were engaged in intelligence and counter-espionage activities against each other and the GDR reports all

¹¹⁶⁸ Bericht: "Die Rolle und Aufgaben des Bundesgrenzschutzes in den militärischen Plänen Bonns," BA-MA DVW1/25771b.

contained the following, obviously unheeded, warning: “This material is to be destroyed after evaluation.”¹¹⁶⁹ GDR analysts described West Germany’s border policemen as a civil war army (*Bürgerkrieg-armee*). In one report, under the subheading “Role and Importance of the BGS in the War Plans of the Bonn Militarists,” analysts described the *Bundesgrenzschutz* in the following manner:

German imperialism and militarism began immediately after 1945 with the remilitarization of West Germany. Even after the construction of a new army, the BGS remained and shows that Bonn never had any intention of disbanding it. Our estimates clearly show that German militarism is alive and well in the form of the BGS – a well-trained civil war force, which under the sole command of the [West German] government routinely carries out deliberate provocations and military attacks along the East German and Czech borders. The BGS is thus a fully motorized police army with officers recruited from the ranks of the fascist Wehrmacht and who are indoctrinated and trained in the spirit of fascist and revanchist traditions.¹¹⁷⁰

The report included detailed colored maps and organizational charts that precisely described where the *Bundesgrenzschutz* units were stationed, how they were equipped, and details about the number and caliber of their weapons (See **Figure 6.4**).¹¹⁷¹ In yet another report, the analyst concluded that that, “the preparation of the BGS is based on a purely military point of view and its personnel are trained with NATO forces to attack and defend against guerilla forces.”¹¹⁷² The intelligence reports and guerilla warfare training of policemen on both sides of the demarcation line shows the escalation of mutual fears among the Eastern and Western security forces. But the evidence also shows that in spite of the beginning of détente as reflected in the diplomacy of governing elites, those on the ground level responsible for security still believed they might have to fight their opponents on the other side.¹¹⁷³

¹¹⁶⁹ Bericht: “Information über den Personal – und Kampfbestand, die Dislokation, Bewaffnung und Ausrüstung des Bundesgrenzschutz und der Bereitschaftspolizei in Westdeutschland,” Stand: 1 April 1960, BA-MA DVW1/25819c.

¹¹⁷⁰ Ibid.

¹¹⁷¹ Ibid.

¹¹⁷² “Bericht über den westdeutschen Bundesgrenzschutz,” 3 February 1960, BA-MA DVW1/25814c.

¹¹⁷³ Détente refers to the policy of an easing of tensions between the superpowers and an acceptance of the status quo in regard to Europe’s division; see for example March Trachtenberg, *A Constructed Peace*, 231.

2.3 Dislokation des Bundesgrenzschutzes

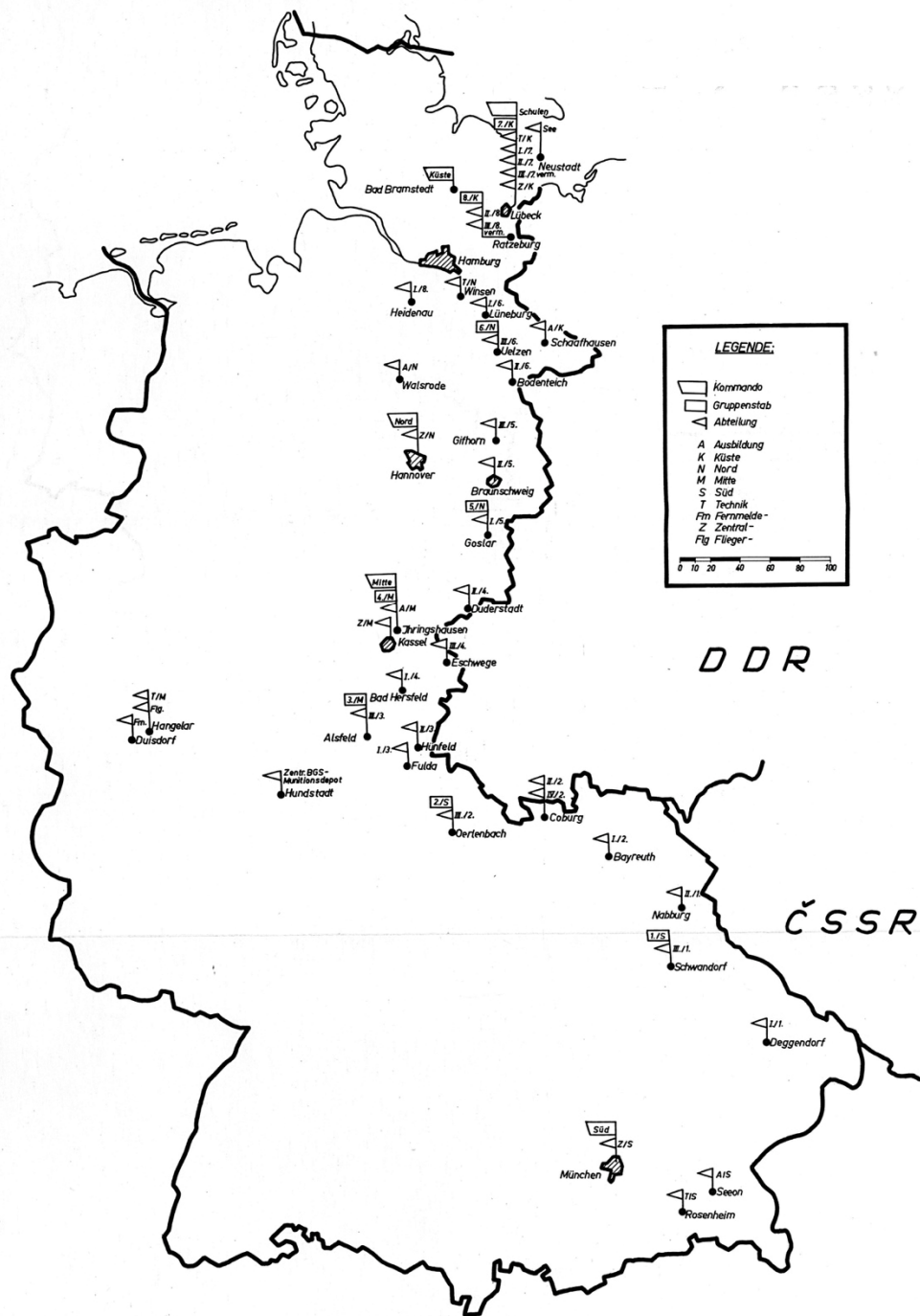


Figure 6.4
GDR map of BGS positions, BA-MA DVW1/25771b

Conclusion: Militarized Police and West German Democracy



While the Interior Ministry's campaign to militarize the *Bundesgrenzschutz* ultimately succeeded over the objections of police labor unions, what did this mean for West Germany's long-term democratization? In other words, did the equipping and training of border policemen to fight a civil or guerilla war undermine the development of liberal democratic culture or signal a step backwards for the Federal Republic? Was GdP Chairman Kuhlmann correct in his assertion that a "creeping process of militarization" was blurring the lines between the duties of policemen and soldiers? As this chapter has demonstrated, the competing memories of Germany's experiences in two world wars was used for different purposes by those on both sides of the combatant status debate. The police unions found abuses by the police during the Third Reich to be a useable narrative against combatant status while the Interior Ministry used Nazi policing to justify increased militarization. Yet, the efforts by labor unions such as the GdP and the ÖTV were decisive in the final outcome of the debates. By enlisting the support of legal scholars, the unions were able to shape the decisions of lawmakers and thus limited the scale of police

militarization to the *Bundesgrenzschutz*. Although GdP Chairman Kuhlmann and his counterparts at the ÖTV might have believed they only achieved a *Pyrrhic* victory, they did bring larger questions about the role of West Germany's police into greater focus. It was their activism and increased scrutiny that opened space for the Interior Ministry to take an introspective look at what the *Bundesgrenzschutz* was and how it could be used in the future. As the next chapter will show, it was the discussions surrounding the emergency laws and combatant status more specifically that led to the first comprehensive postwar police reform program.

Given West Germany's status as a democratic state, how can we explain its attempt to militarize its civilian police forces? First and foremost, its policies have to be considered from the perspective of the regular incidents taking place along the Iron Curtain. Moreover, the Soviet crackdowns against the popular uprisings in East Berlin and Budapest during the previous decade were still fresh on the minds of most West Germans when the 1960s began. The construction of the Berlin Wall put more pressure on the security forces stationed at the rural border as the number of illegal crossings increased. Against this background, officials in Interior Ministry's Security Branch believed policemen needed the protection of international law if one of these border incidents expanded into a war between East and West. Ultimately, they feared that Soviet or East German forces might execute policemen as partisans if they resisted an armed attack. So from a purely legalistic perspective, the Interior Ministry and West Germany's lawmakers believed they were merely safeguarding the rights of policemen to be treated in accordance with the international laws of war. From this perspective, the Cold War helped democracy because it forced lawmakers to take a hard look at the legal justifications for using policemen as soldiers.

West Germany's police unions, however, rejected the notion of mixing policing and military tasks in one force. For the GdP and ÖTV, there could be no compromise – policemen were either civilians or combatants, in which case they should be subordinated to the *Bundeswehr*. The unions were therefore key in mitigating the extent to which the federal government could militarize its police forces – a positive sign of a stable democracy on its own. But the polemical debate did not end with the

unanimous parliamentary vote awarding combatant status to the *Bundesgrenzschutz* and denying it to the state police. It did, however, expose the competing use of memory by all parties with a stake in the final outcome of the debate. GdP Chairman Werner Kuhlmann, a chief opponent of the legislation, believed the federal government's plans threatened to return West German policemen to the oppressive roles (*Waffen SS* and *Ordnungspolizei*) they held during the Third Reich. But the Interior Ministry countered by using the Third Reich as a model example of how policemen fought as part of the *Wehrmacht* and were treated as regular soldiers when captured, thus no new law was necessary. The debate also laid bare the legacies enshrined in the international community's condemnation of Germany as a belligerent nation-state in two world wars. Thus, according to legal scholars like Dr. Berber and Dr. Scheuner, for example, one only had to look at the 1914 German atrocities in Belgium to see the dangers of mixing civilian and military roles in a war – a problematic point of view that continued to whitewash Germany's role in the murder of over 6,000 innocent civilians.

For the *Bundesgrenzschutz*, especially its conservative Officer Corps, the willingness of the federal government to recognize them as military combatants was welcome news. *Inspekteur* Müller in particular liked to use Prussian theorists and military history to emphasize many of the leadership principles he believed his men would need to face an enemy armed force. Although Müller's use of Prussian tradition can be viewed as part of the wider West German memory culture insofar as he invoked examples of military leaders who predated National Socialism, it was also a subject he was familiar with from his time at the *Kriegsakademie*. Nevertheless, border policemen had already been engaging in military-style training for some time, to include several large NATO war game exercises like *Fallex 62*. More troubling, however, they were also training closely with members of the elite U.S. Special Forces as was apparent by the controversies surrounding *Übung Südbayern*. The recurring themes of guerilla, civil, and small wars were prevalent throughout most border police training, doctrine, and literature at this time. These subjects were driven by the proliferation of various U.S.-Soviet proxy wars waged throughout the developing world, especially the growing U.S. role in Vietnam. Border policemen also believed the

possibility of a German-German civil war was inevitable and this took on greater meaning after the East German border guards were incorporated into the NVA. The routine provocations along the inner-German border, which increased after the Berlin Wall was built, underscored these fears.

Given all of this controversy, combat training, military armaments, border provocations, and Müller's thematically problematic and often hagiographic use of Prussian military history, members of the *Bundesgrenzschutz* fundamentally remained a police army without a war. Müller's talk of Schlieffen, Moltke, and Seeckt remained in the private sphere of secret documents and command staff meetings. Moreover, the use of heavy armaments such as mortars, armored vehicles, and machineguns in the *Bundesgrenzschutz* remained isolated to training exercises. Border policemen might have looked like soldiers, but their legal status as military combatants made little difference to those outside of their ranks. So for all the tension of the 1960s, they went about their routine patrol duties without ever having to militarily defend West Germany against guerillas, subversive agents, or communist bandits. Reports show that although they regularly encountered or at least observed East German security forces, these incidents rarely caused problems that could not be resolved on a local level. In spite of the fact that a guerilla war never materialized at the inner-German border most border policemen still imagined it would. The persistence of the imagined guerilla war with the East among border policemen was based on the fact that they were the only West German force allowed to patrol the border, which meant they would be the first to encounter attacking enemy forces before NATO could respond. For this reason, preparations for and fear of a potential for war were a significant focus for the organization. Yet it was still a war that never came. Instead, it would take the student protests of 1968 and domestic terrorism in the 1970s to push border policemen closer than they ever had been to the use of force as combatants – and even then, the government was reluctant to use them in this capacity (See Chapter 7).

While the chapter has shown that training and equipping the *Bundesgrenzschutz* for war was controversial, it was largely inconsequential to West Germany's liberal democratic culture. It did reflect, however, the manner in which two poles of society could approach the same subject – policemen as

military combatants - from contradictory perspectives. Thus, on the one hand, police labor unions could work closely with lawmakers in limiting the application of the new law while on the other, conservative border police leaders used it to invoke Prussian military doctrine and engaged in harsh training exercises. More importantly, the combatant status debate shows us that it was not just the East German regime that engaged in what Konrad Jarausch argues was a “curious revival of Prussian traditions under the proletarian banner.”¹¹⁷⁴ Indeed, democratic West Germany’s *Bundesgrenzschutz* demonstrated how Prussian traditions could and also did endure under a liberal-democratic banner. Problematic themes, practices, and traditions did not have to be abandoned as a prerequisite for democracy to take hold in the aftermath of dictatorship.

In the end, both sides in the debate came away with useful compromises. Rather than undermine West Germany’s developing democratic culture, the Interior Ministry’s militarization of the *Bundesgrenzschutz* had practical applications for civil defense. Its mobility, specialized vehicles, telecommunications equipment, and patrol boats could also be used for supporting victims of natural disasters. So rather than fighting communist forces in the 1960s, border policemen saw more action in providing humanitarian aid to help victims of disasters, most notably, the catastrophic North Sea flood of 1962, which left thousands of Germans homeless and killed 315 people in the port city of Hamburg. In fact, when recalling his 40-year career in the *Bundesgrenzschutz*, retired Captain Wolfgang Dohrmann said nothing of fighting communists. Instead, for Dohrmann, the biggest hardship he faced was helping victims of the North Sea flood by taking command of the field kitchens to feed those who lost their homes. Dohrmann said running the field kitchens nonstop for three days without sleep was challenging, but was an accomplishment that he took great pride in. The satisfaction of helping those in need reflected the true spirit of his motivation to join and serve in the *Bundesgrenzschutz*.¹¹⁷⁵ Paradoxically then, in

¹¹⁷⁴ See Konrad Jarausch, *After Hitler*, 40.

¹¹⁷⁵ Author’s interview with retired Captain Wolfgang Dohrmann, President of the Bundesverband der BGS – Kameradschaften e.V., 15 November 2015.

spite of all their military training, doctrine, and equipment, border policemen were most useful to the postwar West German state not as combatants, but rather as public servants delivering humanitarian aid to civilians in need.



Figure 6.6
BGS helping flood victims, Die Parole 12, no. 3 (15 March 1962)

Chapter 7: Internal Security in the Post-Adenauer Era



Figure 7.1
BGS at Adenauer's Funeral, BArch-MA, N848-47

On 19 April 1967, Captain Hubertus Grützner, the technical division chief at the *Bundesgrenzschutz* barracks in Hangelar, learned Konrad Adenauer died at his home in Rhöndorf. Shortly after the news broke, Grützner received an urgent phone call from Bonn alerting him that his division would be responsible for transporting Adenauer's remains during his state funeral. He immediately called on his senior motor pool officer Werner Zylla and assigned him to select an appropriate vehicle to transport the former Chancellor's remains. Zylla chose a Hanomag AL 28 utility truck from the fleet and had it modified into a flatbed hearse. On 22 April, Zylla drove the hearse to retrieve Adenauer's remains from his home. He was followed by a convoy of open trucks bearing squads of heavily armed border policemen to escort *die Alte* (the old man) on his final journey to the

Bundeskanzleramt at Palais Schaumburg where he would lie in state. As members of the press scrambled for position in the narrow streets around his home, eight steel-helmeted border policemen in their trademark field gray uniforms hoisted Adenauer's flag-draped coffin onto their shoulders and solemnly carried it to the hearse. The reporters and hundreds of people who gathered there remained completely silent as three drummers from the *Bundesgrenzschutz* music corps beat a mournful cadence for the pallbearers. Zylla recalled the burden of his responsibility at the precise moment when the pallbearers secured Adenauer's coffin to the hearse. Now he alone was responsible to ensure its safe arrival in Bonn. He was extremely nervous and wondered how he would ever maneuver his oversized truck around Rhöndorf's narrow streets. Now that it was finally time to move, he turned the ignition key. Immediately he knew something was wrong when he heard the telltale clicking sound of a dead battery. He tried again and again, but began panicking, as the clicking sound only grew louder. Finally, to his great relief, the old Hanomag finally sputtered to life and he began to slowly drive through the crowds of mourners.¹¹⁷⁶

The Chancellor's death signaled the end of an era for many West Germans. Under Adenauer's paternalistic leadership, the roots for a strong economy and robust welfare state were firmly established. Unemployment rates continued their record decline and the conservative Christian Democrats (CDU/CSU) still held power. More importantly for my topic here, Adenauer and his Interior Ministry had successfully preserved the *Bundesgrenzschutz* in spite of repeated demands by critics that it should be disbanded. During the late 1960s the world began to change as the era of the "economic miracle" waned. The United States expanded its military presence in Vietnam causing international protests and the rise of the New Left. For West Germany, these changing times also brought new internal security challenges such as the policing of massive public protests and violent domestic terrorist movements. But Adenauer's death also symbolized the end of the old *Bundesgrenzschutz* as a militarized national police force. In the

¹¹⁷⁶ Grützner and Zylla's recollections were obtained from public interviews they provided in Nina Koshofer's 2010 WDR documentary film, "Es geschah in NRW: Adenauer's Letzte Reise," available On Line at <https://www.youtube.com/watch?v=yq9aoQJXGo4>; See also "Schutz- und Sicherungsmassnahmen anlässlich des Staatsbegrabnisse für Dr. Konrad Adenauer 1967," BArch-K B 106/78698.

decade that followed Adenauer's passing, the organization was caught up in the debate over the controversial emergency laws. Under the modernizing influence Willy Brandt's Social Democratic government, the Interior Ministry implemented reforms that gradually transformed the *Bundesgrenzschutz* from a paramilitary force of veteran soldiers into a professional civilian law enforcement agency.

This chapter explores how the *Bundesgrenzschutz* evolved from the late 1960s into the 1970s when West German democracy faced serious internal security threats from mass protests and violent terrorists. It begins with the emergency laws debate in 1968 and concludes with the Federal Republic's struggle against terrorism. How did the student protest movement influence the policies and procedures of the *Bundesgrenzschutz*? How were border policemen used to support state and municipal police forces against violent demonstrations? In what manner did the emergency laws hasten reforms that modernized the force? What role did the organization play in security operations for the 1972 Munich Olympics? Finally, why were border policemen rather than soldiers used for counterterrorism operations? The chapter will show these were pivotal years for the future of the *Bundesgrenzschutz*. When the organization celebrated its tenth anniversary in 1961, its all-volunteer staff still largely consisted of veteran soldiers and policemen. At that time, Interior Minister Gerhard Schröder spoke exclusively about their duty to protect West Germany against external enemies. Ten years later, most of its personnel were conscripts who had never served in the *Wehrmacht*. In commemorating the organization's twentieth anniversary, Interior Minister Hans-Dietrich Genscher called it the "Police of the Nation" and emphasized its role as part of an integrated internal security system. By 1977, it was nicknamed "Bonn's Fire Department" for its rapid, often airborne, response to any national emergency or crisis. After a daring hostage rescue mission in Mogadishu the *Bundesgrenzschutz* proved that Germans could once again use force without threatening the nation's liberal democratic foundation.

The Symbolic Role of the BGS in Adenauer's State Funeral

When Adenauer died, the *Bundesgrenzschutz* was still a militarized national police force and this was exemplified by its role in his state funeral, which has been largely ignored or at best misunderstood by scholars.¹¹⁷⁷ Paul Betts has recently argued, for example, that border policemen were used in place of soldiers to minimize German militarism and in particular, the role of the army in state funerals during the Third Reich. Betts suggested that Adenauer wanted border policemen rather than soldiers represented because, “it was the protection of West German borders and sovereignty that was for him the main issue at stake.”¹¹⁷⁸ On its face, this claim makes perfect sense – West Germany was a democracy and as Betts argued, its government “took great pains to distance itself from this legacy [militarism]...and consciously refrained from having any military presence whatsoever.”¹¹⁷⁹ But this simply was not the case for Adenauer's services.¹¹⁸⁰ One only has to examine the unpublished planning documents and archival footage of the services to find strong evidence that military pageantry played an integral role.¹¹⁸¹ Beginning on 22 April 1967 a company of border policemen arrived in a military convoy at the tiny Rhineland village of Rhöndorf to escort Adenauer's remains back to Bonn (See above). A squadron of

¹¹⁷⁷ The state funeral itself has been described in detail by Adenauer's biographer Hans-Peter Schwarz, but he only mentions the BGS superficially and uses memoirs and newspapers to describe what took place; See Hans-Peter Schwarz, *Konrad Adenauer Vol. 2*, 798-800; More recently, Paul Betts wrote a comparative analysis of the funerals of Adenauer and East Germany's Walter Ulbricht as a means to emphasize each state's political culture. Betts argued that the role of the BGS in Adenauer's funeral was meant to de-emphasize Germany's military culture and especially the “Nazi-era worship of violence.” Betts also relied on newspapers, magazines, and other secondary sources to support his conclusions; See Paul Betts, “When Cold Warriors Die: The State Funerals of Konrad Adenauer and Walter Ulbricht,” in Alon Confino, Paul Betts, and Dirk Schumann (eds.), *Between Mass Death and Individual Loss: The Place of the Dead in Twentieth-Century Germany* (New York: Berghahn Books, 2008), 158-159. My analysis uses the unpublished archival funeral planning documents and photographs of BGS honor guard members to enhance the conclusions of Schwarz and Betts by proposing another point of view of why border policemen played such a prominent role in Adenauer's state funeral services.

¹¹⁷⁸ Paul Betts, “When Cold Warriors Die,” 158-159.

¹¹⁷⁹ Ibid.

¹¹⁸⁰ In fact, even the 1972 state funeral of Bundespräsident Heinrich Lübke was a military ceremony with the Border Police and Army taking part – see “Abschied von Heinrich Lübke,” *Die Parole* 22, no. 5 (20 May 1972), 16.

¹¹⁸¹ See “Programm und Zeitfolge der Trauerfeierlichkeiten für Konrad Adenauer,” BArch-K B 106/78698.

five *Bundesgrenzschutz* Bell UH-1D “Huey” helicopters escorted the convoy on its route.¹¹⁸² Once the convoy returned to Bonn, Adenauer’s coffin was placed in the foyer of the Federal Chancellery for dignitaries and members of the public to pay their last respects. Late in the evening of 23 April, border policemen transferred Adenauer’s remains to the Cologne Cathedral for another period of public viewing before his funeral mass.

An “honor watch” consisting of six border policemen in steel helmets and field gray dress uniforms guarded Adenauer’s coffin the entire time. In one photograph, the senior members of the *Bundesgrenzschutz* Command Staff, all of which were Nazi *Wehrmacht* veterans, took their turn standing guard over his remains. Four of these senior officers identified in the photograph included: *Inspekteur* Heinrich Müller, a former member of the Nazi General Staff and War Academy; Brigadier General Willy Langkeit, a highly decorated and legendary tank commander who led Nazi Germany’s *Grossdeutschland* division; Brigadier General Detlev von Platen, another combat veteran of the Second World War; and finally, Brigadier General Otto Dippelhofer, a member of the *SS* who also served with *Einsatzgruppen* D in the Soviet Union.¹¹⁸³ While those attending Adenauer’s services would have no way of knowing the individual military pasts of these men, there certainly was no deliberate effort to minimize their role or that of the military more generally. The primary architect of Adenauer’s funeral was his controversial Chief of Staff and close personal confidant Hans Globke – a former Nazi lawyer who offered legal commentaries on the Nuremberg Laws and other racial legislation.¹¹⁸⁴ Thus, one did not really have to look too far beneath the surface to find evidence of the military themes and personnel.

¹¹⁸² The “Huey” helicopter quickly earned a reputation as the standard for U.S. Airborne Cavalry assault forces in Vietnam; See for example Dick Camp, *Assault from the Sky: U.S. Marine Corps Helicopter Operations in Vietnam* (Philadelphia: Casemate, 2013), 81.

¹¹⁸³ The photograph was included in a collection of photographs among *Inspekteur* Heinrich Müller’s personal papers; see BA-MA N848-47; Dippelhofer’s *SS* membership number was 77517 and his service in *Einsatzgruppen* D is documented reference Cards Nr. 1 and 2, BArch-LW, 10 AR 932/64, *Aktennummer* 409 AR 1657/64.

¹¹⁸⁴ Hans-Peter Schwarz, *Konrad Adenauer Vol. 2*, 798-799; See also Daniel E. Rogers, “Hans Globke at Nuremberg: Testimony as Rehabilitation, 1948-1949,” in David Messenger and Karin Paehler, *A Nazi Past*, 17-19.

The Federal Ministry of Defense was given primary oversight for the events and this all but ensured a large military presence.¹¹⁸⁵ Once the public viewing ended and the funeral mass began, West Germany's armed forces relieved the *Bundesgrenzschutz* for the remainder of the funeral. At the conclusion of the mass, the services took on an increasingly martial tone as a *Bundeswehr* honor guard carried Adenauer's coffin through the south entrance of the cathedral past ranks of steel-helmeted soldiers with rifles.¹¹⁸⁶ As the soldiers were called to attention, Adenauer's coffin was transferred to a military vehicle that was originally designed for towing artillery – a caisson similar to the horse drawn versions used in the United States for the Lincoln and Kennedy state funerals. Notably, all of the military and *Bundesgrenzschutz* personnel involved in the ceremonies wore steel combat helmets rather than soft headgear; most of them carried rifles and those who were officers sported dress swords and bayonets. Swords and bayonets are symbolic weapons of war and play an important role in military ceremony. The West German *Luftwaffe* (Air Force) flew a squadron of twelve Starfighter jets overhead in a powerful display of combat air power as Adenauer's coffin was moved from the cathedral to the Rhine where it was loaded onto a *Bundesmarine* torpedo boat (*S-Boot*) for its journey to the cemetery in Rhöndorf. Adding to the dramatic pageantry, Field Artillery Battalion 195 fired 23 shots from its howitzers in Cologne and a further 68 shots as the torpedo boat passed under Bonn's North Bridge. Once the boat arrived at Rhöndorf, columns of armed soldiers from *Feldjägerkompanie 700* lined the route from the river to Adenauer's grave in the *Waldfriedhof* village cemetery. Finally, as the coffin was lowered into the ground, a *Bundeswehr* bugler played the *Lied vom guten Kameraden* (song of the good comrade) – a tradition, like the U.S. song *Taps*, reserved for military burials.

The *Bundesgrenzschutz* was not given a significant role in Adenauer's state funeral to minimize the martial or militaristic themes, but rather because, like the *Bundeswehr*, it was an integral part of its

¹¹⁸⁵ Der Bundesminister der Verteidigung: Protokoll – Az. 01-25-00-00-71, 20 April 1967, “Ablauf der Trauerfeierlichkeiten für das Mitglied des Deutschen Bundestages, des ersten deutschen Bundeskanzler Herrn Konrad Adenauer am 24. / .25 April 1967 im Hohen Dom zu Köln und auf dem Waldfriedhof Rhöndorf,” BArch-K B106/78698.

¹¹⁸⁶ Ibid.

postwar monopolization of state violence. Certainly, as the unpublished planning documents reveal, there was no concerted effort to reduce the military presence or its display at Adenauer's funeral. In fact, quite the opposite was the case. To be sure, the final tribute to West Germany's first postwar chancellor spared nothing in its pageantry, symbolizing what Paul Betts aptly suggests was "the point that relations with Germany's former enemies in the West had been repaired." It must also be remembered that the *Bundesgrenzschutz* was West Germany's first armed force and its personnel, largely consisting of veteran soldiers, were used to construct the first divisions of the *Bundeswehr* in 1956 (See Chapter 3). So for Adenauer, his federal border policemen were symbolically just as important if not more so than his army. This is because West Germany's army remained under the supranational control of NATO, while the border police was a unilateral instrument of the state's coercive forces. But Adenauer's death was a point of departure for the old *Bundesgrenzschutz*. It was founded in 1951 as a manifestation of the Chancellor's demands for more security in the aftermath of the Korean war and as such, the founding members of the organization felt a special bond of loyalty to the "old man." Yet the photograph of the border police commanders, all veterans of Nazi Germany's *Wehrmacht*, standing watch over Adenauer's remains also signified the last vestiges of the old guard. By 1969, conscripts began replacing veteran soldiers as the main source for new border police recruits and this resulted in an increase of more than 3,000 new policemen by 1972.¹¹⁸⁷ Moreover, with the passage of the emergency laws coming just one year after Adenauer's funeral, the organization undertook a series of new reforms that helped transform it from a paramilitary force into a modern law enforcement agency.

The Emergency Acts and Confronting Student Protests

The internal debate over what were collectively referred to as the "emergency acts" (*Notstandsgesetze*) was a consequence of the 1954 Paris Treaties, which ended West Germany's status as an occupied nation. Although the occupation had officially ended, the Allies could still act to protect its

¹¹⁸⁷ David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 370.

troops in West Germany until the federal government enacted emergency legislation.¹¹⁸⁸ The emergency laws required cooperation between West Germany's political parties because a two-thirds majority vote was needed to pass the new laws. Thus, the debates lasted over more than a decade because the Constitution had to be changed before the laws finally came into force.¹¹⁸⁹ In 1958, for example, Interior Minister Gerhard Schröder created controversy when he proposed a series of new laws to increase the powers of the executive branch.¹¹⁹⁰ In 1949, the framers of West Germany's Basic Law had been extremely wary of emergency laws and executive power more generally since Article 48 - the Weimar Constitution's emergency provision - was used effectively by the National Socialists to suspend and ultimately overthrow Germany's first democracy. Before the debate over the emergency laws that replaced the Allied rights with German rights began, the framers already recognized as early as 1949 that they would have to include language in the Basic Law to cover national emergencies such as civil unrest, wars, and natural disasters. The challenge in 1949 was to craft legislation that could be used by the executive branch to protect the state without giving it the power to suspend the basic civil rights at the core of West Germany's new liberal democracy. To be sure, all democracies struggle with how to balance security without undermining civil rights in the process.¹¹⁹¹ In 1949, however, the framers settled on Article 91, which in case of a national emergency gave each state government the ability to call on police reinforcements from neighboring states. Article 91 also gave the federal government authority over police forces in any state that was unable to provide for its own internal security. The powers granted by Article 91 were not exclusive and could be suspended at any time by a vote from the

¹¹⁸⁸ Karen Hanshew, *Terror and Democracy*, 62-63.

¹¹⁸⁹ Justin Collings, *Democracy's Guardians*, 100.

¹¹⁹⁰ See Michael Schneider, *Demokratie in Gefahr?*, 47; see also Gerard Braunthal, "Emergency legislation in the Federal Republic of Germany," in Henry Steele Commager, Günther Doeker, Ernst Fraenkel, Ferdinand Hermes, William C. Harvard, Theodor Maunz (eds.), *Festschrift für Karl Loewenstein: Aus Anlass Seines Achtzigsten Geburtstages* (Tübingen: J.C.B. Mohr, 1971), 78.

¹¹⁹¹ Ian Loader and Neil Walker, *Civilizing Security*, 7.

Bundesrat or once the emergency ended.¹¹⁹² Article 91 did not account for the change in the status of the Allied occupation of West Germany, however, which brought emergency legislation back to the forefront of the national debate. The biggest opponents of Schröder's initial proposals were the SPD deputies who feared that emergency powers might be used to curtail the rights of trade unionists and specifically their right to strike.¹¹⁹³

The debate over emergency legislation exposed West Germany's domestic political fault lines. Schröder's proclamation that a national emergency triggered what he referred to as "the hour of the executive" sounded strikingly similar to the authoritarian principles and opinions of the political theorist Carl Schmitt who had openly served and justified the Nazi dictatorship.¹¹⁹⁴ Thus, Social Democrats and trade unionists rejected Schröder's proposals and West German legislators failed to find political consensus over how best to implement amended emergency laws. When Hermann Höcherl took over the Interior Ministry in 1961, emergency legislation returned to the center of parliamentary politics following the surprise construction of the Berlin Wall.¹¹⁹⁵ Höcherl disagreed with his predecessor's stance on empowering the executive. Instead, beginning in January 1962, he negotiated new emergency legislation with the SPD and particularly West Germany's largest trade union – the *Deutsche Gewerkschaft Bund* or DGB. While trade unionists welcomed his willingness to negotiate, they remained skeptical nonetheless. They were cautiously optimistic, however, when he proclaimed to the press that emergency legislation should protect rather than prohibit the right to strike.¹¹⁹⁶ In spite of Höcherl's entreaties the debate over emergency laws remained largely polarized. Then in 1966, the government of Adenauer's successor Chancellor Ludwig Erhard, collapsed because of tensions and power struggles between Erhard, the FDP,

¹¹⁹² See 1949 version of "The Basic Law of the Federal Republic of Germany," 23 May 1949, Archives Nationales due Luxembourg, Available at http://www.cvce.eu/obj/the_basic_law_of_the_frg_23_may_1949-en-7fa618bb-604e-4980-b667-76bf0cd0dd9b.html.

¹¹⁹³ Michael Schneider, *Demokratie in Gefahr?*, 47; Gerard Braunthal, "Emergency Legislation," 77.

¹¹⁹⁴ See Jan-Werner Müller, *A Dangerous Mind*, 64.

¹¹⁹⁵ Michael Schneider, *Demokratie in Gefahr?*, 81.

¹¹⁹⁶ *Ibid.*

and those within his own party who had lost confidence in his leadership.¹¹⁹⁷ Kurt Georg Kiesinger, the conservative Christian Democratic Minister President of Baden-Württemberg replaced Erhard as Chancellor and took steps to form a coalition or alliance with the SPD, CDU, and CSU. It was this coming together of a “Grand Coalition” in 1966 that moved lawmakers closer to enacting new emergency legislation because they now the two-thirds majority.¹¹⁹⁸

Besides West Germany’s shifting domestic political landscape, the influence of détente with the East during the 1960s and the reinforcement of border defenses along the Iron Curtain helped to stabilize external security. But popular unrest, especially among West Germany’s youth, made internal security a top priority for civilian law enforcement authorities. The *Bundesgrenzschutz* could be called upon to support state police if an incident escalated beyond the resources of local authorities. Mass student protests were one of the most significant internal security challenges of the late 1960s. The protests that erupted in 1967-68 were part of a widespread global anti-authoritarian movement that had been steadily building.¹¹⁹⁹ Young men and women around the world rejected existing governments and especially the elites who ran them; they also called for greater democratization of traditional institutions such as universities. In West Germany, students criticized their government’s hypocritical support of the United States and its role in Vietnam. Student activists also rejected the emergency acts, which they believed was strong evidence that West Germany might become an illiberal or fascist state. They viewed their government as an authoritarian instrument of the ruling elites, many of which were former Nazis.¹²⁰⁰ The 60s generation saw the Nazi assumption of power on 30 January 1933 as key to the replacement of

¹¹⁹⁷ See Ronald J. Granieri, *The Ambivalent Alliance*, 220.

¹¹⁹⁸ *Ibid.*

¹¹⁹⁹ Geoff Eley, *Forging Democracy: The History of the Left in Europe, 1850-2000* (New York: Oxford University Press, 2002), 344.

¹²⁰⁰ See Wilfried Mausbach, “Wende um 360 Grad? Nationalsozialismus und Judenvernichtung in der ‘zweiten Gründungsphase’ der Bundesrepublik,” in Christina von Hodenberg and Detlef Siegfried, *Wo “1968” liegt: Reform und Revolte in der Geschichte der Bundesrepublik* (Göttingen: Vandenhoeck & Ruprecht, 2006), 15.

democracy with totalitarianism.¹²⁰¹ According to historians, the youth protest movement perceived the planned emergency acts as a “repeat” of the rise of fascism in 1933.¹²⁰²

The student protest movement that led to confrontations with the state and local police in many of West Germany’s cities during 1968 had its origins in Kiesinger’s 1966 coalition government.¹²⁰³ The “Grand Coalition” of West Germany’s political parties was grounded in the postwar SPD’s shift away from its “Marxist roots.” Many on the Left saw the SPD’s compromise with its conservative colleagues as a sure sign that West Germany was becoming an authoritarian state.¹²⁰⁴ Moreover, the alignment of political parties into the Grand Coalition moved the federal government closer than it had ever been to passing the controversial emergency acts because it now had the required the necessary two-thirds majority vote.¹²⁰⁵ A leading force of the grassroots student opposition was the *Sozialistische Deutsche Studentenbund* (Socialist German Student Union – SDS).¹²⁰⁶

The anti-authoritarian movement of the late 1960s sparked violent clashes between the police and young protestors around the world. This was no different in West Germany where SDS activists took aim at the conservative Axel Springer publishing house. Springer’s articles attacking students particularly angered many young men and women, but the publisher was also emblematic for everything they stood against – a hypocritical authoritarian government of elites. Many of Springer’s articles spoke favorably of West Germany’s support for American efforts in Vietnam.¹²⁰⁷ The stationing of U.S. combat forces on West German soil was problematic for activists because they believed their government was providing a

¹²⁰¹ Ibid., 18.

¹²⁰² Ibid., 29.

¹²⁰³ Ingo Cornils, *Writing the Revolution: The Construction of 1968 in Germany* (New York: Camden House, 2016), 1; Timothy Scott Brown, *West Germany and the Global Sixties*, 24-26.

¹²⁰⁴ Timothy Scott Brown, *West Germany and the Global Sixties*, 25.

¹²⁰⁵ Justin Collings, *Democracy’s Guardians*, 100.

¹²⁰⁶ For a comprehensive treatment and further details of the student movement see, Sean A. Forner, *German Intellectuals and the Challenge of Democratic Renewal* (Cambridge: Cambridge University Press, 2014), 325; for a transnational perspective see Michael Schmidtke, *Der Aufbruch der jungen Intelligenz: die 68er Jahre in der Bundesrepublik und der USA* (Frankfurt: Campus Verlag, 2003), 132; Martin Klimke, *The Other Alliance: Student Protest in West Germany and the United States in the Global Sixties* (Princeton: Princeton University Press, 2010), 33.

¹²⁰⁷ Ingo Cornils, *Writing the Revolution*, 157.

staging area for the Vietnam War. But West Germany's youth movements also took issue with the authoritarian regimes in the developing world. In 1967, tensions rose in many West German cities as Shah Reza Pahlavi of Iran began a nine-day state visit in May. The authoritarian Shah was a symbol of an oppressive, corrupt dictatorial regime propped up by western governments.¹²⁰⁸ Protests erupted in several cities that the Shah visited, but the contrasts in the police response in Berlin and Munich is notable.¹²⁰⁹

The response of the Berlin Police to these violent mass protests reflected the problematic influences of militarization on civilian police forces. The Berlin *Schutzpolizei*, in particular, were originally organized by the Allied Powers as a paramilitary force and armed with heavy weapons such as mortars, machineguns, and hand grenades.¹²¹⁰ The Allies reasoned that the divided city of Berlin was the most likely flashpoint for a conflict with East German or Soviet forces and thus made an exception to its police demilitarization policy. Eckard Michels has argued that the Allied militarization of the Berlin Police was the primary reason for their heavy-handed response to disturbances of public order. Moreover, Michels has also suggested that civil war style policing with its violent responses to mass protests was “more of the norm than the exception under the police formations of the West German states.”¹²¹¹ This style of militarized policing style was still used in the training programs and practices of the *Bundesgrenzschutz* (See Chapter 6). On 2 June 1967, a violent protest erupted near the Berlin Opera House during the Shah's visit. When the Berlin Police and Iranian Security Services moved against the

¹²⁰⁸ Eckard Michels, *Schahbesuch 1967: Fanal für die Studentenbewegung* (Berlin: Ch. Links Verlag, 2017), 102-103; see also Douglas Little, *American Orientalism: The United States and the Middle East Since 1945*, Third Edition (Chapel Hill: University of North Carolina Press, 2008), 220; For a general narrative of the Shah's visit, see Uwe Soukoup, *Ein Schuss der die Republik veränderte: Der 2. Juni 1967* (Berlin: Transit, 2017);

¹²⁰⁹ Eckard Michels, *Schahbesuch 1967*, 102-103.

¹²¹⁰ This was a 3,000 man force known as “Force B” see Dwight D. Eisenhower Presidential Library, White House Office, National Security Council Staff: Papers, 1948-61, Box 48, Folder: Germany (7), United States Policy and Course of Action to Counter Possible Soviet or Satellite Action Against Berlin (NSC 132/1), September 10, 1953.

¹²¹¹ Eckard Michels, *Schahbesuch 1967*, 10-11.

crowds, several people were critically injured and one student, Benno Ohnesorg, was shot and killed by Karl-Heinz Kurras – later revealed to be a Stasi agent posing as a Berlin Police Sergeant.¹²¹²

The Munich Police watched the events in Berlin closely in anticipation of the Shah's visit to their city scheduled for 6 June 1967. The Munich Police was led by Chief Manfred Schreiber, a reformer brought in in the aftermath of youth riots that took place in the Schwabing neighborhood in the summer of 1962.¹²¹³ Schreiber emphasized de-escalation as an approach to prevent violent responses and public criticism. He enlisted psychologists to train his policemen to avoid direct confrontations with crowds unless it was absolutely necessary to protect life and property. Instead of seeking out and forcibly arresting agitators, Schreiber's men innovatively used film to document crimes that they would prosecute at a later time. The "Munich" model of policing large crowds was innovative for its time and was not practiced by other municipal police agencies. Thus, the Shah's visit to Munich took place without the violent incidents between police and protestors that took place in Berlin.¹²¹⁴

The Shah's visit was only the beginning episode of the mass student protest movement in late 1960s West Germany. The ideological struggle between the SDS and the Springer publishing house, for example, came to a head on 11 April 1968 when a radical right-wing activist, Josef Bachmann, shot and gravely wounded the charismatic SDS leader Rudi Dutschke in Berlin.¹²¹⁵ Spontaneous protests broke out all over West Germany in what were collectively known as the Easter Riots. In Berlin, students surrounded Springer's headquarters and attacked newspaper delivery vans and employees with rocks and bottles. The SDS held Springer responsible for fomenting the radical right wing rhetoric that motivated Bachmann to shoot Dutschke. In Hamburg 58 students were arrested with two police officers and two

¹²¹² Ibid., 161.

¹²¹³ Ibid., 162-163; As the Chief of the Munich Police, Schreiber later played a significant role in the security of the Munich Olympic Games in 1972.

¹²¹⁴ Ibid.

¹²¹⁵ "Verlaufs- und Erfahrungsbericht der Schutzpolizei über die polizeilichen Massnahmen vom 11. Bis 15.4.1968 anlässlich der Aktionen der 'ausserparlamentarischen Opposition' im Zusammenhang mit den Schüssen auf Rudi Dutschke," Berlin 4 May 1968, BArch-K B106/83892.

citizens suffering significant injuries. In Frankfurt, there were over 7,000 protestors and the police had to use high-pressure water cannons and batons to subdue them - 42 protestors and two police officers were severely injured. In Munich, despite Schreiber's innovative crowd control tactics, newspaper photographer Klaus Frings and student Rudiger Schreck were killed during the clashes between police and protestors. Both men suffered blows to the head from an unknown assailant, but it is still not clear if they were killed by the police or by rocks thrown by other protestors.¹²¹⁶ There were no witnesses who saw what happened, but doctors who tried to save Schreck's life observed he had two severe head wounds indicating he had been struck at least twice – once on each side of his head. Schreck's injuries, they believed, were consistent with being struck by a metal police baton rather than a rock.¹²¹⁷

Despite these violent demonstrations, the government did not send the *Bundesgrenzschutz* to directly confront mass crowds. Instead, during the Easter Riots, state alert police – BePo – brigades working together with local *Schutzpolizei* forces dealt with crowd and riot control incidents. Border policemen performed supportive roles and acted as a stand-by reserve in case an incident grew too large for the local police to handle. During the spontaneous protests that erupted in the aftermath of Dutschke's shooting, the *Bundesgrenzschutz* Watch Battalion at the Palais Schaumburg was briefly mobilized to protect the federal offices in the government quarter around Bonn. There were over 8,000 protestors who demonstrated in Bonn and the police claimed most of them were “educated students with a few rowdies mixed in.”¹²¹⁸ The *Bundesgrenzschutz* assigned 180 additional men to guard the Federal Chancellery and Foreign Office. A reserve force of 50 border policemen was placed on alert nearby in Duisdorf and could be flown in by helicopter if they were needed.¹²¹⁹ Notably, the Interior Ministry prohibited the men

¹²¹⁶ Letter from Bavarian Interior Ministry to Staatsekretär Sigfried Fröhlich, 18 April 1968, Betr: “Tod des Studenten Rudiger Schreck,” BArch-K B136/5035, Fiche Nr. 1, Slide Nr. 239.

¹²¹⁷ Letter from Staatsekretär Sigfried Fröhlich to Bundeskanzler Kiesinger, 18 April 1968, Betr: “Tod des Studenten Rudiger Schreck,” BArch-K B136/5035, Fiche Nr. 1, Slide Nr. 242.

¹²¹⁸ Bericht vom Dr. Roesch, Bundesministerium des Innern, Betr: “Zusammenfassung der Meldungen über Demonstrationen am 15 April 1968,” BArch-K B136/5035, Fische Nr. 1, Slide Nr. 239.

¹²¹⁹ Letter from Staatsekretär Koester, Referat I/2 Bonn, to Bundeskanzler Kiesinger, 16 April 1968, BArch-K B136/5035 Fiche Nr. 1, Slide Nr. 219.

assigned to this detail from carrying firearms. Instead they equipped them with batons and tear gas pistols.¹²²⁰

Internal documents between the Interior Ministry and *Bundesgrenzschutz* commanders showed that border policemen lacked training in riot control like their counterparts in the state and local police departments. In the aftermath of the Easter Riots, *Inspekteur* Heinrich Müller wrote a memorandum - “Thoughts on the Management of the Recent Demonstration Waves” – where he called for more training in crowd control tactics.¹²²¹ Moreover, the border police liaison officer assigned to the Interior Ministry’s Security Branch affirmed the urgency of this need because riot control was “entirely new” for the *Bundesgrenzschutz*.¹²²² Border police commanders recommended a series of joint training operations where their personnel could learn these tactics from the state Riot Police (BePo).¹²²³ The decision prohibiting border policemen from carrying firearms during the uprisings in Bonn shows that authorities in the Interior Ministry were already concerned about the consequences of an aggressive response to demonstrators. The violent shootings of Benno Ohnesorg and Rudi Dutschke shaped the crowd control tactics the command staff developed for the *Bundesgrenzschutz*. The Interior Ministry obtained the Berlin Police Department’s after action report of the riots that followed Dutschke’s shooting and distributed it to *Bundesgrenzschutz* commanders.¹²²⁴ In the after action report, Berlin Police commanders praised officers for their aggressive response to the crowds during the Easter Riots. According to the findings, “hardness was required” to foil the rioters and this promoted a positive “sense of belonging and camaraderie among the officers within the units.”¹²²⁵ The report criticized the press for what it called

¹²²⁰ Ibid.

¹²²¹ BGS Inspekteur Heinrich Müller, “Gedanken über die Bewältigung der jüngsten Demonstrationswellen, sofern ein Einsatz der Exekutive notwendig wird,” 24 May 1968, BArch-K B106/83892.

¹²²² Letter from Unterabteilungsleiter ÖS III (Keidel) to Staatssekretär Gumbel, “Erarbeitung von Richtlinien für den Einsatz bei inneren Unruhen,” 7 June 1968, BArch-K B106/83892.

¹²²³ Ibid.

¹²²⁴ Verlaufs- und Erfahrungsbericht der Schutzpolizei über die polizeilichen Massnahmen vom 11. Bis 15.4.1968 anlässlich der Aktionen der ‘ausserparlamentarischen Opposition’ im Zusammenhang mit den Schüssen auf Rudi Dutschke,” Berlin 4 May 1968, BArch-K B106/83892.

¹²²⁵ Ibid.

their “derogatory depictions” of the police. Berlin police administrators concluded with a congratulatory statement of its officers’ handling of the crowds that claimed because of their “hardness” the extra-parliamentary opposition now “felt powerless against the police apparatus.”¹²²⁶

The Berlin Police after action report for the Easter Riots showed that its officers and their leaders were still using the militarized or civil-war policing style they employed during protests of the Shah’s visit the previous year.¹²²⁷ The Interior Ministry rejected this approach and instead developed riot control tactics more closely aligned with the Munich Police de-escalation approach. While there is no direct evidence that the *Bundesgrenzschutz* command staff studied the Munich Police tactics, they were already sensitive from years of accusations by the press, trade unionists, and members of the SPD that they were part of a civil war army. The criticism reached its peak during 1965 when border policemen were declared military combatants in case of war followed by the *Stern* press scandal that same year.¹²²⁸ In 1968, the new *Bundesgrenzschutz* Chief, Detlev von Platen, called the claim that his organization was a civil war army “false and misleading.”¹²²⁹ Despite their previous militarized tactics and training, evidence reflected that border policemen were taught to de-escalate crowds and prevent violence. The risks of additional scrutiny and criticism with the increased engagement of a critical public in West Germany shaped the riot control tactics used by the *Bundesgrenzschutz*.¹²³⁰

The high-stress of angry crowds interacting with nervous, armed policemen, were a volatile mix. Thus, border police commanders believed an unarmed officer faced with a hostile crowd of angry students might be less inclined to resort to the use of deadly force. Instead of an authoritarian, or heavy-handed police response to the crowds in Bonn, the *Bundesgrenzschutz*, for its part at least, took

¹²²⁶ Ibid.

¹²²⁷ This was outlined by Eckard Michels in his comparative analysis of tactics used by the Berlin and Munich Police during the Shah’s visit; see Eckard Michels, *Schahbesuch 1967*, 102-103.

¹²²⁸ The *Stern* scandal refers to the pictures of young summer camp boys who were photographed playing with BGS rifles; the combatant status debate and the *Stern* scandal are explained in Chapters 4 and 6.

¹²²⁹ See Detlev von Platen, “Über die Aufgaben des BGS: Au seiner Ansprache in Fulda,” *Die Parole* 18, no. 12 (15 December 1968), 2.

¹²³⁰ See Christina von Hodenberg, *Konsens und Krise*, 68

precautions to avoid any use of force that might lead to the death or great bodily injury of protestors.¹²³¹ Senior commanders were also concerned that protestors might attempt to grab a police officer's firearm and so believed it was safer not to arm its men who were in close proximity to the protestors.¹²³² This approach contradicted the tactics used by the Berlin Police, who after the Easter Riots, recommended that its officers remain armed with pistols.¹²³³ Besides the influence of West Germany's emerging critical public, *Bundesgrenzschutz* leaders were also more cautious about the behavior of their personnel in crowd control incidents because the Basic Law strictly prohibited their jurisdiction. The state BePo and/or local police departments handled riots and mass demonstrations unless the federal government declared a national emergency under Article 91 of the Basic Law.¹²³⁴ In other words, using border policemen against West German citizens was still considered a last resort and then only in a measured response to reinforce state and local policemen.

The cautious tactical approach to mass crowds was also reflected by the *Bundesgrenzschutz* in its response to the "March on Bonn," which erupted after the formal passage of the Emergency Laws (*Notstandsgesetze*). In a top-secret memorandum to border police units around Bonn, Hans Schnepfel, director of the Police Branch at the Interior Ministry, outlined the mission and rules of engagement.¹²³⁵ The crowd had been expected to be somewhere between 40,000 and 50,000 people. Schnepfel was clear that protestors be prevented from gaining entry to any of the critical buildings around the government quarter in Bonn. Several companies of border policemen were brought in and assigned to protect these

¹²³¹ Letter from Staatssekretär Koester, Referat I/2 Bonn, to Bundeskanzler Kiesinger, 16 April 1968, BArch-K B136/5035.

¹²³² This was in direct response to the shootings in Berlin, See Verlaufs- und Erfahrungsbericht der Schutzpolizei über die polizeilichen Massnahmen vom 11. Bis 15.4.1968 anlässlich der Aktionen der 'ausserparlamentarischen Opposition' im Zusammenhang mit den Schüssen auf Rudi Dutschke," Berlin 4 May 1968, BArch-K B106/83892.

¹²³³ Verlaufs- und Erfahrungsbericht der Schutzpolizei über die polizeilichen Massnahmen vom 11. Bis 15.4.1968 anlässlich der Aktionen der 'ausserparlamentarischen Opposition' im Zusammenhang mit den Schüssen auf Rudi Dutschke," Berlin 4 May 1968, BArch-K B106/83892.

¹²³⁴ Article 91 permitted the use of federal police to support state and local police in a national emergency.

¹²³⁵ Memorandum from Hans Schnepfel, Polizei Abteilung, Bundesministerium des Innern to Grenzschutz Mitte, Bonn, Betr: "Sternmarsch auf Bonn; Einsatz von Verstärkungskräften des Bundesgrenzschutzes in den Bewachungsobjekten in Bonn am 10. Und 11. Mai 1968 (mündlich und fernmündlich voraus)," 10 May 1968, BArch-K B106/83892.

sites. They were equipped with barricades, tear gas, and water trucks to use against any protestors who attempted to threaten key buildings in the government quarter.¹²³⁶ Nevertheless, Schnepfel explained that actions taken by border policemen against protestors must be responsive and measured. All police actions, he warned, must be guided by the strictest restraint and he insisted that using verbal commands with loudspeakers was preferable to physical violence in gaining compliance. Schnepfel also warned “the use of firearms is permitted only in the case of self-defense and then only after the attacker has been warned. All efforts to protect the attacker must be taken. If using a firearm is unavoidable, then officers must aim for the attackers legs in order to minimize any injuries.”¹²³⁷ His emphasis on restraint stands out considering the military training and equipment of *Bundesgrenzschutz* units. Moreover, border policemen had to have at least two consecutive years of experience before they were allowed to carry firearms – and even these men were not permitted to be on the front lines facing protestors. Otherwise, those who had not met these requirements were only permitted to carry short batons and gas masks.¹²³⁸ The tactics were defensive instead of offensive. Schnepfel’s recommendations were thus a stark contrast to the heavy-handed approach of the Berlin Police during the Easter Riots.

Schnepfel’s memorandum is remarkable for its warnings against the use of force. On the one hand, he reiterated that border policemen must do everything in their power to keep protestors from attacking and damaging these key sites. On the other hand, however, he urged extreme restraint in doing so. His suggestion to aim for an attacker’s legs, for example, reflected this restraint even though such precise accuracy under stress would be difficult and bullet wounds to the leg can often prove to be fatal.¹²³⁹ Like the orders against carrying firearms during the Easter Riots in Bonn, it demonstrated - at least from the perspective of the *Bundesgrenzschutz* - that the Interior Ministry wanted to prevent

¹²³⁶ Ibid.

¹²³⁷ Ibid.

¹²³⁸ Ibid.

¹²³⁹ A bullet wound to the leg is no less deadly than other regions of the body, especially considering the fact that there are major arteries – especially the femoral artery – which traverse both legs; a wound to the femoral artery can be rapidly fatal due to extreme loss of blood.

excessive uses of force as opposed to the officers in Berlin who were commended for their “hardness.” This alone reflected a major shift away from the authoritarian policing methods of Germany’s past – especially the Weimar era where policemen regularly resorted to violence as the primary means to restore order.¹²⁴⁰ While the potential for violence between policemen and protestors was certainly always difficult to manage and sometimes got out of hand, Schnepfel’s approach urged restraint. The experience level of the officers was also an important factor as only those who had passed all of their exams carried firearms – and then only pistols with eight shots.¹²⁴¹ Again, this is in stark contrast to the paramilitary and *Freikorps* units of the 1920s that faced protestors with infantry weapons. The BePo and *Schutzpolizei* forces around Bonn also wanted to de-escalate tensions – their personnel wore non-military white tunics and stayed clear of the marchers to prevent provocations that might encourage a repeat of the violent Easter riots.¹²⁴² As a result of this measured approach, the protests in Bonn were largely peaceful. Another key point regarding the use of border policemen against protestors is the fact that they only protected government facilities in Bonn and were not sent to other cities. The federal government thus refrained from interfering with state and local police forces, which bore the brunt of crowd control during the tumultuous 1960s.

So how can we explain the remarkable level of restraint reflected in *Bundesgrenzschutz* crowd control tactics? Given that border policemen, like the Berlin Police, were trained and armed for the possibility of war, why did the federal government make such a concerted effort to avoid violent confrontations between border policemen and West German citizens? The approach taken by the *Bundesgrenzschutz* showed its evolution as a police force and also reflected the nature of policing in a

¹²⁴⁰ During the 1920s, German police forces resorted to violence, especially against communists and trade unionists engaged in strikes. The scholarship on this point is exhaustive; see for example, Dirk Schumann, *Political Violence in the Weimar Republic, 1918-1933*; His-huey Lang, *The Berlin Police Force in the Weimar Republic*; Belinda Davis, “Polizei und Gewalt auf der Strasse: Konfliktmuster und ihre Folgen im Berlin des 19. Und 20. Jahrhunderts,” in Alf Lüdtke, Herbert Reinke, and Michael Sturm (eds.), *Polizei, Gewalt und Staat im 20. Jahrhundert*.

¹²⁴¹ Ibid.

¹²⁴² See “Protests: De Zuch kütt,” *Der Spiegel* 21 (20 May 1968), 27-29.

democracy. Policemen and their actions were subjected to a higher level of scrutiny and oversight than they had been in the recent past. To be sure, the constant scrutiny by trade unionists and members of the SPD combined with the emergence of a critical public in West Germany meant that the *Bundesgrenzschutz* could no longer avoid criticism for its actions.¹²⁴³ The high-profile public debates and press coverage of the federal government's decision to recognize border policemen as military combatants was already a popular topic in the West German press and made it clear to members of the command staff that the organization was still controversial. The command staff had already experienced the consequences of public scandals in the 1950s and 60s.¹²⁴⁴

Sending border policemen to directly confront protestors was initially off limits because as the documentary evidence shows, they were not trained in riot control measures since these incidents were under the jurisdiction of the state and local police.¹²⁴⁵ Once the Interior Ministry recognized this deficit they implemented training programs to address it, but then only in preparation for the limited supportive roles they were legally authorized to perform. Another factor in their cautious approach to protestors was time. In developing "rules of engagement" for crowd control tactics, the Interior Ministry was able to analyze and learn from the police responses to the Shah's visit and the Easter riots – an advantage that other departments did not have beforehand. In this manner, they could learn what worked, what failed or brought negative criticism in the press and adjust their tactics accordingly. Evidence shows that by the time of the March on Bonn, even state and municipal police were learning to de-escalate instead of

¹²⁴³ The police and their actions were particularly subjected to media criticism for their actions in high-profile cases; see Christina von Hodenberg, *Konsens und Krise*, 331.

¹²⁴⁴ The BGS was always a popular target of the press because of its militarization, but the two most prominent media scandals were the Bonin Affair in which former Wehrmacht Colonel Bogislaw Bonin undermined Adenauer's rearmament plans when he told reporters at *Der Spiegel* that border policemen would be used to defend West Germany at the Oder-Niesse line, which contradicted NATO (See Chapter 3); the second was the publication of sensational photos by the weekly magazine *Der Stern*, which showed boys playing with rifles and allegedly carrying out mock executions at a BGS base.

¹²⁴⁵ See for example: Letter from Unterabteilungsleiter ÖS III (Keidel) to Staatssekretär Gumbel, "Erarbeitung von Richtlinien für den Einsatz bei inneren Unruhen," 7 June 1968, BArch-K B106/83892; see also Thomas Etzemüller, *1968 – Ein Riss in der Geschichte?* (Konstanz: UVK Verlagsgesellschaft, 2005), 139.

confront protestors.¹²⁴⁶ According to Thomas Etzemüller, border policemen were a moderating influence on the state police forces that still used civil war fighting tactics against protestors. Although Etzemüller's point contradicts the extensive guerilla war training provided to border policemen, the force had already started to demilitarize by the time crowd and riot control were added to their growing list of internal security duties.¹²⁴⁷ Finally, by 1968 the influential "old guard" of Nazi Germany's *Wehrmacht* veterans serving in the *Bundesgrenzschutz* had reached their service limits and began retiring in large numbers. While the new Chief, Detlev von Platen, was a *Wehrmacht* veteran, most of his personnel were not. Thus, von Platen, a progressive thinker for the future of his organization, was critical of what he called the "stalwarts who still believe we are blinders of so-called militaristic ideas," which he hoped "to bring to a better understanding."¹²⁴⁸ Von Platen was confronted with putting these words into action when shortly after taking over from Heinrich Müller, a border policeman who had served with the *Waffen* SS during the war was publicly accused of war crimes.

1968 and the Burden of the Nazi Past: BGS Lieutenant Colonel Radtke

As a backdrop to the challenges of policing public protests, on 10 July 1969, Lieutenant Colonel Wilhelm Radtke, a high-ranking member of the *Bundesgrenzschutz*, was arrested and charged with war crimes.¹²⁴⁹ Radtke was typical of the men who served in the *Bundesgrenzschutz* and many other West German police forces after the war. He was born in 1913 and joined the *Wehrmacht* in 1934 shortly after completing his high school education (*Abitur*). In 1936, he attended the Police Officer School at Berlin-Köpenik and later became a Lieutenant in the Berlin *Schutzpolizei*. After a brief period working for the *Schutzpolizei* in Weimar, he was assigned to *Ordnungspolizei* Battalion 91 based in Frankfurt Main. During the war, he served on the Eastern Front with a *Feldgendarmarie* (military police) unit attached to

¹²⁴⁶ The municipal and state police in Bonn wore white tunics and stayed clear of the crowds.

¹²⁴⁷ Thomas Etzemüller, 1968 – *Ein Riss in der Geschichte?*, 139.

¹²⁴⁸ Detlev von Platen, "Über die Aufgaben des BGS: Au seiner Ansprache in Fulda," *Die Parole* 18, no. 12 (15 December 1968), 2.

¹²⁴⁹ Staff, "Fall Radtke ist Teil grösserer Ermittlungen," *Die Welt* (17 October 1969), 1, BA-MA BH28-2-527; Staff, "Anklage gegen Oberstleutnant," *FAZ* (29 November 1969), 8, Staatsbibliothek zu Berlin, Zeitungsabteilung.

the 1st SS Infantry Brigade.¹²⁵⁰ He led a group of thirty-five men and was stationed in various Russian cities taken by Army Group Center during Operation Barbarossa. At the end of the war he was captured and held as a POW in the Soviet Union. He was among the last remaining groups of German POWs who returned home in 1955. He promptly joined the *Bundesgrenzschutz* in 1956 and quickly rose through its ranks.

In April 1969, the Bavarian state Criminal Police (*Landeskriminalamt*) opened an investigation into allegations by a former military policeman from Radtke's *Feldgendarmerie* unit that he had directly supervised the murder Jews in Russia.¹²⁵¹ The witness, Captain Herbert Krumsieg, alleged that he had been present during mass executions ordered by Radtke in Russia.¹²⁵² According to Krumsieg, Radtke had asked him if he felt comfortable shooting Jews to which Krumsieg replied that he had a wife and child and could not bring himself to do it.¹²⁵³ He said he heard Radtke's verbal commands to open fire on the victims, which were shot in groups of ten at a time. He also accused Radtke's former Sergeant Major, Albert Löw, of murder and personally witnessed him shooting individual Jews in the neck with his pistol.¹²⁵⁴ He claimed the two men worked closely to ensure that the murders were effectively carried out. Löw was not a member of the border police, but after the war worked as a civil servant in the *Bundeswehr*. Krumsieg told investigators that he was not punished in any way for opting out of the murders, which is consistent with the findings in Christopher Browning's groundbreaking research on Reserve Police Battalion 101.¹²⁵⁵ On 10 July 1969, a criminal complaint was filed and the Bavarian State

¹²⁵⁰ Aktenzeichen: 118 Js 4/69, Staatsanwalt Bär Landgericht München I, 8 July 1969, "Ermittlungsverfahren gegen Radtke Wilhelm und andere ehemalige Angehörige des Feldgendarmerietrupps beim Stab der 1. SS-Infanterie-Brigade (mot.) wegen des Verdachts des Mordes (NSG)," StA-M 35279/1.

¹²⁵¹ Band 1: Ermittlungsverfahren gegen Radtke, Wilhelm wegen Verdachts des Mordes (NSG) (Gedacht 1 October 1969), StA-M 35279/1.

¹²⁵² Statement of Herbert Krumsieg, Band 1: Ermittlungsverfahren gegen Radtke, Wilhelm wegen Verdachts des Mordes (NSG) (Gedacht 1 October 1969), StA-M 35279/1.

¹²⁵³ Ibid.

¹²⁵⁴ Ibid.

¹²⁵⁵ Christopher Browning, *Ordinary Men*, 2.

Police arrested Radtke and Löw. Radtke was taken into custody at his post commanding the 1st border police division at Nabburg and imprisoned in Munich while Löw was jailed in Augsburg.¹²⁵⁶

1969 was already a critical year for prosecuting Nazi war crimes because the twenty-year statute of limitations for murder was due to expire. The majority of West Germans still preferred to leave the past behind and focus on the future. In 1960, the *Bundestag* debated an initiative by the SPD to extend the statute of limitations on the crime of murder, which was originally supposed to end in 1965. The SPD argued that since the Federal Republic was established in 1949 the twenty-year statute should technically be extended to 1969. This statute of limitations debate (*Verjährungsdebatten*) demonstrated that many West Germans were still largely reluctant to deal introspectively with the burden of Nazi crimes.¹²⁵⁷ Polls at that time showed 63 percent of West German men and 76 percent of women opposed any extension of the statute.¹²⁵⁸ While the *Bundestag* voted affirmatively to extend it to 1969, it still refused to comply with the United Nations 1968 convention that required member states to retroactively end any limitations on prosecutions. Lawmakers justified this approach by citing that the UN retroactive clause conflicted with the Basic Law's prohibition against retroactive prosecutions. As Rebecca Wittmann has argued, the decision against recognizing the UN ruling was "clearly a product of the bitterness over the victors' trials at Nuremberg and the use of ex-post facto law to convict many Germans of international war crimes."¹²⁵⁹

Although extending the statute of limitations allowed more time to bring war criminals to justice, the efforts of investigators and the sheer volume of documentary evidence to comb through often proved overwhelming. More problematically, however, German law required that those accused of murder had

¹²⁵⁶ Aktenzeichen: 118 Js 4/69, VS-Geheim, 7 July 1969, Betreff: Ermittlungsverfahren gegen Radtke Wilhem und andere ehemalige Angehörige des Feldgendarmerietrupps beim Stab der 1. SS-Infanterie-Brigade wegen des Verdachts des Mordes, StA-M 35279/6.

¹²⁵⁷ For a comprehensive analysis of this debate see Marc von Miquel, *Ahnden oder amnestieren? Westdeutsche Justiz und Vergangenheitspolitik in den sechziger Jahren* (Göttingen: Wallenstein Verlag, 2004); Clemens Vollnhals, "Über Auschwitz aber wächst kein Gras: Die Verjährungsdebatten im Deutschen Bundestag," in Jörg Osterloh and Clemens Vollnhals (eds.), *NS-Prozesse und deutsche Öffentlichkeit: Besatzungszeit, frühe Bundesrepublik und DDR* (Göttingen: Vandenhoeck & Ruprecht, 2011), 394-399.

¹²⁵⁸ Rebecca Wittmann, *Beyond Justice*, 254.

¹²⁵⁹ *Ibid.*, 52.

to be charged individually rather than under the collective umbrella of genocide. Charging accomplices was even more difficult. Thus, there had to be direct evidence or witnesses that proved beyond a doubt that the individual charged had been directly involved in the murders.¹²⁶⁰ Many of the prosecution cases, including Radtke's, also reflected the general lack of interest by the public to demand a complete reckoning with the past. During the Frankfurt Auschwitz Trials, for example, only twenty perpetrators were eventually charged even though hundreds of people were investigated.¹²⁶¹ This exception helps to explain why only twenty perpetrators were charged for crimes committed at Auschwitz when certainly hundreds if not thousands of Germans worked there in some capacity during the war. While Frankfurt District Attorney Fritz Bauer intended to put Auschwitz as a system on trial as a wider lesson on the past, the end result fell short of his goals and became a trial of individuals.¹²⁶²

A few weeks after they were arrested, prosecutors from Bavarian State District Court I in Munich interrogated Radtke and Löw. What is particularly striking about both interrogations is that even twenty-seven years after the war, their statements reflected those of earlier defendants who claimed to have no knowledge of or responsibility for Nazi racial policies. Moreover, as Christopher Browning and other historians have shown, postwar interrogations often “present a confusing array of perspectives and memories.”¹²⁶³ Radtke, for example, told his interrogators that his *Feldgendarmarie* unit did take part in executions, but alleged these were ordered by the SS as reprisals for partisan attacks.¹²⁶⁴ He repeatedly told investigators he had no knowledge the executions were motivated by race even though they asked him why he failed to question the fact that only Jews were targeted. While he admitted that women and children were also included, Radtke denied these executions were part of a larger campaign to annihilate

¹²⁶⁰ For an excellent overview of these legal challenges, see Michael Bazzyler, *Holocaust, Genocide, and the Law: A Quest for Justice in a Post-Holocaust World* (Oxford: Oxford University Press, 2017), 110.

¹²⁶¹ *Ibid.*

¹²⁶² Rebecca Whitman, *Beyond Justice*, 254-255; see also Devin O. Pendas, *The Frankfurt Auschwitz Trial, 1963-1965: Genocide, History, and the Limits of the Law* (Cambridge: Cambridge University Press, 2006), 144.

¹²⁶³ Christopher Browning, *Ordinary Men*, xviii.

¹²⁶⁴ Staatsanwaltschaft be idem Landegericht München I, 17 July 1969, Beschuldigtenvernehmung: Radtke, Wilhelm, Gegenwärtig: Erster Staatsanwalt Bär, Gerichtsassessor Steiner, Just. Ang. Nöllig, StA-M 35279/1.

Germany's racial enemies.¹²⁶⁵ Anti-partisan warfare was often just a pretext to exterminate those, including Jews, deemed racially inferior by the Third Reich.¹²⁶⁶ In one exchange, the interrogator asked Radtke: "Why were only members of the Jewish race used for reprisals?" He replied: "I attributed this to the attitude of the SS to the Jewish problem in general," to which the interrogator asked: "You knew then that race was decisive in these executions?" Radtke protested and claimed: "I did not know that at the time, but guessed race was decisive based on what I now know today to be the case." When asked why he never considered asking his superiors why only Jews were selected for reprisals, he claimed: "I could not stop the measures and considered them to be legal responses to criminal acts committed by the civilian population."¹²⁶⁷

Radtke also denied any knowledge of the infamous *Kommissarbefehl* (Commissar Order). This was in spite of the fact that his co-defendant Albert Löw's peers allegedly called Löw "*Genickschuss-Kommissar*" (Neck shot Commissar). Whenever investigators pointed out inconsistencies in Radtke's answers, he claimed that he could no longer recall the events.¹²⁶⁸ Löw's interrogation was no different. He either denied knowledge of racial policies or claimed he was unable to recall specific details when challenged on discrepancies. Löw denied any knowledge that his peers referred to him as "*Genickschuss-Kommissar*."¹²⁶⁹ Both men also made a great effort to distance themselves from the SS. Radtke claimed, for example, that his *Feldgendarmarie* unit was simply attached to the SS, but was only responsible for general security operations. By 1969, the SS was already widely regarded as the symbol of evil perpetrated by the forces of the Third Reich. It was part of the central focus of Nazi crimes even though

¹²⁶⁵ Ibid.

¹²⁶⁶ See for example, Edward Westermann, *Hitler's Police Battalions: Enforcing Racial War in the East* (Lawrence: University Press of Kansas, 2005), 16.

¹²⁶⁷ Staatsanwaltschaft be idem Landegericht München I, 17 July 1969, Beschuldigtenvernehmung: Radtke, Wilhelm, StA-M 35279/1.

¹²⁶⁸ Ibid.

¹²⁶⁹ Staatsanwaltschaft be idem Landegericht München I, 23 July 1969, Beschuldigtenvernehmung: Löw Albert, Gegenwärtig: Erster Staatsanwalt Bär, Gerichtsassessor Steiner, Just. Ang. Raffler, StA-M 35279/2

research has now shown that perpetrators existed in all branches of the German armed forces.¹²⁷⁰ Because of this, Radtke and Löw attempted to distance themselves from any association with the SS. But the SS and Nazi Police complex was key to the perpetration of Hitler's annihilationist policies. The members of Nazi Germany's police forces were heavily indoctrinated with anti-Semitic and anti-Bolshevist ideology.¹²⁷¹ Thus, Radtke's claim that the *Feldgendarmarie* was somehow disconnected from the policies of the SS lacked credibility.

As Radtke and Löw followed typical patterns for most perpetrators during interrogations - a combination of convenient forgetting, denial, and the blaming of superior officers – so did their individual fates. Albert Löw committed suicide by brutally cutting his own throat with a razor in his jail cell shortly after his interrogation ended.¹²⁷² Radtke on the other hand remained in custody for another year, but alleged a variety of chronic medical ailments including heart trouble, dysentery, and kidney problems to delay his trial. He was temporally released on bail to undergo treatment for his conditions. By 1971, however, the Bavarian State District Court decided to drop all charges against Radtke because a series of physicians claimed the stress of a trial would be such that he might die.¹²⁷³ Remarkably, his supposed chronic medical problems never affected his fitness to command border policemen over the previous fourteen years. Radtke lived out what remained of his life in obscurity – there is no documentary evidence of his private life after the trial or obituary.¹²⁷⁴

Why is Radtke's case so important at this point in the evolution of the *Bundesgrenzschutz*? While the organization was much more willing to confront the Nazi past in the late 60s, there were still

¹²⁷⁰ See for example, Hannes Heer & Klaus Naumann (eds.), *War of Extermination: The German Military in World War II 1941-1944* (New York: Berghahn Books, 2000).

¹²⁷¹ Edward Westermann, *Hitler's Police Battalions*, 11-13.

¹²⁷² Regierungsrat Shirner an das Bayerische Staatsministerium der Justiz Abtl. 4, 24 July 1969, Geheim, Betreff: Ausserordentliches Vorkommnis; hier: Selbstmord des Untersuchungsgefangenen Albert Löw in der Nacht vom 23./24. Juli 1969 durch Öffnen der Pulsadern, StA-M 35279/6.

¹²⁷³ Beschluss: Radtke Wilhelm, geb. 16 May 1913, wohnh. In Pfreimd, wegen Mordes (NSG), 25 October 1971, StA-M 35279/5.

¹²⁷⁴ In spite of public records searches with his vital data to include searching genealogy records, I have been unable to find any information to date on when or where Radtke died.

competing interpretations over its meaning well into the 1990s.¹²⁷⁵ The case just reinforced the standard postwar narrative of the 1950s that only a small minority of Germany's soldiers committed war crimes. If he was the only border policeman uncovered with a problematic record, then the Interior Ministry could easily explain it away as an anomaly. Besides a few newspaper articles announcing his arrest, the case was largely forgotten – both by the public and the Interior Ministry.¹²⁷⁶ His medical release on 23 June 1970 was overshadowed by the eruption of domestic terrorism perpetrated by the radical Red Army Faction (RAF).¹²⁷⁷ The main significance of the case, however, lies in the fact that it came at a critical juncture in the evolution of the organization in its gradual transition away from its militaristic past towards a civilian law enforcement agency. In the 1950s and early 1960s, the organization was still heavily influenced by its connections to Nazi Germany's *Wehrmacht*. But as the 1960s came to an end so too did the influence of *Wehrmacht* military traditions. The case against Radtke was a point of departure that symbolically reflected the end of the old *Bundesgrenzschutz* and ushered in a new era of modernization and reform. Neither the organization nor the Interior Ministry came to Radtke's defense. Instead, evidence shows they made every effort to cooperate with the prosecution. Staatssekretär Dr. Fröhlich, for example, told prosecutors in Munich that he had stripped Radtke of all his police powers and offered the complete cooperation of the Interior Ministry.¹²⁷⁸ There is no evidence to indicate how Radtke's colleagues reacted to his arrest and no mention of it in either of the organizational journals or in letters to their editors. Although there is no direct evidence of how members of the organization reacted to Radtke's arrest, the silences suggest that what was acceptable for border policemen was indeed shifting. Whereas in the 1950s, border policemen could write to the editors of these journals to complain

¹²⁷⁵ Robert Moeller, *War Stories*, 19.

¹²⁷⁶ Staff, Fall Radtke ist Teil grösserer Ermittlungen," *Die Welt* (17 October 1969), 1; Staff, "Hat Radtke falsche Angaben gemacht?" *Hannoversche Rundschau* (16 October 1969), 1 – BA-MA BH28-2-527.

¹²⁷⁷ RAF members used an elaborate ruse and violence to help its founder, Andreas Baader, escape from prison in May 1970 and on 16 June, the RAF officially declared war on the West German state; see "Raid by Extremists Wounds 3 in Berlin," *New York Times* (15 May 1970), 14; see also "Tiny West German Group Vows to Overthrow State," *New York Times* (17 June 1970), 7.

¹²⁷⁸ Top-Secret letter from Staatssekretär Fröhlich to Herrn Oberstaatsanwalt bei idem Landgericht München I, "Ermittlungsverfahren gegen den Oberstleutnant i. BGS Wilhelm Radtke," 16 July 1969, StA-M 35279/2.

that they should be permitted to wear their war medals because they were earned in the battle against Bolshevism, by 1969, no one felt compelled to come to the aid of a colleague charged for war crimes.¹²⁷⁹

Modernization, Reform, and a New Era for the Bundesgrenzschutz

The passage of the emergency acts and efforts by the 68ers to forcefully address the burden of the Nazi past represented a definite point of departure for the *Bundesgrenzschutz*. In the aftermath of the student uprisings, the federal government began looking for new ways to use its border policemen to support internal security. The emergency laws included key reforms that were instrumental first steps in the longer process of professionalization that helped focus its leaders on civilian policing rather than its traditional links to Germany's militaristic past. At the same time, many of those policemen with links to the *Wehrmacht* and Nazi era policing were retiring and being replaced by a younger generation of men with no direct links to the Third Reich. As a sign of the times, border policemen in 1971 complained about grooming standards that limited the length of their hair. The Interior Ministry actually sent twenty-year old officer Michael Meister to the *Bundeswehr* as punishment for refusing to shorten the length of his hair by two centimeters, which showed that there was still an underlying tension between the conservative traditionalists and those who advocated more change.¹²⁸⁰ Nevertheless, the issue over hair-length was a minor distraction and did not present a strong bulwark against the pressure for reform and change that was already underway.

The transformation began with a few key amendments in the emergency laws that fundamentally changed the manner in which the federal government used the *Bundesgrenzschutz*. Article 91 of the Basic Law (the federal emergency law), for example, now included new language specifically naming border policemen as reinforcements for the *Länder* police whenever the free democratic order of the

¹²⁷⁹ For the letter to the Editor demanding that members of the BGS wear their Third Reich medals, see R. Owm., 1./Süd III, "Orden?" *Der Grenzjäger* 3, no. 4 (April 1953), 7.

¹²⁸⁰ Ulla Küspert and Erika Krauss, "Grenzer mit Mähne: strafversetzt zur Bundeswehr," *Hamburger Morgen Post* (20 September 1971), BA-MA BH28-2-387.

nation or a particular state was in “imminent danger.”¹²⁸¹ Article 91 now permitted the federal government to use border policemen beyond the frontiers to deal with internal emergencies in any one of its states. This amendment effectively transformed it into a mobile police reserve that could be used anywhere.¹²⁸² In addition to the revisions of Article 91, the emergency laws also included changes to articles 35 and 115 (f) of the Basic Law. Article 35 permitted border policemen to support *Länder* police forces in the event of a natural disaster and article 115 (f) solidified the controversial right of border policemen to fight as military combatants.

The Interior Ministry, however, still faced challenging personnel shortages and had never really succeeded in fully staffing the force. Despite innovative recruitment drives and advertisements, there were simply not enough new applicants to reach its authorized strength (see Chapter 4). Staffing levels were such that there were rarely enough men to handle all of the routine duties involved in guarding West Germany’s frontiers and certainly not enough for the new internal security role outlined by the emergency laws.¹²⁸³ In addition to the revisions of Articles 91, 35, and 115 (f), the *Bundestag* also amended Article 12 of the Basic Law to include a provision for conscription. The new amendment, Article 12 (a), allowed the federal government to use conscripts as a means to reach the targeted strength of 20,000 men.¹²⁸⁴ This Compulsory Service Act (conscription) easily passed and became law in 1969. Now the *Bundesgrenzschutz* could fill its vacancies in the same manner as the army.¹²⁸⁵ Border police leaders began working to re-structure the organization to accommodate the new changes and opportunities created by this legislation. On 16 September 1968, for example, the chairman of the border police

¹²⁸¹ See “Grundgesetz für die Bundesrepublik Deutschland,” Textausgabe Stand: August 2006 (Berlin: Bundeszentrale für politische Bildung, 2006), 55.

¹²⁸² *Ibid.*

¹²⁸³ There were only about 16,000 border policemen for all of West Germany when the emergency laws were passed; see Bundesvorsitzender Bundesgrenzschutz-Verband e.V. an Herrn Bundesminister des Innern Ernst Benda, 16 September 1968, “Um die Zukunft des Bundesgrenzschutz: Gedanken und Vorschläge des Bundesgrenzschutz-Verbandes e.V.” BArch-K B106/88821.

¹²⁸⁴ “Nach Verabschiedung der Notstandsgesetze: der Bundesgrenzschutz rüstet sich für neue Aufgaben,” *Die Welt* (2 August 1968), 1, BA-MA BH28-2-257.

¹²⁸⁵ The issue of conscription was controversial until the passage of the emergency laws when the BGS took on a larger internal security role – see Chapter 4.

employee association wrote to Interior Minister Ernst Benda with a series of recommendations. The Chairman attached a lengthy memorandum outlining his suggestions.¹²⁸⁶

The memorandum outlined the security situation in West Germany and was written in the immediate aftermath of the final Soviet crack down on the Prague Spring in Czechoslovakia. According to the authors, what happened in Prague was a warning of things to come if the Federal Republic and the GDR attempted to find a common path to democratic socialism.¹²⁸⁷ The Soviet Union, they believed, would foment internal unrest to the point where they could bring all of Germany under their economic sphere of influence. The authors argued that evidence of this Soviet meddling in the Federal Republic was already apparent during the Easter Riots in the aftermath of Dutschke's shooting where "small groups of nihilists, anarchists, utopians, and communists nurtured this hope."¹²⁸⁸ The emergency laws were a direct result of the Allied termination of their special powers granted by the occupation statute in 1949. In order to gain full sovereignty, West Germany needed emergency laws to show it could provide for its own internal security. The change in Allied policy also convinced the border police association that the opportunity was open for the Soviets to exploit weaknesses and attempt to dominate Europe by force.¹²⁸⁹ As a remedy they suggested the state maintain its own internal security forces, but warned it was questionable "whether our security forces are strong enough, correctly structured, appropriately deployed, properly trained, and appropriately equipped" to successfully carry out these new responsibilities.¹²⁹⁰

¹²⁸⁶ Bundesvorsitzender Bundesgrenzschutz-Verband e.V. an Herrn Bundesminister des Innern Ernst Benda, 16 September 1968, "Um die Zukunft des Bundesgrenzschutz," BArch-K B106/88821.

¹²⁸⁷ Ibid; the Prague Spring was an internal reform movement in Czechoslovakia led by Czech leader Alexander Dubcek as a means of forging a new path to socialism divergent from Moscow – for a brief synopsis see for example, William I. Hitchcock, *The Struggle for Europe: The Turbulent History of a Divided Continent, 1945 to Present* (New York: Anchor Books, 1993), 288-293.

¹²⁸⁸ "Um die Zukunft des Bundesgrenzschutz," BArch-K B106/88821.

¹²⁸⁹ Ibid.; see Mirjam Künkler and Tine Stein (eds.), *Constitutional and Political Theory Selected Writings Ernst-Wolfgang Böckenförde Professor Emeritus, University of Freiburg and Former Judge of the Federal Constitutional Court of Germany*, Vol. 1 (Oxford: Oxford University Press, 2017), 109.

¹²⁹⁰ Bundesvorsitzender Bundesgrenzschutz-Verband e.V. an Herrn Bundesminister des Innern Ernst Benda, 16 September 1968.

The memorandum also pointed out something far more problematic for West Germany – the inability of its police forces to meet the requirements outlined by the emergency laws. This was particularly true for the *Bundesgrenzschutz*, which as the authors noted, received mainly military-style training yet was ultimately too weak to defend the state against external attacks. Moreover, because it was a militarized police force, its personnel were also underprepared and poorly trained to handle basic civilian law enforcement duties. But the larger problem outlined in the memorandum was the fragmentation of West Germany’s police forces more generally. When the emergency laws were passed there were approximately 16,000 border policemen, 90,000 uniformed state policemen, 19,000 BePo officers, and 12,000 officers assigned to the *Bundeskriminalamt* (federal criminal police - BKA).¹²⁹¹ The authors argued these forces were too weak to defend the nation against internal unrest and disorder.¹²⁹² They also warned that if border policemen were withdrawn from their posts on the frontiers for internal emergencies, it would leave the state vulnerable to attack from the outside. In other words, according to the memorandum, greater centralization of all civilian police forces was needed in order to successfully meet the new demands of internal security. They proposed the *Bundesgrenzschutz* as the key component of this new centralized system.¹²⁹³

The memorandum was a product of the border policemen’s employee association and as such, was slanted to emphasize their own concerns over the future of the organization and the jobs it provided. The emergency laws provided an opportunity for the association to re-define the role of its members and also to improve the overall working conditions and benefits they enjoyed. In her study of the *Bundesgrenzschutz* and organizational legitimacy the Sociologist Patricia Schütte-Bestek has aptly suggested that the emergency laws created “conditions at the political level which permanently secured the legitimacy of the BGS for the support of the state police...the BGS began to gradually develop a

¹²⁹¹ “Um die Zukunft des Bundesgrenzschutz: Gedanken und Vorschläge des Bundesgrenzschutz-Verbandes e.V.” BArch-K B106/88821.

¹²⁹² Ibid.

¹²⁹³ Ibid.

reputation as an operational reserve and thus created a condition for the establishment of further legitimacy.”¹²⁹⁴ The emergency laws produced a niche that was perfectly suited for a force like the *Bundesgrenzschutz*. West Germany’s civilian police forces were generally too fragmented to handle significant incidents of internal unrest. But the Basic Law also prohibited the use of the armed forces (*Bundeswehr*) to maintain domestic law and order. Using border policemen for internal security gave the government more power in responding to a crisis without undermining the civil liberties of the population by using the army.¹²⁹⁵ An article in the May 1968 edition of *Die Parole* was explicit on this point: “The stronger the BGS, the less need there is for the Bundeswehr in such cases.”¹²⁹⁶ Border police Chief (*Inspekteur*) Brigadier General Detlev von Platen emphasized the same thinking in a contribution he made to *Die Parole* in December 1968. According to von Platen, the emergency laws now provided a “concretization” of the organization’s role in securing West Germany’s democracy.¹²⁹⁷ He wrote, “above all, it [BGS] will not and cannot be used against its own population, but rather for their protection should this become necessary.”¹²⁹⁸

The changes included in the emergency laws were only the first steps in a new, comprehensive coordination of all West German domestic security forces. Between 1965 and 1971, the budget for the *Bundesgrenzschutz* steadily increased from approximately 300 million to 500 million DM per year.¹²⁹⁹ These new reforms and the budget to support them gained momentum just as Willy Brandt took over as the first SPD Chancellor in the postwar era. Brandt’s leadership style ushered in a new approach to government that favored a greater centralization of state resources and this would go on to have a profound effect on police reform. As Historian Karrin Hanshew pointed out in her study of West

¹²⁹⁴ Patricia Schütte-Bestek, *Aus Bundesgrenzschutz wird Bundespolizei*, 116.

¹²⁹⁵ The army was generally prohibited from being used in a domestic emergency – see Article 87a Grundgesetz – Bundeszentrale für politische Bildung, “Grundgesetz für die Bundesrepublik Deutschland,” 51.

¹²⁹⁶ Staff, “BGS und Notstandsverfassung,” *Die Parole* 18, no. 5 (15 May 1968), 2.

¹²⁹⁷ Detlev von Platen, “Über die Aufgaben des BGS: Aus seiner Ansprache in Fulda,” *Die Parole* 18, no. 12 (15 December 1968), 2.

¹²⁹⁸ *Ibid.*

¹²⁹⁹ See “Schwerpunktprogramm Innere Sicherheit,” *Die Parole* 22, no. 4 (April 1972), 3.

Germany in the 1970s, “Social Democrats’ traditional inclination toward centralized uniform power and faith in progress combined with a new embrace of science and technology...”¹³⁰⁰ Brandt was known as the “*Kanzler der inneren Reformen*” (Chancellor of domestic reform) and his leadership inspired a significant effort to modernize domestic governmental agencies and advance democratization to a greater extent than at any point in the postwar era.¹³⁰¹ From a foreign policy perspective, Brandt championed what has been called *Neue Ostpolitik* – a policy of rapprochement and détente with Eastern Bloc countries that he underscored in 1970 with his famous act of kneeling at the monument to the victims of the Warsaw Ghetto Uprising.¹³⁰² The spread of détente and the increased security structures along the inner-German border reduced tensions with the GDR. Like other federal agencies at the time, the *Bundesgrenzschutz* benefitted from this renewed spirit of modernization. Détente reduced the chances of war as border violations decreased and thus gave the Interior Ministry more flexibility to use border policemen for domestic security duties.

The SPD’s modernization campaign influenced the ÖTV’s 1969 influential report “The Modern Bundesgrenzschutz.” Chairman Gerhard Schmidt sent this report to Interior Minister Hans Dietrich Genscher in 1969.¹³⁰³ The ÖTV represented a variety of West German police officers including some members of the *Bundesgrenzschutz*. The report outlined a comprehensive reform program and pointed directly to the relative stability on the border due to Brandt’s *Neue Ostpolitik* and the emergence of détente between the United States and Soviet Union. It emphasized that, “the agreement of the great powers to the status quo and the respect of the mutual spheres of influence made violent border incidents

¹³⁰⁰ Karrin Hanshew, *Terror and Democracy*, 115.

¹³⁰¹ Bernhard Gotto, “Von enttäuschten Erwartungen: Willy Brandt’s “Mehr Demokratie wagen” und Valéry Giscard d’Estaings “*Démocratie française*,” in Bernhard Gotto, Horst Möeller, Jean Mondot and Nicole Pelletier (eds.), *Nach “Achtundsechzig”: Krisen und Krisenbewusstsein in Deutschland und Frankreich in den 1960er Jahren* (München: Oldenbourg Wissenschaftsverlag GmbH, 2013), 43.

¹³⁰² See Katarzyna Stoklosa, *Polen und die deutschen Ostpolitik 1945-1990* (Göttingen: Vandenhoeck & Ruprecht, 2011), 187.

¹³⁰³ ÖTV Chairman Gerhard Schmidt to Interior Minister Hans Dietrich Genscher, 29 December 1969, Anlage: “Der Moderne Bundesgrenzschutz: Die Gewerkschaft Öffentliche Dienste, Transport und Verkehr: stellt zur Diskussion,” BArch-K B106/88821.

ever more improbable.” In addition, both East and West German fortification measures had reached an extent where cross border infiltrations were less likely.¹³⁰⁴ The ÖTV report specifically took aim at the combatant status that was awarded to border policemen in 1965 – renewing a source of tension between union officials and the federal government. According to the ÖTV, using policemen as combatants was problematic because, “for the first time in the Federal Republic, military tasks were transferred to a police organization the mixture of which created a dangerous situation and increasingly pushed police duties into the background.”¹³⁰⁵

The report outlined many reforms that were agreeable to the Interior Ministry, but remained critical of the military-style equipment, training, and organization of the *Bundesgrenzschutz*. Border policemen, the report suggested, were supposed to bring perpetrators to justice under the democratic rule of law rather than attack them like soldiers. This was a progressive approach since many state and local police forces still functioned like the militarized Prussian police forces of the Weimar Republic.¹³⁰⁶ Accordingly, their equipment had to be modernized. Instead of mortars and machine guns, policemen would be better served, they argued, by mastering the use of data processors and electronic devices to aid in the capture of criminal fugitives. Framed in this way, the ÖTV report fit perfectly with the SPD preference for modernization, planning, and the postwar welfare state.¹³⁰⁷ The report also suggested a complete abandonment of the traditional field-grey military uniforms and steel helmets so that members of the *Bundesgrenzschutz* could be internationally recognizable as police officers instead of soldiers. According to the authors, “it is only when the federal border police is released from its military mission that, as a true federal police force it can be fully used for policing tasks, which is now all the more

¹³⁰⁴ Ibid.

¹³⁰⁵ Ibid.

¹³⁰⁶ Some police forces began changing at the end of the 1960s, but many still used militarized tactics and equipment; for a comprehensive analysis of these challenges, see Klaus Weinbauer, *Schutzpolizei in der Bundesrepublik*, 165, 168-169.

¹³⁰⁷ Karrin Hanshew, *Terror and Democracy*, 115.

urgently needed for the fulfillment of internal security duties.”¹³⁰⁸ Many ÖTV representatives, especially those from the larger states of Bavaria and Hesse, still feared that federal policemen might be used to supplant duties normally reserved for the *Länder* police – a large bloc of their union membership. From this perspective, the ÖTV had some competing interests with progressives in the SPD, which called for greater police centralization, especially with the emergence of leftist terror cells in West Germany.¹³⁰⁹

In February 1970, the debate over the revised internal security role of the *Bundesgrenzschutz* was the focus of an article in the *Stuttgarter Zeitung*.¹³¹⁰ In the article, ÖTV Chairman Gerhard Schmidt was quoted as saying that “the BGS needed to be psychologically and materially disarmed.” Schmidt also argued for reforms that were guided by the principle of what he called “internal and external democratization.” Border policemen, he claimed, should be stripped of all military equipment, uniforms, and training in order to bring their organization into line with traditional civilian policing.¹³¹¹ The article irritated *Inspekteur* von Platen since he was determined to challenge any accusations that the *Bundesgrenzschutz* was just a military force in disguise. He wrote to Federal Interior Minister Hans Dietrich Genscher and complained that Schmidt’s criticisms of the military-style equipment and training in border police units had nothing to do with democratization. He emphasized that the “*Bundesgrenzschutz* was already firmly grounded in our democracy and is legally bound by the Basic Law; anyone who suggests something else is mistaken.”¹³¹²

Genscher joined a long line of Interior Ministers beginning with Robert Lehr who aggressively defended the state’s need for its own national police force. He immediately wrote to Chairman Schmidt

¹³⁰⁸ “Der Moderne Bundesgrenzschutz”.

¹³⁰⁹ Karrin Hanshew, *Terror and Democracy*, 113.

¹³¹⁰ “ÖTV wünscht keine Grenzschutz-Generäle,” *Stuttgarter Zeitung* (6 February 1970), 1, BArch-K B106/88821

¹³¹¹ *Ibid.*

¹³¹² Letter from BGS Inspekteur Detlev von Platen to Bundesminister des Innern, Hans Dietrich Genscher, 11 February 1970, Betr: “Angriff der ÖTV auf die demokratische Grundhaltung des Bundesgrenzschutzes, *Stuttgarter Zeitung* vom 6. Febr. 1970,” BArch-K B106/88821.

complaining about his statements to the *Stuttgarter Zeitung*.¹³¹³ Contrary to Schmidt, Genscher argued, “the members of the BGS already stand clearly and unambiguously on the very soil of our democracy; I was thus astonished and dismayed that you think otherwise.”¹³¹⁴ Schmidt was caught off-guard by Genscher’s rebuke. He wrote to him apologizing for the misunderstanding and claimed that the *Stuttgarter Zeitung* misconstrued what he said. But Schmidt still used the opportunity to complain to Genscher about the recent introduction of conscription to address personnel shortages. He argued: “The ÖTV trade union cannot agree with the maintenance of combatant status and the introduction of conscription to fill vacant positions, which simply cannot be reconciled with the police and the alleged police character of the Bundesgrenzschutz.”¹³¹⁵ Schmidt’s comments to Genscher underscored that there were still tensions over the combatant status debate and reflected that there was an element of truthfulness in what the *Stuttgarter Zeitung* reported.

Genscher pointed out these inconsistencies to Schmidt in his reply. He complained that it made no sense to criticize the equipment, training, or combatant status of the *Bundesgrenzschutz*, since all of these things were authorized and regulated by the *Bundestag*.¹³¹⁶ Genscher argued, “I cannot support your remarks about allegedly increasingly noticeable military tendencies in the Bundesgrenzschutz – to me, the reasoning you give for your fears seems largely unconvincing.”¹³¹⁷ He was referring to Schmidt’s claims that the uniforms, equipment, and military ranks used by border policemen had somehow contributed to the organization’s military character. Moreover, Schmidt’s criticism of the new conscription law particularly irritated Genscher because as he pointed out, recruitment efforts had thus far failed to attract enough young men to fill even those vacancies caused by normal attrition rates. He

¹³¹³ Letter from BMI Hans Dietrich Genscher to ÖTV Chairman Gerhard Schmidt, 20 February 1970, BArch-K B106/88821

¹³¹⁴ Ibid.

¹³¹⁵ Letter from ÖTV Chairman Gerhard Schmidt to BMI Hans Dietrich Genscher, 6 March 1970, BArch-K B106/88821.

¹³¹⁶ Letter from BMI Hans Dietrich Genscher to ÖTV Chairman Gerhard Schmidt, 24 April 1970, BArch-K B106/88821.

¹³¹⁷ Ibid.

suggested, “under the present circumstances, there are no alternative solutions to conscription to reach these staffing goals.”¹³¹⁸ As with other debates surrounding the unique position of border policing in West Germany’s internal security infrastructure, the Genscher-Schmidt correspondence reflected the ongoing tensions of classic federalism as manifested in the question of how best to police a democracy. The inherent fear of centralized-military style policing still haunted postwar Germany twenty-five years after the collapse of the Nazi dictatorship. But new security challenges caused by the advent of terrorism pushed West German lawmakers closer than ever to a more centralized style of policing.

On 8 May 1971, Genscher addressed these issues in a speech to a gathering of border policemen in Lübeck on the occasion of the *Bundesgrenzschutz*’ twentieth anniversary. He talked about a need for what he called a “cooperative federalism” whereby border policemen could be sent to support rather than supplant *Länder* policemen. He argued: “In order to safeguard the police character of the BGS...I believe it is important to ensure, through the new draft law, that the BGS, whose existence has been repeatedly questioned in the past, is preserved.”¹³¹⁹ Genscher’s reference to a “new draft” referred to a revised federal police law that had already been circulating in the Interior Ministry. The new law was first proposed after the passage of the emergency acts by then Interior Minister Ernst Benda and developed further in 1970 by the Conference of Interior Ministers in Working Group II – Internal Security (*Arbeitskreise II – Innere Sicherheit*).¹³²⁰ The law was an attempt to codify the changes outlined by the emergency acts of 1968 and reform the *Bundesgrenzschutz* into a traditional law enforcement agency.¹³²¹ The proposed legislation reflected the largest effort to legally define the organization’s role since its foundation in 1951.

¹³¹⁸ Ibid.

¹³¹⁹ Ansprache: des Bundesministers Hans-Dietrich Genscher vor Angehörigen des Bundesgrenzschutzes anlässlich des 20-jährigen Bestehens des BGS in Lübeck, Bonn/Lübeck den 8 May 1971, BArch-K B106/83890.

¹³²⁰ See “Massnahmen zur Verbesserung der Inneren Sicherheit: Bericht der Arbeitsgruppe ‘Innere Sicherheit-Bund’ beim Bundesminister des Inneren vom 10 Dezember 1971,” VS-Vertraulich amtlich geheimgehalten, BArch-K B443/897.

¹³²¹ David Parma, *Installation und Konsolidierung des Bundesgrenzschutz*, 377-378; Parma’s book is the most recent overview of the Bundesgrenzschutz and it specifically covers the 1972 revisions.

The main objective of the proposal was to standardize the training, equipment, and procedures to the extent that border policemen and their counterparts in other civilian forces worked interchangeably towards maintaining internal security. The changes included such things as new training plans covering law enforcement and crime detection duties, revised pay scales, better equipment, and a new rank structure based on police rather than military titles.¹³²² In other words, the law prepared border policemen to be used for civilian policing tasks. They were now permitted to attend the same police schools, take the same promotional exams, and expected to meet the same standards as their colleagues serving in state and local police departments. The law also banned mortars and the traditional *Wehrmacht* steel helmets, which were replaced by civilian police riot helmets and high-pressure water cannons.¹³²³ The proposal also explicitly gave border policemen jurisdiction over the security of federal buildings and sites around Bonn's government quarter. By including the provision for security in Bonn, the Interior Ministry finally resolved longstanding grievances between officials from the state of *Nordrhein Westfalen* and the federal government over who had authority for security at these key sites. The only point of conflict for the ÖTV was the Interior Ministry's refusal to take away the combatant status given to border policemen by the *Bundestag* in 1965.¹³²⁴ Nevertheless, in spite of this difference, the ÖTV supported the new law even though the Interior Ministry considered combatant status a non-negotiable provision.

The struggle between continuity and change in the *Bundesgrenzschutz* did not just end with the new legal provisions outlined in Genscher's proposed reforms. Genscher's challenge was to re-define the force as an instrument of internal security while maintaining its external security role along the inner-German border. Not everyone in the organization or the Interior Ministry believed that shifting away from military-style policing was a good idea. In 1971, despite the new focus on internal security, border policemen were still practicing for and imagining a war against insurgents at the demarcation line. In

¹³²² For the draft submitted to the Bundestag see Staatssekretär Dr. Rutschke, "Folgerungen aus dem BGS-Gesetz für den BGS, Weisung vom 20 Januar 1972," BArch-K B106/83883.

¹³²³ Ibid.

¹³²⁴ Ibid.

practice, however, the counterinsurgency drills were much different than the joint exercises with U.S. Special Forces that took place before the emergency laws were passed. Moreover, the West German press also began covering these exercises. Again, the emergence of a critical public and past experiences with negative media coverage helped shape this new approach. In Operation *Heckenrose*, for example, the press was on hand while border policemen practiced repelling a force of 300 communist insurgents in the region around Lüneburg.¹³²⁵ Instead of shooting at the insurgents, the *Bundesgrenzschutz* used its mobility to outmaneuver and detain the enemy. The captured prisoners were “handed over to a magistrate to face trial.” The leader of the exercise, Colonel Kühne, explained that, “in contrast to the military, in our country, border policemen do not kill the enemy.” Furthermore, he said that his men “are part of a police force that must always follow the Basic Law and shoot only in the case of self-defense.”¹³²⁶

While the ÖTV worked with the government to find solutions and compromises to the problems of police militarization, the *Gewerkschaft der Deutsche Polizei* (GdP) under Chairman Werner Kuhlmann was more critical and declared Genscher’s proposals for a new law to reform the *Bundesgrenzschutz* unconstitutional.¹³²⁷ Kuhlmann’s constituency included a large majority of *Länder* policemen who worried about losing jurisdiction and jobs to a federal force. Kuhlmann had been the strongest critic of the *Bundesgrenzschutz* and had recently demanded investigations into allegations by *Länder* policemen that decorated flight instructor Colonel Erwin Knorr had beaten them during training exercises.¹³²⁸ The GdP argued that although in the aftermath of 1968, many police forces had learned the benefits of de-

¹³²⁵ Josef Schmidt, “Unternehmen Heckenrose mit vielen Stacheln” *Bundesgrenzschutz zog gegen Partisanen ins Manöver*,” *Weser-Kurier* (22 September 1971), 1.

¹³²⁶ *Ibid.*

¹³²⁷ David Parma, *Installation und Konsolidierung des Bundesgrenzschutz*, 417-418.

¹³²⁸ Knorr, a decorated fighter ace from the Second World War and Adenauer’s official pilot, was accused of delivering blows to his students in the cockpit during flight training; Knorr said he only did so when it appeared the trainees might make mistakes that would cause a catastrophic crash. The investigation later determined that his actions were justified. See articles in press collection BA-MA BH28-2-387, “14 Piloten bestätigen die Vorwürfe gegen den BGS,” *Neue Hannoversche Presse* (14 March 1973) “Zu harte Knüffe für Fehlgriffe? Der Bonner Prozess gegen einen Fluglehrer,” *Welt an Sonntag* (15 June 1975); See also “Kuhlmann bekräftigt Vorwürfe gegen den Bundesgrenzschutz,” *Die Welt* (5 May 1973); “Werner Kuhlmann führt seit Jahren einen Privatkrieg gegen den Bundesgrenzschutz,” *Die Welt* (6 March 1973).

escalation tactics in demonstrations, the use of “paramilitary border policemen against strikers by the federal government would lead to murder and manslaughter.”¹³²⁹ But Kuhlmann’s campaign against the *Bundesgrenzschutz* began losing ground as internal security problems, such as the increase in violent crime and terrorism, often stretched the resources of the *Länder* police. The SPD also praised border policemen for their help against the Baader-Meinhof gang (see below), apprehending bank robbers in Cologne, and for increased their securing of the nations airports.¹³³⁰ In 1973 alone, border policemen seized 20,000 rounds of ammunition, 700 stabbing weapons, 11 hand grenades and 1335 other dangerous objects at airports across the country.¹³³¹ Even the press started to criticize Kuhlmann. The *Bild am Sonntag*, for example, printed the accusation by the federal judge who presided over Colonel Knorr’s case that Kuhlmann had been waging an “unscrupulous war against the Bundesgrenzschutz.” The judge concluded that Knorr had been an “exemplary officer” and that Kuhlmann “tried to use individual state policemen [who were allegedly beaten] as leverage to achieve his own personally motivated goals.”¹³³²

In spite of Kuhlmann’s criticisms, however, there was no pattern of complaints by border police candidates that they had been subjected to overly harsh or abusive training. There were only five candidates who complained out of the hundreds that were trained under Colonel Knorr’s supervision. Most lawmakers agreed that the federal government’s border police force could positively contribute to the overall mission of promoting internal security, especially with its helicopter squadrons, which gave it an airborne mobility missing from most *Länder* forces. Genscher and many of the *Bundesgrenzschutz* commanding officers understood these capabilities and worked closely with the conference of interior ministers and officials from the ÖTV to come up with legal options that helped the organization become a

¹³²⁹ Hanns Wüllenweber, “Der Grenzschutz bleibt Militär – polizeigewerkschaft ist gegen Einsatz bei Demonstrationen,” *Weser-Kurier* (3 July 1972), 1, BA-MA BH28-2-387.

¹³³⁰ “Neue Aufgaben für den Bundesgrenzschutz,” *Vorwärts* (2 November 1972), BA-MA BH28-2-387.

¹³³¹ Cord Kather, “Die Grenzer im grünen Rock: Braucht dieser Staat eine Bundespolizei? Ist der Bundesgrenzschutz eine potentielle Bürgerkriegsarmee? Oder nu rein Dienstleistungsbetrieb in Sachen Sicherheit?” *Deutsches Allgemeines Sonntagsblatt* (17 February 1974), 1, BA-MA BH28-2-387.

¹³³² Horst Günther Tolmein, “Bleibt der Grenzschutz auf der Strecke? Prozess gegen Oberst Knorr wirft eine neues Schlaglicht auf die politische Kampagne gegen den Bundesgrenzschutz,” *Bild am Sonntag* (13 July 1975), BA-MA BH28-2-387.

multifunctioning national police force.¹³³³ After a series of debates and readings in the *Bundestag* and *Bundesrat*, the law was passed and enacted on 18 August 1972.¹³³⁴

Why did the *Bundesgrenzschutz* adopt a more modern approach to policing than many of its counterparts at the state and municipal levels of law enforcement? By 1972, it was still a “time capsule” of 1950s conservatism and its personnel were no different from those serving in other police departments. Border policemen still imagined and trained for war against subversive forces from the East. To be sure, it was larger than most police forces and thus had the budget for better equipment and training. Between 1969 and 1972, for example, the federal government increased its budget for the *Bundesgrenzschutz* from 300 million to 500 million *deutsche marks*.¹³³⁵ But greater spending power was only part of the explanation. Instead, considering it was the only instrument of coercive force available exclusively to the federal government, the Interior Ministry and its succession of influential leaders made significant efforts to defend it against critics. Interior Ministers from Robert Lehr to Hans-Dietrich Genscher wanted to preserve this instrument of state power at all costs. Moreover, at the organizational level, border police leaders like Detlev von Platen and his subordinate commanders pushed for more civilian police training and wanted to show their men had separate duties from soldiers. While border policemen still had combatant status and practiced counterinsurgency, their leaders attempted to distinguish these practices from the army. Thus, the insurgents in these drills were arrested rather than killed – shooting was a last resort. This was part of a larger public relations campaign to counter the ongoing criticism by the GdP under Werner Kuhlmann. The Interior Ministry also exercised great restraint and only used border policemen in supportive roles or as a last resort in serious internal security emergencies. It took the

¹³³³ This question was even being asked by BGS Command personnel, see for example, BGS Oberstleutnant Karl-Heinz-Müller, “Bundesgrenzschutz – noch notwendig?,” *Frankfurter Allgemeine Zeitung*, OpEd, (15 August 1970), BA-MA BH28-2-527; Maria Stein, “Polizei: Genschers Truppe. Grenzschutzreform?,” *Christ und Welt* (7 August 1970), BA-MA BH28-2-527; see also, “So nicht mehr – Vorschläge für einen modernen BGS in dieser Aufgabe” – cover of ÖTV journal *Polizei Kurier* 1, no. 2 (1970).

¹³³⁴ The details of the various positions of lawmakers debating the new law is beyond the scope of this dissertation; for a comprehensive treatment of the deliberations in the Bundestag and Bundesrat, see David Parma’s *Installation und Konsolidierung des Bundesgrenzschutz*.

¹³³⁵ “Neue Aufgaben für den Bundesgrenzschutz,” *Vorwärts*.

eruption of domestic terrorism before the Interior Ministry even considered using the *Bundesgrenzschutz* for internal security duties and then only after all other measures were exhausted.

From Munich to Mogadishu: Fighting Terrorism in the FRG

Against the backdrop of the federal government's efforts to consolidate its police forces and expand the use of border policemen for internal security duties, West Germany was struck by the outbreak of domestic terrorism. The rise of leftist terror cells in the aftermath of 1968 was not unique to West Germany. Radical movements in Europe and the United States found common ideological ground with nationalist groups in the developing world. The West German RAF, for example, declared its solidarity with movements such as Popular Front for the Liberation of Palestine (PFLP) and other groups engaged in armed struggles against established governments. The RAF was also known as the Baader-Meinhof gang from the names of its founders, Andreas Baader and Ulrike Meinhof.¹³³⁶ Beginning in 1970, the RAF carried out a series of violent attacks across West Germany targeting department stores, U.S. military installations, banks, and high-profile government authorities. Eventually, the attacks shifted from important sites and institutions to kidnapping and targeted killings. The RAF and its terror campaign expedited West Germany's robust centralization and reform programs for civilian law enforcement. The *Bundesgrenzschutz* could move its personnel quicker than most police forces because its helicopter squadrons gave it an airborne capability that was even more efficient than the *Bundeswehr*.¹³³⁷ The use of helicopters was a key aspect of what security reformers such as the Hamburg

¹³³⁶ There are a number of good studies that focus on the history of the RAF. For a good overview see for example Karrin Hanshew's *Terror and Democracy*; Stefan Aust, *Baader-Meinhof: The Inside Story of the R.A.F.* (New York: Oxford University Press, 2008); Butz Peters, *Hundert Tage: Die RAF-Chronik 1977* (München: Droemer-Knauer, 2017); Anne Ameri-Siemens, *Ein Tag im Herbst: Die RAF, Der Staat und der Fall Schleyer* (Berlin: Rowohlt, 2017); Uwe Soukup, *Ein Schuss, der die Republik veränderte: Der 2. Juni 1967* (Berlin: Transit Verlag, 2017); see also J. Smith and André Moncourt (eds.), *The Red Army Faction: A Documentary History, Volume I: Projectiles for the People* (Oakland: PM Press, 2009).

¹³³⁷ This claim was made by BGS General Kühne, see Hans-Anton Papendieck, "Schatten über der heilen Welt des Bundesgrenzschutz: Beim BGS-Kommando Nord keine Ausbildungsübertretungen festgestellt, Gespräch mit Generale Kühne," *Hannoversche Allgemeine Zeitung* (19 March 1973), 1, BA-MA BH28-2-387.

Innensenator Heinz Ruhnau and others envisioned as part of a highly mobile or “flexible” police response to developing emergency incidents such as terror attacks and bank robberies.¹³³⁸

While border policemen were used to support state and local police against the RAF, they were not trained in counterterrorism until the murder of Israeli Athletes by Palestinian terrorists from the “Black September” cell at the Munich Olympics. The Black September cell was fighting for the independence of Palestine and to free political prisoners being held in Israel, Turkey, and Europe.¹³³⁹ Although officers lacked the formal training to deal with terrorism, the Interior Ministry used them to the best of their capability nonetheless. The press called border policemen “Bonn’s fire department” and that is precisely how they were used to combat terrorists.¹³⁴⁰ Beginning in May 1972, the RAF launched what at the time was called the “May Offensive” with a series of bombings culminating in an attack on U.S. forces at Heidelberg that killed three servicemen.¹³⁴¹ In response to the Heidelberg attack, the *Bundesgrenzschutz* Command Staff wrote to the Interior Ministry recommending that border policemen be used in airborne squadrons to carry out manhunts for terrorist suspects. Again, the size of its helicopter fleet and professionalization of its pilots made the *Bundesgrenzschutz* better suited to respond to terrorism. Other police forces lacked the budget to sustain their own helicopters and would have had to rely on the border police for this capability. The Staff argued that this approach had valuable “psychological” benefits and would show the RAF that there was no other option but capitulation.¹³⁴²

¹³³⁸ Karrin Hanshew and Klaus Weinhauer both point to Ruhnau as one of the SPD’s primary experts on internal security; see Karrin Hanshew, *Terror and Democracy*, 122; see also Klaus Weinhauer, *Schutzpolizei*, 300-301.

¹³³⁹ Karrin Hanshew, *Terror and Democracy*, 122.

¹³⁴⁰ Wolfgang Höpker, “Bundesgrenzschutz – Bonns Feuerwehr: Neue Aufgaben für die Eingreifreserve des Bundes,” *Stuttgart Christ und Welt* (23 June 1972), BA-MA BH28-2-387.

¹³⁴¹ J. Smith and André Moncourt (eds.), *The Red Army Faction*, 178; See also “Blasts at U.S. Base in Germany Kill 3,” *The New York Times* (25 May 1972).

¹³⁴² Letter from Unterabteilungsleiter BGS II an Bundesministerium des Innern, 25 May 1972, BArch-K B106/371806.

As part of its propaganda campaign, the RAF also issued numerous bomb threats against various government targets.¹³⁴³ In response to these incidents, the Interior Ministry authorized a nationwide manhunt targeting the RAF and its supporters. The operation included special squads of border policemen, *Länder* forces, and members of the BKA working together in a coordinated effort. These forces established numerous checkpoints on federal highways in a dragnet designed to locate and capture fugitives. In addition to the checkpoints, border police helicopters each staffed with five heavily armed officers were kept on stand-by to respond wherever they were needed. Two companies of border policemen with over 400 men and two helicopters were also sent to reinforce the Bavarian Border Police. Moreover, all border crossings manned by the *Grenzschatzeinzeldienst* (individual service) were staffed with extra personnel.¹³⁴⁴ The operations were aimed to disrupt the RAF and were the largest postwar use of civilian police forces in West Germany. On a single day at the beginning of the May operation, for example, the state deployed 14,930 men consisting of both *Länder* and border police forces. In addition to these personnel resources, the massive operations included 34 helicopters and 2,658 police vehicles.¹³⁴⁵

The surge of police power and especially the checkpoints along the autobahn meant that West Germans were subjected to a level of state intervention and surveillance that made many people feel uneasy. The presence of so many officers prompted skeptics on the Left to accuse the Federal Republic of becoming an authoritarian police state.¹³⁴⁶ It was not too difficult to see why critics believed the state was overstepping its bounds. During the extensive manhunts, for example, there were 1,258 checkpoints established in which 210,218 vehicles were searched. During these random stops, over 254,199 persons were individually searched, of which 48 were arrested and a further 58 were issued citations for various minor offenses. As an unintended consequence of the nationwide dragnet, policemen seized cars, weapons, jewelry, radios and cash that were associated with crimes other than those committed by the

¹³⁴³ Bundeskriminalamt Telex warning of RAF threats: 22 May 1972, BArch-K B106/371806.

¹³⁴⁴ Telex from Bundesministerium des Innern 31 May 1972 to BGS II, BArch-K B106/371806.

¹³⁴⁵ See memorandum from BGS Inspektor Rudolf Grüner to all BGS Commands, 31 May 1972, "Fahndung im Bundesgebiet," BArch-K B106/371806.

¹³⁴⁶ Timothy Scott Brown, *West Germany and the Global Sixties*, 35.

RAF.¹³⁴⁷ To be sure, any police detention or search has powerful psychological influence over the individual subjected to it whether or not it ultimately ends in adverse action. As criminologists Leanne Weber and Ben Bowling emphasize, “stop and search” tactics by the police reflect “a visceral manifestation of coercive and intrusive power and the most publicly visible interaction between state agent and citizen.”¹³⁴⁸ Nevertheless, the Interior Ministry believed these nationwide manhunts and unbridled use of officers to stop and search citizens were decisive factors in combatting terrorism. On 1 June 1972, for example, RAF leader Andreas Baader was arrested along with his accomplices Holger Meins and Jan-Carl Raspe after a shootout with police in Frankfurt Main. The increased police presence made it difficult for RAF members to move as freely as they had before the dragnets. A confidential Inter-office memorandum from the *Bundesgrenzschutz* section in the Interior Ministry claimed the recent show of police force encouraged Baader, Meins, and Raspe to flee from their hideouts and contributed to their capture.¹³⁴⁹

For West Germany and the *Bundesgrenzschutz* in particular, the terror attacks perpetrated by the radical PFLP cell “Black September” at the Munich Olympic Games in 1972 were a key turning point.¹³⁵⁰ The shock of the surprise attack followed by the blundered efforts of Bavarian police officials to resolve the crisis contributed to the deaths of eleven Israeli athletes and one German police officer. What the press called the “Munich Massacre” was televised worldwide and the dramatic events were watched live by millions of people. The games were symbolically important for postwar West Germans. It was the

¹³⁴⁷ For a detailed break down of these searches and police/BGS resources, see Inter-office memorandum 6 May 1972, Bundesministerium des Innern – BGS II 1, Gründemann, BArch-K B106/371806, 1.

¹³⁴⁸ Leanne Weber and Ben Bowling (eds.), *Stop and Search: Police Power in Global Context* (New York: Routledge, 2013), 1.

¹³⁴⁹ Inter-office memorandum 2 June 1972, Bundesministerium des Innern – BGS II 1, Gründemann, BArch-K B106/371806, 2-3.

¹³⁵⁰ For two excellent overviews of the terrorist attack see David Clay Large, *Munich 1972: Tragedy, Terror, and Triumph at the Olympic Games* (New York: Rowan and Littlefield, 2012); Kay Schiller and Christopher Young, *The 1972 Munich Olympics and the Making of Modern Germany* (Berkeley: University of California Press, 2010); for analysis of the security planning see Bernhard Fischer, “Die Olympischen Spiele in München: Sicherheitskonzept und Attentat im Spiegel der Akten des Sicherheitsbeauftragten im Bayerisches Staatsministerium des Innern und der Staatsanwaltschaft München I” (Diplomarbeit: der Bundeswehr Universität München, 2006).

first time a German city hosted the Olympics since 1936 when Hitler's Third Reich was in power. Organizers thus wanted to minimize the presence of heavily armed security forces that might evoke the militarism of Nazi Germany.¹³⁵¹ In the months leading up to the games, Munich Police President Manfred Schreiber, the primary architect of security for the Olympics, wrote to the Interior Ministry pointing out recent press criticism for heavy police presence at sporting events.¹³⁵² He attached an article from the *Münchner Merkur* whereby three members of the international press criticized security measures at the Hanns-Braun sports festival, especially the heavily armed officers, armored vehicles and police dogs.¹³⁵³ Schreiber was already well known for his low-key approach to law enforcement. During the Shah's 1967 visit to Munich, Schreiber's policemen de-escalated tensions with protestors and this had a positive outcome in contrast to the heavy handed response by the Berlin Police.¹³⁵⁴

Schreiber's approach to security was shaped by his experience with de-escalation that had earned him great respect in dealing with demonstrations. His solution for the Olympics was to form a special unit or *Ordnungsdienst* made up of policemen from all over Germany including 900 members from the *Bundesgrenzschutz*. The border policemen assigned to this detail served on paid leave from their regular units and were temporarily placed under the command of the Bavarian state police for the duration of the Olympics.¹³⁵⁵ In creating the *Ordnungsdienst*, Schreiber specifically wanted to minimize the presence of visible security forces within the Olympic venues and sought police officers that already had an aptitude

¹³⁵¹ The 1936 Olympics and the imagery of Hitler's SA troops marching in the ceremonies was a topic the Olympic Committee learned was being brought up in some press reports. See for example, Martin Maier, "Klischeebilder," *AZ Zürich Sport* (August 14, 1970); this article was sent to the Interior Ministry by the Olympics Security Chief, Dr. Manfred Schreiber – see Memorandum from Dr. Schreiber to Ministerialdirektor Dr. Fröhlich, 27 October 1970, BArch-K B106/88817.

¹³⁵² Letter, Dr. Manfred Schreiber, Organisationskomitee für die Spiele der XX. Olympiade München 1972 an Oberstleutnant im BGS Krassmann, Bundesministerium des Innern, "Verhalten und Erscheinungsbild von Ordnungskräften im weiteren Sinne bei Strassenwettbewerben," 20 September 1971, BArch-K B106/371832, Band III.

¹³⁵³ "Viel Polizei – wenig Organisation: Drei bekannte Sport-Journalisten kommentieren den vorolympischen Test," *Münchner Merkur* (7 September 1971).

¹³⁵⁴ This low-key approach was initiated by Schreiber when he took over the Munich Police in 1963, see Eckard Michels, *Schahbesuch 1967*, 162.

¹³⁵⁵ See "Vereinbarung über die Abstellung von Angehörigen des Bundesgrenzschutzes zum Ordnungsdienst des Organisationskomitees für die Spiele der XX. Olympiade München 1972," BArch-K B106/371832, Band II.

for sports so that they would blend in with athletes and guests.¹³⁵⁶ Foreign language skills were particularly important because they were expected to function like “ambassadors” for international guests. Members of the *Ordnungsdienst* were unarmed, had no police powers, and wore stylish tracksuits instead of uniforms. Each member had to attend a mandatory five-day seminar held at the Munich Police Training Institute in May 1972.¹³⁵⁷ The Munich Police administered the training and it included topics that ranged from the history of the Olympics, basic psychology, and security problems to de-escalation techniques for crowd control. Dr. Schreiber taught a course on using verbal skills as an intervention technique to defuse potential conflicts.¹³⁵⁸ There were pistols assigned to each member, but strikingly, these were all stored in a secure armory at the *Warner Kaserne* located seven kilometers away from the Olympic Village.¹³⁵⁹ Instead of firearms, they carried whistles and air horns to distract potential demonstrators. The use of policemen in this manner – as docents rather than executors of the state’s coercive power – might have been effective for diffusing unruly crowds, but rendered them useless against the potential violence perpetrated by terrorists. How were they expected to use pistols stored 7 kilometers away? In their study of the Munich Olympics, Kay Schiller and Chris Young emphasized that while the *Ordnungsdienst* was largely effective given its instructions for a soft approach to security, Schreiber’s decision to use it to “charm the public and execute its duties with a light touch certainly assisted the terrorists in the first instance.”¹³⁶⁰

Schreiber was simply more focused on ensuring that West Germany’s guests came away with a positive experience and favorable opinion of the games and their host nation. The Bavarian Interior

¹³⁵⁶ Protokoll, Sitzung der Arbeitsgruppe Polizei-Führungsstab: Ordnungsreferent Hermann Wöhrle, Abteilung XIII, 15 July 1971, “Aufgaben, Organisation und Arbeitsweise des Ordnungsdienstes und seine Abgrenzung zur Polizei,” BArch-K B106/371828.

¹³⁵⁷ This training is outlined in a letter with attached course plans from Dr. Manfred Schreiber to Herr Gründemann at the Interior Ministry, “Seminare für des Führungskräfte des Ordnungsdienstes,” 15 March 1972, BArch-K B106/371830.

¹³⁵⁸ Ibid.

¹³⁵⁹ See “Grenzschutzkommando Süd: Einsatz des BGS während der XX. Olympischen Spiele 1972 in München – Organisationsübersicht: 1. GSOD (Grenzschutzordnungsdienst), Ausrüstung, Great, Waffen,” 27 January 1972, BArch-K B106/371830.

¹³⁶⁰ Kay Schiller and Chris Young, *The 1972 Munich Olympics*, 308-309.

Ministry, for example, asked for twenty *Bundesgrenzschutz* helicopters not to increase security, but rather to efficiently move dignitaries and VIPs more rapidly and comfortably between the various sporting events.¹³⁶¹ The Olympic Committee Chairman Willi Daume wrote a personal letter that was provided to each member of the *Ordnungsdienst* as they began their training for the games. His words set the tone for the Committee's expectations and underscored its efforts to avoid negative images of German militarism. Daume completely failed to mention anything about security and/or safety. Instead, he stressed that each member must act as a positive example of Germany to the rest of the world. He reminded them that, "the awarding of the Twentieth Olympiad to us reflects worldwide trust. There have not been many examples yet for the world to restore this trust. And the land in which we live still has some room to improve. The games are a great opportunity for the world to know a different Germany than the one that many of our guests may still remember. A peace-loving Germany that would like to spread friendship and goodwill throughout the world."¹³⁶²

It thus came as a complete shock to security officials when they learned on the evening of September 5 that eight heavily armed Palestinian terrorists had scaled the perimeter fence of the Olympic Village and violently attacked the Israeli athletes quartered at 31 Connolly Strasse.¹³⁶³ The terrorists killed wrestlers Moshe Weinberg and Yossef Romano when they tried to resist. They barricaded themselves in the apartment and held nine other Israeli athletes hostage. The terrorists demanded the release of political prisoners in Israel and threatened to murder the athletes if their demands were not met. The Bavarian Interior Ministry managed the incident and set up a "crisis staff" to negotiate with the terrorists. The staff was led by Manfred Schreiber, but also included Federal Interior Minister Gelscher,

¹³⁶¹ Tragically, the doomed Israeli athletes perished in two of these helicopters during the firefight at the Fürstenfeldbruck airfield during the botched rescue attempt – see Letter from Bayrische Ministerium des Innern, Ministerialdirigent Dr. Stoll to Bundesministerium des Innern, 19 November 1971, "Vorbereitung der Olympischen Spiele 1972," BArch-K B106/371842.

¹³⁶² For Willi Daume's personal letter to members of the Ordnungsdienst see Hermann Wöhrle, Organisationskomitee für die Spiele der XX. Olympiade München 1972, Abteilung XIII: Der Ordnungsbeauftragte, "Lehrprogramme für den Ordnungsdienst," 13 April 1972, BArch-K B106/371828.

¹³⁶³ For a detailed timeline/description of the attack see David Clay Large, *Munich 1972*, 242; see especially chapters five "Invasion of the Sanctuary" and six "Battlefield Fürstenfeldbruck."

Israeli Ambassador Ben-Horin and other officials.¹³⁶⁴ The *Bundesgrenzschutz* was not called on to support the Munich Police as they attempted to resolve the incident.

The crisis staff failed to successfully negotiate the release of the hostages and made the controversial decision to allow the terrorists to move with their captives to Fürstenfeldbruck airfield on the promise that they would be allowed to fly to Egypt.¹³⁶⁵ *Bundesgrenzschutz* helicopters were used to fly them from Connolly Strasse to the airfield. The crisis staff decided they would attempt a surprise assault on the terrorists at the airfield and rescue the hostages. In his study of the rescue attempt, David Clay Large aptly described it as “a masterpiece of incompetence, a veritable textbook demonstration of how *not* to conduct operations of this sort.”¹³⁶⁶ When the terrorists arrived at the airfield, they left the athletes restrained in the helicopters and walked out onto the field to inspect the jet parked nearby. When police sharpshooters opened fire, they only managed to kill one terrorist. In the deadly firefight that ensued, the terrorists murdered all the Israeli athletes.¹³⁶⁷

Besides assigning over 900 policemen to the *Ordnungsdienst*, the *Bundesgrenzschutz* contributed one alert company (*hundertschaft* – 100 men) that was placed on stand-by in the Munich region to support the Bavarian state police in case of emergency.¹³⁶⁸ This company, however, was stationed 90 minutes away from the Olympic Village and its personnel were only on-duty and available between the hours of 8:00 am and 8:00 pm. If needed, border police command Süd also had two full divisions with over 1,000 men stationed at various locations throughout the Bavarian region that could be called up if needed. These resources also included a border police air squadron with 109 policemen and twenty

¹³⁶⁴ Ibid., 238.

¹³⁶⁵ Ibid., 253.

¹³⁶⁶ Ibid.

¹³⁶⁷ Ibid.

¹³⁶⁸ See letter from BGS-Inspekteur Grüner to Bundesministerium des Innern 27 June 1972, “Entsendung von Verbänden des Bundesgrenzschutzes zur verstärken der bayer polizei aus Anlass der Spiele der XX. Olympiade in München in 1972,” BArch-K B106/371832, Band II.

helicopters.¹³⁶⁹ Personnel stationed off-site were useless in preventing terrorists from gaining access to the Olympic Village, but might have been decisive in the blundered rescue attempt of the Israeli athletes that ended in the deadly firefight at the Fürstenfeldbruck airfield. Yet neither the federal nor state governments gave orders to deploy these *Bundesgrenzschutz* reserves. Instead, the Bavarian State police retained primary jurisdiction over the incident. The alert company of border policemen, however, was only activated during the aftermath of the incident. Its personnel were used to protect West German officials attending the memorial service for the Israelis and to guard the crime scenes at the victim's quarters on Connolly Strasse and at the airfield.¹³⁷⁰

The brutal murder of the Israeli athletes in Munich was a turning point for West Germany. Paradoxically, the cautious, de-militarized approach to policing and security that had accompanied the reforms of the late 1960s and early 1970s contributed to the lack of preparedness by officials in Munich. Whereas Schreiber's softer approach served him well for the Shah's visit in 1967, the terrorists at Munich presented an entirely different security challenge. When democracies are attacked, the civil liberties-national security scale tilts towards a robust response; it is at these crucial times where the democratic rule of law is at its greatest peril. On 11 September 1972, the Interior Ministry ordered West Germany's internal security forces to implement new counterterrorism measures.¹³⁷¹ The West German government expected and planned for more attacks. Its counterterrorism response favored increased security over safeguarding the rights of individuals. The new measures resulted in a significant intensification and centralization of West German police power beyond that reflected by its 1970-72 campaign against the RAF. The *Bundesgrenzschutz* played a central role in the government's response. Individual border

¹³⁶⁹ See letter from BGS Oberstleutnant Thelen to Bundesministerium des Innern 2 July 1972, "Vorbereitung der Olympischen Spiele 1972," BArch-K B106/371832, Band II.

¹³⁷⁰ Oberleutnant i. BGS Prasse, Grenzschutzabteilung II/1 Nabburg, 4 January 1973, "Erfahrungsbericht über den Einsatz der I. GSA zur Unterstützung der Polizei anlässlich der Spiele zur XX. Olympiade in München," BArch-K B106/371829.

¹³⁷¹ See Top Secret meeting transcript, Referat ÖS 6 an Referenten: ÖS 1, ÖS 2, ÖS 5, ÖS 7, V II 6, BGS I 1, BGS II 1, and BGS II 3, 11 September 1972, "Terroristische Aktivitäten arabischer Untergrundorganisationen – Dienstbesbrechung bei Herrn Minister am 8. September 1972 in München aus Anlass des Anschlags auf die israelische Olympia-Mannschaft am 5. September 1972," BArch-K B106/371829.

policemen, for example, were now assigned to the Federal Criminal Office (BKA) to assist with dignitary protection duties at home and abroad in West German foreign offices – very different duties from patrolling the Iron Curtain.¹³⁷²

In addition to protecting dignitaries, the Interior Ministry also focused on protecting civilian aviation, which had grown as an industry because of the advent of large passenger jets. During the 70s, the number of people travelling on jet aircraft made them a hijacking target favored by terrorists.¹³⁷³ The similarities with U.S. measures in the aftermath of the 2001 terrorist attacks are striking. Citizens from Arab countries were excluded from flights into West Germany and foreign workers of Arab descent employed in West Germany's civilian aviation industry were subjected to strict scrutiny and/or dismissed.¹³⁷⁴ Armed border policemen were assigned to various flights in civilian clothes to provide airborne security much like the U.S. Air Marshall program that began in 2001. The *Bundesgrenzschutz* was also assigned to screen all passengers and especially their baggage for weapons or explosives. Policemen were particularly directed to focus their efforts on passengers of Arabic descent. All Libyan, Moroccan, and Tunisian travellers, for example, were now required to obtain visas and many were denied entry into West Germany. Moreover, policies for employing foreign workers from North African or Middle Eastern nations were strengthened by subjecting new applicants to stricter background checks.¹³⁷⁵

Among the countermeasures aimed at those of Arabic origin, the Interior Ministry also directed *Bundesgrenzschutz* leaders to submit plans for an elite counterterrorism police unit no later than 15 September 1972 – just ten days after the murder of the Israeli athletes. It was the most significant change for the organization that emerged in the aftermath of the Munich tragedy. It was the young, dynamic

¹³⁷² Ibid.

¹³⁷³ These attacks are described in David Raab, *Terror in Black September: The First Eyewitness Account of the Infamous 1970 Hijackings* (New York: Palgrave Macmillan, 2007).

¹³⁷⁴ "Terroristische Aktivitäten arabischer Untergrundorganisationen – Dienstbesbrechung bei Herrn Minister am 8. September 1972 in München aus Anlass des Anschlags auf die israelische Olympia-Mannschaft am 5. September 1972," BArch-K B106/371829.

¹³⁷⁵ Ibid.

border police Colonel Ulrich Wegener, Adjutant to Interior Minister Hans-Dietrich Genscher during the Munich Olympics, who pioneered the idea of an elite counterterrorism unit.¹³⁷⁶ Wegener believed the security measures for the games implemented by the Bavarian state police were inadequate. He was present when the events unfolded and witnessed the blundered efforts by the Munich Police to resolve the hostage crisis.¹³⁷⁷ During a critical pause in the firefight between police and terrorists at Fürstenfeldbruck, Wegener urged the police company commander to act since the athletes were still unharmed sitting in the helicopters. To his extreme frustration, Wegener said the company commander gave what he called “the classic German answer”: “I have no orders.”¹³⁷⁸ According to Wegener, it was Genscher that instructed him to form the specialized unit, *Grenzschutzgruppe 9* (GSG 9). Genscher was frustrated by the failure of the Munich Police and told Wegener, “Ricky, we can never have something like this [Munich] happen again.”¹³⁷⁹

GSG 9 was the first specialized West German police unit of the postwar era. Wegener travelled to Israel in October 1972 and met with members of the Israeli Defense Forces where he developed the framework for building GSG 9. He based his plans for West Germany’s new force on Israel’s special clandestine counterterrorism forces – Mossad and Sayeret Matkal.¹³⁸⁰ The decision by Bonn to construct a special police counterterrorism unit added to the ongoing campaign against the *Bundesgrenzschutz* waged by GdP Chairman Werner Kuhlmann. He alleged the government was simply trying to increase its police power at the expense of the *Länder* and his public sparring with Genscher generated a great deal of press coverage.¹³⁸¹ In spite of critics like Kuhlmann, however, there was no credible evidence that

¹³⁷⁶ David Clay Large, *Munich 1972*, 299.

¹³⁷⁷ Genscher had requested Wegener as his adjutant during the Olympics, see Ulrich Wegener *GSG 9: Stärker als der Terror*, herausgegeben von Ulrike Zander und Harald Biermann (Berlin: Lit Verlag, 2017), 36.

¹³⁷⁸ See interview, Michael Krons, “Spricht mit der ehemaligen Kommandeur der GSG9, Ulrich Wegener,” *Phoenix Television M Dialog*, (13 October 2012), available Online, <https://www.youtube.com/watch?v=-55PCecS5-Y>.

¹³⁷⁹ Author’s interview with Retired General Ulrich Wegener, 8 November 2015, Bonn.

¹³⁸⁰ Ulrich Wegener, *GSG 9*, 43.

¹³⁸¹ For a sampling of Kuhlmann’s criticism see the press collection BA-MA BH28-2-387, for example, Staff, “Neue Aufgaben für den Bundesgrenzschutz,” *Vorwärts* (2 November 1972); H.W.L., “GdP-Vorsitzender kritisiert

Genscher's Interior Ministry was trying to make GSG 9 into a rogue police unit. Certainly, there was no evidence that he was attempting to supplant the *Länder*. In fact, this is precisely what Genscher and Wegener were trying to avoid. Wegener emphasized that the young men chosen for his elite unit had to be highly trained professionals. The ideal man was one who could effectively do his job under the most extreme stresses. He specifically wanted men who were physically fit with superior shooting skills, but not what he called "Rambo" types.¹³⁸² The progressive training and selection of candidates for GSG 9 failed to curb the controversy. According to Karrin Hanshew, even though officials in the Interior Ministry tried to alleviate public concerns about the force, it still "evoked images of abusive police force and repressive state power."¹³⁸³

Candidates who volunteered for GSG 9 had to pass a series of tough physical, mental, and shooting tests and were also were subjected to psychological evaluations before they were finally selected. The Interior Ministry used the firm Studio-Z to screen candidates and provide ongoing psychological support and training for GSG 9 personnel.¹³⁸⁴ The use of modern psychology in this manner undermined the accusations by critics that GSG 9 was somehow a rogue police unit. Genscher and his colleagues in the Interior Ministry were purposely trying to implement an approach that would ensure men who might abuse their power would be quickly disqualified. This approach was a clear shift from the ideals of masculinity emphasized for *Bundesgrenzschutz* candidates in the recruitment propaganda, professional ethics, and training programs of the 1950s and 60s. Whereas the border

Innenminister Hans-Dietrich Genscher – Kuhlmann: Gefahr von rechts grosser als von links," *Die Welt* (25 October 1973); Hans-Erich Bilges, "Genscher: Der Grenzschutz ist keine paramilitärische Truppe," *Die Welt* (14 March 1973); W. Hertz-Eichenrode, "Bundesgrenzschutz im Visier: Kuhlmanns Angriff gilt einer Polizeikonzeption," *Die Welt* (16 March 1973); Lothar Bewerunge, "Die Kampagne gegen den Bundesgrenzschutz: Die Auseinandersetzungen zwischen Kuhlmann und Genscher nehmen groteske Züge," *Frankfurter Allgemeine Zeitung* (6 March 1973).

¹³⁸² General Wegener was referring to the fictional U.S. movie character, John Rambo, a former army officer who in the movie of the same name goes on a one-man killing spree that epitomizes everything Wegener didn't want in GSG 9 personnel; Author's interview with General Wegener, 8 November 2015, Bonn.

¹³⁸³ Karrin Hanshew, *Terror and Democracy*, 124.

¹³⁸⁴ See Letter from Herr Günther, Studio für Psychologische Unternehmens- und Behördenberatung, to Interior Minister Hans-Dietrich Genscher, "Psychologische Beratung der Spezialeinheit GSG 9: Angebot eines Beratervertrages," 21 November 1972, BAArch-K B106/88881.

policemen of the 50s and 60s were shaped by the influences of the *Werhmacht* and trained to reflect the “model of manly strength,” Genscher and Wegener were looking for a different type of man for GSG 9.¹³⁸⁵

Psychological screening was a clear departure from earlier German and particularly Nazi methods for staffing specialized police units.¹³⁸⁶ Instead of violence and aggression, Wegener chose men who were precise and professional. The written psychological exam for GSG 9 aimed at determining the personality types of candidates through a 114 question exam in which they had only two possible answers: “correct or in-correct.” Ideally, the test was supposed to root out those men deemed mentally unfit for the high-stress incidents GSG 9 was expected to confront. Men who were prone to outbursts of anger might use excessive force or suffer emotional breakdowns in these stressful situations.¹³⁸⁷ Thus, personnel selected for GSG 9 had to reflect the new postwar ideal of masculinity – “citizens in uniform,” but also had to distinguish themselves from their colleagues in the *Bundesgrenzschutz* by maintaining the highest levels of physical and mental fitness.¹³⁸⁸ As an elite unit, men assigned to GSG 9 reflected a different type of masculinity than their border police colleagues. The men Genscher and Wegener selected stood out for their strength, but were also intelligent, precise, and cool under pressure. The physical and psychological expectations of the men who served in GSG 9 were greater than those faced by their colleagues assigned to regular duties in the *Bundesgrenzschutz*. Thus, GSG 9 men developed an esprit de corps or bond that set them apart from other border policemen in the same way soldiers in elite units distinguish themselves from conscripts.¹³⁸⁹

¹³⁸⁵ Gerhard Matzky, “Kriegsartikel oder Pflichtenlehre?,” *Die Parole* 2, no. 2 (February, 1952), 2.

¹³⁸⁶ Specialized units, especially during the Kaiserreich, Weimar, and Nazi periods were primarily made up of former soldiers. These units were effectively used to rapidly restore order by using violence – see His-Huey Liang, *The Berlin Police*, 41-43.

¹³⁸⁷ See sample GSG 9 Psychological Screening Exam – FPI-A, Verlag für Psychologie, Dr. C.J. Hogrefe, Göttingen, BArch-K B106/88881.

¹³⁸⁸ See Frederike Bruehoefener, “Defining the West German Soldier,” 130-131.

¹³⁸⁹ Herbert L. Sussman, *Masculine Identities: The History and Meanings of Manliness* (New York: Praeger, 2012), 32-33.

Psychological training and wellness were ongoing requirements for members of GSG 9. As part of their basic training, personnel had to successfully complete a ten-step, 150-hour course that included a combination of theoretical and practical exercises. They were also required to annually attend a series of one-day updates. The course plans were extensive and covered topics such as Maslow's famous "Hierarchy of Needs," but also exposed the men to practical exercises where they dealt with extremely angry, aggressive, and violent actors.¹³⁹⁰ GSG 9 also caused tensions with *Länder* police forces because many of them had already begun forming their own *Spezialeinsatzkommandos* (SEK), which were specially armed tactical units – similar to U.S. SWAT Teams - that dealt with violent criminal gangs and armed bank robbers.¹³⁹¹ The tensions of federalism played a role here as it did with other jurisdictional questions about the *Bundesgrenzschutz*. Section 9 of the 1972 revised Federal Police Act, however, already covered the use of border policemen to support the *Länder*. One of the primary areas where Section 9 might have been applicable was in helping to secure civilian aviation and especially in safeguarding airports. Officials from West Germany's *Länder* and Bavaria in particular, for example, preferred to use their own specialized police response units for airport incidents. Moreover, they argued that GSG 9 did not have enough personnel to handle multiple incidents at once.¹³⁹² The Interior Ministry worked cooperatively to find solutions to these tensions, but Bavaria rejected the use of GSG 9 unless an incident proved far beyond its own police capabilities.¹³⁹³ Ulrich Wegener explained "there was always tension with the *Länder* police officials over the use of federal police forces."¹³⁹⁴

During 1975 alone, there were 151 airport security incidents in West Germany including six that involved the taking of hostages. Most of these were handled by state police forces with the

¹³⁹⁰ See "Lehrplan: Psychologie für Beamte der GSG 9," 13 August 1975, BArch-K B106/88881.

¹³⁹¹ SWAT – or special weapons and tactics teams were formed by the Los Angeles Police Department in the early 1970s to combat leftist terror cells like the Symbionese Liberation Army (SLA).

¹³⁹² See correspondence collection between West Germany's Bundesländer and the Bundesministerium des Innern, "Sicherheit im Luftverkehr - Einsatz der GSG 9," BArch-K B106/83929.

¹³⁹³ See letter from Bavarian Ministerialrat Schmidkonz to Ministerialdirektor Dr. Reuter, Bundesministerium des Innern, 24 March 1975, "Sicherheit im Luftverkehr – Einsatz der GSG 9," BArch-K B106/83929.

¹³⁹⁴ Author's interview with General Ulrich Wegener, 8 November 2015, Bonn; See also Ulrich Wegener, *GSG 9: Stärker als der Terror*, 57.

Bundesgrenzschutz and particularly GSG 9 playing strictly supportive roles.¹³⁹⁵ On 10 March 1976, 24-year-old Rudi Manz entered the State Court in Frankfurt Main and took two hostages. Manz demanded the release of the high-profile bank robbery suspect, Gerhard Linden, ransom money and a flight to Cuba. The Frankfurt Police had jurisdiction over the incident, but called on GSG 9 for technical support. The incident came to an end when Manz was overpowered by his hostages and shot in the hip with his own firearm during the struggle.¹³⁹⁶ The Hessian Minister of Justice, Herbert Günther, wrote a personal letter of thanks to Colonel Wegener and the Interior Ministry for the operational support and assistance that GSG 9 provided during the standoff.¹³⁹⁷ Günther explained, “even though the use of *Bundesgrenzschutz* officers was not required by the course of the action, the local operational management still felt the support and good cooperation with GSG 9 was very helpful.”¹³⁹⁸ Wegener, however, was not pleased with the manner in which the situation evolved. During a post-incident debrief in the Interior Ministry, he argued that GSG 9 should have been notified much earlier than it was.¹³⁹⁹

With GSG 9, West Germany had a counterterrorism response force that equaled those of the Israeli Defense Forces, but the Interior Ministry still exercised great restraint in using it. According to Ulrich Wegener, “despite the internal security problem within the FRG, the establishment of GSG 9 did not guarantee universal acceptance of the unit – quite simply, it had to prove itself.”¹⁴⁰⁰ While *Länder* police forces confronted the most violent criminals and terrorists, GSG 9’s missions were largely

¹³⁹⁵ See p. 19, section C “Unterstützung der Polizeien der Länder durch Bundesgrenzschutz,” Bundesministerium des Innern, “Tätigkeitsbericht des Bundesgrenzschutzes (BGS) 1975,” Bonn, 3 February 1976, BArch-K B122/16347.

¹³⁹⁶ See Staff, “2 Hostages Attack Frankfurt Gunman and Overcome Him,” *The New York Times* (11 March 1976).

¹³⁹⁷ Letter from Hessischer Minister of Justice Dr. Herbert Günther to OTL Ulrich Wegener, 11 March 1976, BArch-K B106/371613.

¹³⁹⁸ Letter from Hessische Minister des Innern an Bundesminister des Innern Dr. Maihofer, 19 March 1976, “Polizeilicher Einsatz anlässlich der Geiselnahme am 9, 10 March 1976, in Frankfurt Main,” BArch-K B106/371613.

¹³⁹⁹ Gesprächsvermerk: “Gespräch über GSG 9 am 29 März 1976, 15.00 Uhr,” 1 April 1976, BArch-K B106/371613.

¹⁴⁰⁰ Ulrich Wegener, “The Evolution of Grenzschutzgruppe (GSG) 9 and the Lessons of ‘Operation Magic Fire’ in Mogadishu,” in Bernd Horn, J. Paul de B. Taillon, and David Last (eds.), *Force of Choice: Perspectives on Special Operations* (Montreal: Queens University School of Policy Studies, 2004), 112.

restricted to advising state police forces or simply providing dignitary protection. In 1974, for example, Wegener's men reinforced the Hamburg Police during the funeral of RAF prisoner Holger Meins who died in prison after a hunger strike.¹⁴⁰¹ GSG 9 personnel also travelled abroad with West Germany's Olympics Teams to provide security at the 1976 games in Innsbruck and Montreal. While Wegener's men were welcomed in Montreal, Bavarian officials refused to provide them with quarters at Innsbruck to discourage the federal government from sending them. According to a memorandum from the Interior Ministry's Security Branch, "the Bavarian Interior Ministry will wait until there is an actual emergency before it will call GSG 9."¹⁴⁰² In addition to protecting athletes and various other advising missions, GSG 9 personnel trained the border policemen who were sent abroad to protect West Germany's foreign officers, consulates, and embassies.¹⁴⁰³

The government's reluctance to use GSG 9 against domestic terrorism finally came to an end in 1977 during the *Deutscher Herbst* (German Autumn) when the RAF launched a new series of violent attacks. On 7 April, RAF assassins on a motorcycle shot and killed West German Attorney General Siegfried Buback and two others in his vehicle after they stopped for a red light in Karlsruhe. On 30 July, the RAF murdered West German banker Jürgen Ponto in his home near Frankfurt Main during a botched attempted kidnapping.¹⁴⁰⁴ Then on 5 September, RAF terrorists carried out the brazen kidnapping of West German industrialist Hanns-Martin Schleyer in Cologne. The attackers used an elaborate ruse by pushing a baby carriage into the path of Schleyer's vehicle and then used machine guns to kill his driver

¹⁴⁰¹ See Letter from Hamburg Staatsrat Dahrendorf to Bundesministerium des Innern Staatssekretär Dr. Fröhlich: "Einsatz von Kräften des Bundesgrenzschutzes in Hamburg anlässlich der Beerdigung des Holger Meins am 18 November 1974," 21 November 1974, BArch-K B106/371613.

¹⁴⁰² See Memorandum: BGS Referat ÖS 1, Streicher, to Bundesministerium des Innern, "Olympische Spiele 1976 in Innsbruck; hier: Sicherheitsmassnahmen," 9 January 1976; See also Memorandum: BGS Referat II 1, Krassmann to Bundesministerium des Innern Referat SM I 1, "Schutz des deutschen Olympische Mannschaft Montreal 1976," 19 January 1976, BArch-K B106/371815.

¹⁴⁰³ See Memorandum: Bundesministerium des Innern, Oelschläger, to GSK-West, "Intensiveierung der Ausbildung von Polizeivollzugsbeamten im BGS, die zur Wahrnehmung von Sicherheitsaufgaben bei deutschen Auslandsvertretungen eingesetzt werden; Einschaltung der GSG 9 in das Ausbildungsprogramm - Vorbesprechung OTL Wegener," 15 December 1975, BArch-K B106/371617.

¹⁴⁰⁴ For descriptions of the Buback and Ponto murders see Stefan Aust, *Baader Meinhof*, 286, 293-294.

and three police bodyguards.¹⁴⁰⁵ The kidnapers held Schleyer hostage and demanded the release of RAF leaders Andreas Baader, Gudrun Ensslin and others jailed in West Germany's Stammheim prison.

SPD Chancellor Helmut Schmidt was fed up with what he called "the bloody provocation against us all." Then CDU Chairman Helmut Kohl also exclaimed in the *Bundestag*: "we must now all understand that it is 5 minutes to midnight and have to use all the means of power at the disposal of our democratic state to fight this intolerable threat to our peace and inner freedom."¹⁴⁰⁶ The Interior Ministry activated GSG 9 and thousands of additional border police personnel in the hours following Schleyer's kidnapping.¹⁴⁰⁷ During the nationwide manhunt for Schleyer and his kidnapers, 3,250 additional border policemen were deployed as reinforcements at border checkpoints to assist with the increased workload that resulted from the random vehicle searches. A further 600 border policemen were stationed around Bonn's government quarter to protect important buildings such as the Interior Ministry and Foreign Office.¹⁴⁰⁸ Once again, the airborne mobility of *Bundesgrenzschutz* helicopter squadrons proved invaluable because they could quickly move policemen to emergency situations anywhere in the country. The helicopters flew more than 262 missions in direct support of federal and state police operations during the *Deutscher Herbst*.¹⁴⁰⁹

In spite of the RAF demands, the West German government refused to release its leaders at Stammheim in exchange for Schleyer. Then, on 13 October, four PFLP terrorists hijacked Lufthansa Flight 181 as it flew from Majorca Spain to Frankfurt. The PFLP collaborated with the RAF in carrying

¹⁴⁰⁵ See Anne Ameri-Siemens, *Ein Tag im Herbst*, 152-158.

¹⁴⁰⁶ See Staff, "Blutige Provokation gegen uns alle: Die Parteien verurteilen die Gewalt; Diskussion politischer Konsequenzen," *Frankfurter Allgemeine Zeitung* (6 September 1977), 1.

¹⁴⁰⁷ The alerts issued to GSG 9 and other border police units are recorded in a memorandum that was issued after the Schleyer kidnapping ended and the forces were reduced; see Memorandum: From Referat BGS II 1, LtdPD Krassmann to Staatssekretär Dr. Fröhlich, 13 October 1977, "Reduzierung von Einsatzmassnahmen des BGS aus Anlass der Schleyer-Entführung," BArch-K B106/371953.

¹⁴⁰⁸ Schnellbrief from Bundesministerium des Innern an GSK, 21 October 1977, "Einsatzmassnahmen des BGS aus Anlass der Schleyer-Entführung," BArch-K B106/371953.

¹⁴⁰⁹ Schnellbrief from Bundesministerium des Innern an Bundeskriminalamt Wiesbaden, 23 January 1978 "Transport von Lander-Polizeibeamten für die 'volle Kontrolle' Oktober, November und Dezember 1977," BArch-K B106/371953.

out the hijacking as a means to increase the pressure on West Germany to release the prisoners in Stammheim as well as some Palestinians held in Turkey.¹⁴¹⁰ The dramatic hijacking, which jeopardized the lives of 91 hostages, pushed Chancellor Schmidt to his limits. While the Schleyer kidnapping was a localized-national incident, the hijacking of the Lufthansa flight gained international attention. Now the whole world was watching. Schmidt assigned Wegener's GSG 9 to deal with the unfolding crisis. It was just the sort of operation Wegener was prepared for. In 1976, he had clandestinely taken part in the Israeli hostage rescue operation at the Entebbe airport in Uganda.¹⁴¹¹ Moreover, as luck would have it, he and his men had coincidentally just completed a series of practical training exercises in Nuremberg where they simulated hostage rescue scenarios using a Boeing 737 aircraft – the very same fuselage configuration of Lufthansa Flight 181. Wegener said he and his unit were confident and prepared to deal with the situation.¹⁴¹²

Flight 181 flew first to Rome and then made stops in Dubai and Aden while GSG 9 made preparations for a hostage rescue mission. In Aden, the hijackers brutally murdered the pilot, Jürgen Schumann, after he delayed returning to the aircraft after conducting his routine flight safety check. The murder of Schumann was a turning point for Wegener because from his perspective the killing of one hostage might be the first step in killing them all.¹⁴¹³ The time for decisive action was running out. After Schumann's murder, Flight 181 left Aden and flew to Mogadishu in Somalia with co-pilot Jürgen Vietor at the controls. Wegener decided Mogadishu was where he would initiate his rescue plan, code-named Operation Fire Magic. He explained that he was very confident in his men, but his biggest concern was

¹⁴¹⁰ Ulrich Wegener, "The Evolution of Grenzschutzgruppe (GSG) 9," 114.

¹⁴¹¹ See J. Paul de B. Taillon, *Hijacking and Hostages: Government Responses to Terrorism* (Westport: Praeger, 2002) 109, 143.

¹⁴¹² Author's interview with General Ulrich Wegener, 8 November 2015, Bonn; besides what Wegener shared with the author during a personal interview, the best description of the GSG 9 Mogadishu rescue mission is Wegener's own analysis of the raid, which is published as a book chapter he graciously provided me with to assist with my research; see "The Evolution of Grenzschutzgruppe (GSG) 9 and the Lessons of 'Operation Magic Fire' in Mogadishu."

¹⁴¹³ Ulrich Wegener, "The Evolution of Grenzschutzgruppe (GSG) 9," 115.

not being able to force entry into the aircraft quickly enough before the terrorists started to kill passengers.¹⁴¹⁴

In the early morning hours of 18 October, the Somali armed forces started a fire on the runway in front of Flight 181's cockpit to distract the terrorists. Assault teams from GSG 9 moved into position and used explosive charges to blow open the aircraft doors while "flash-bang" stun-grenades were set-off outside the front of the aircraft as a diversion.¹⁴¹⁵ Wegener's plan worked and the terrorists were caught completely off-guard by the overwhelming assault. The rescue mission was over in less than five minutes with three of the four terrorists killed and the fourth severely wounded. Two hostages and one GSG 9 operator suffered minor injuries, otherwise all 86 passengers and remaining crewmembers were unharmed. Wegener actually entered the aircraft with his bodyguard during the assault and shot one of the terrorists himself. He later recalled that when the situation was stabilized, he noticed the terrorist he had shot was still clutching a hand grenade.¹⁴¹⁶ Unfortunately for Schleyer, the rescue of passengers on Flight 181 made little difference. His captors murdered him and left his body in the trunk of a car abandoned near Mullhouse. The same was true for the RAF leaders in Stammheim Prison – Andreas Baader, Gudrun Ensslin, and Jan-Karl Raspe all of whom reportedly committed suicide in their jail cells upon learning about the Mogadishu rescue. The hardcore element of the RAF and many others on the radical left refused to accept that their leaders had committed suicide. Instead, they accused the government of murdering the prisoners and the RAF remained active well into the 1990s.¹⁴¹⁷

¹⁴¹⁴ Author's interview with General Ulrich Wegener, 8 November 2015, Bonn.

¹⁴¹⁵ "Flash-Bang" grenades are light-sound diversionary devices that emit loud explosions and extremely bright flashes from phosphorus – they were developed by the British Special Forces and the GSG 9 Mogadishu rescue was the first time they were ever used in an actual operation – they are still used by police tactical and special operations forces around the world; see Ulrich Wegener, "The Evolution of Grenzschutzgruppe (GSG) 9," 116.

¹⁴¹⁶ Author's interview with General Ulrich Wegener, 8 November 2015, Bonn.

¹⁴¹⁷ Ulrike Meinhof had already committed suicide in 1976; See Stefan Aust, *Baader Meinhof*, 258, xviii.

Conclusion

At the time of Adenauer's death, very little had changed for the *Bundesgrenzschutz*; it was still a "time capsule" of 1950s conservatism. But the time capsule began to crack under the weight of progressive reforms implemented by the Interior Ministry of Willy Brandt's modernizing government. Between Adenauer's funeral and the daring rescue of hostages from Lufthansa Flight 181, the *Bundesgrenzschutz* evolved more than at any point in the previous fifteen years. The border policemen of GSG 9 were not the same as those who solemnly stood watch in their steel *Wehrmacht* helmets over Adenauer's remains at the Palais Schaumburg. When news of the successful rescue operation in Mogadishu came into Bonn's Federal Press Office during the early morning hours of 18 October, an observer proudly exclaimed: "Wir haben jetzt wieder Helden!" (We now have heroes again).¹⁴¹⁸ Overnight, Wegener and his men made it possible again for Germans to have pride in the actions of their armed forces – in this case border policemen rather than soldiers. According to Karrin Hanshew, the men of GSG 9 were much different from the specialized police officers of Germany's past. They had shed the militarized image of the early *Bundesgrenzschutz* – they were, as she aptly described them, "Rocker cops" in blue jeans and leather jackets.¹⁴¹⁹ These men reflected the modern trends of West Germany's youth rather than the Prussian militarism exhibited by earlier generations of border policemen. A *Frankfurter Allgemeine Zeitung* reporter called the Mogadishu operation Germany's "Entebbe" and asked: "what is this man, and what are these men, the Bundesgrenzschutz officers, who with determination and skill ended a nightmare that had gripped an entire nation?"¹⁴²⁰ It was Chancellor Schmidt who gave the order to carry out the operation and he gave Wegener the widest possible latitude in how to accomplish it. Wegener recalled that this level of discretion was decisive and "required trust and an element of risk-acceptance by the political and military leadership, but it also represented the best possible chance of

¹⁴¹⁸ Karl Feldmeyer, "Wir haben jetzt wieder Helden! Die Spezialtruppen aus Mogadischu," *Frankfurter Allgemeine Zeitung* (19 October 1977), 5.

¹⁴¹⁹ Karrin Hanshew, *Terror and Democracy*, 233.

¹⁴²⁰ Entebbe was a reference to the successful Israeli rescue of hostages from a hijacking in 1976; Adelbert Weinstein, "Der Chef der GSG 9," *Frankfurter Allgemeine Zeitung* (19 October 1977), 12.

success.”¹⁴²¹ Operation Fire Magic had proven the effectiveness of GSG 9 and helped legitimize the *Bundesgrenzschutz* as a force for internal security.

Remarkably, the Mogadishu operation was the first time Germans had used force on foreign soil since the Second World War. While the SPD had often been the sharpest critic of the *Bundesgrenzschutz* and its policies under the conservative CDU/CSU, it was SPD Chancellor Helmut Schmidt who first employed it to use force. More importantly, as this chapter has shown, it was the progressive reforms that emerged during the upheavals of 1968 and later expanded under SPD Chancellor Willy Brandt’s modernization campaign, that ultimately helped transform it from a paramilitary border guard into a force for internal security. In the aftermath of the Nazi Dictatorship, the government’s formation of special police commandos like GSG 9 or centralizing its law enforcement agencies was strictly off limits. It took the violence perpetrated by the RAF and especially the murder of Israeli athletes at Munich before West German officials believed they were justified in using the *Bundesgrenzschutz* to form a special police commando to fight terrorism. Yet in spite of these spectacular and violent events, GSG 9 fulfilled an advisory role for more than five years before the government decided to use it against terrorists. The reluctance by the Interior Ministry to activate GSG 9 even though its sole purpose was counterterrorism reflected a great deal of discretion and wariness over the use of state violence to enforce the government’s will. The West Germans had learned to tame or “re-civilize”¹⁴²² their coercive forces, even against the most dangerous threats. Nevertheless, critics, especially those on the radical left who saw the state as a meddler, refused to acknowledge the government’s restraint. Instead, they insisted its campaign against terrorism and especially the enhanced surveillance and policing of citizens was evidence enough to show it had become an illiberal or authoritarian state. But the ongoing criticism from the Left was reflected in the state’s continued uneasiness to use its coercive powers. GSG 9 was only used as a last resort for

¹⁴²¹ Ulrich Wegener, *The Evolution of Grenzschutzgruppe (GSG) 9*, 115.

¹⁴²² My use of the “re-civilization” framework is an approach invoked by Konrad Jarausch to describe the learning process Germans underwent in their path towards democracy; see Konrad Jarausch, *After Hitler: Recivilizing Germans, 1945-1995*, 14.

incidents that exceeded the capacity of other police forces. Thus, the police in postwar West Germany could not use unrestrained force without consequences and this alone was a strong indication of the recivilizing process at work.



Figure 7.2
Interior Minister Werner Maihofer greets Ulrich Wegener and GSG 9 in Bonn, 1977,
BArch-K B122/16347

Conclusion: Re-civilizing Security

When Ulrich Wegener and the men of GSG 9 landed at the Cologne-Bonn airport, government officials and members of the public overjoyed with their success welcomed them home. Interior Minister Werner Maihofer told Wegener that the entire nation “breathed a collective sigh of relief when the first news of the rescue was reported.”¹⁴²³ It had only been five years since the blundered attempt to save the Israeli athletes in Munich ended in disaster on the tarmac at Furstenfeldbrück airfield. In a single, dynamic raid, Wegener’s men erased the national shame many West Germans felt after the tragic ending of the Munich Olympics. GSG 9 was created as a direct response to everything that went wrong at Munich. The rigorous selection, training, and psychological testing of GSG 9 candidates were critical to the miraculous outcome of Operation Fire Magic. The discipline and professionalism of GSG 9 officers were in stark contrast to the character of elite police units in Germany’s past. Instead of tough, violent men, Wegener selected candidates who remained calm and were able to control their emotions under the most extreme circumstances. His men not only reflected the new masculinity of the “citizen in uniform,” but reflected the ethos of an elite unit that valued brains over brawn. GSG 9 men were physically strong, but also had to be intelligent and restrained rather than what Wegener called aggressive “Rambo” types.¹⁴²⁴ The terror attacks at Munich had proven that firepower and daring alone were insufficient to guarantee a successful outcome. It took skill, sound judgment, and precision to deal with a crisis where the lives of hostages were at stake.

At the time of the Mogadishu raid, the *Bundesgrenzschutz* had just passed its twenty-five year anniversary. From its controversial beginnings as a paramilitary national police force, it had evolved into a multifunctional civilian law enforcement agency. But the use of border policemen to fight terrorism on

¹⁴²³ Karl Feldmeyer, “Wir haben jetzt wieder Helden! Die Spezialtruppen aus Mogadischu,” *Frankfurter Allgemeine Zeitung* (19 October 1977), 5.

¹⁴²⁴ Rambo refers to a 1982 movie where troubled Vietnam veteran John Rambo takes exacting revenge by using his special forces military training to outwit and murder his enemies.

foreign soil still raises interesting questions about the *Bundesgrenzschutz*. Was it a force for internal or external security? Why were civilian policemen sent abroad to carry out what was by all definitions a military operation? To be sure, these questions cannot be answered without understanding the broader context of the organization's long-term development. Otherwise, we are left with an incomplete empirical picture of the force and its evolution, which I have tried to correct with this study. More importantly, what exactly does a study of the *Bundesgrenzschutz* tell us about the process of postwar democratization? How did a police force staffed by veteran Nazi soldiers and policemen become an instrument to serve a liberal democracy? As the evidence analyzed in the preceding chapters has shown, their journey from the Adenauer era to the Mogadishu raid was not linear. Understanding the evolution of the force gives us a case study of the struggle between continuity and change that shaped West Germany's transformation as part of a protracted re-civilization process rather than a sudden turn from dictatorship to democracy.¹⁴²⁵

It is important to pay attention to and understand the development of the *Bundesgrenzschutz* because policing citizens is one of the most basic and yet problematic functions for any democracy. How a state uses its monopolization of legitimate violence through coercive forces like the police and military are a direct reflection of its political culture.¹⁴²⁶ But democratic states are not immune from authoritarian practices. The same power police have to preserve the basic civil rights of citizens can and has been used to destroy them. Democratic policemen supported the Nazis and undermined the Weimar Republic. The effective maintenance of order and security are the key to the stability and survival of any democratic government. For this reason, understanding how West Germany re-established national policing in the aftermath of dictatorship and war highlights an important, indeed critical marker of its democratic transformation – policing that serves rather than oppresses citizens. Europe's interwar democracies in

¹⁴²⁵ The concept of re-civilization and democratization as a protracted struggle or learning process is based on the theoretical approach by Konrad Jarausch in *After Hitler: Recivilizing Germans*, and also the work by Konrad Jarausch and Michael Geyer's in *Shattered Past: Reconstructing German Histories*.

¹⁴²⁶ See Ian Loader and Aogán Mulcahy, *Policing and the Condition in England*, vii.

Germany and Italy give us good examples of how security forces can turn against the states that employ them. In Weimar Germany, the *freikorps* and other paramilitary forces were used by the democratic state to restore order against Communist insurgents, but revolted when the government disbanded them.¹⁴²⁷ In Italy, fascist irregulars under Benito Mussolini, who fought Communists on behalf of the state, made its democratic government look weak and helped to legitimize his eventual seizure of power.¹⁴²⁸ Konrad Adenauer's objective to establish a national police force and the campaign to maintain it by a succession of Interior Ministers exposed the struggle over federalism in West Germany's government. Scholars have argued that the monopolization of violence and security are key components of what constitutes the modern state. In Max Weber's classic framing, "a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory...the state is considered the sole source of the 'right' to violence."¹⁴²⁹ Sociologists have argued that security is an integral aspect of successful democratic societies; insecure citizens who live in fear are more apt to support authoritarian responses to disorder.¹⁴³⁰ Without an army or national police force, West Germany's government lacked both symbolic elements of the monopolization of violence that is fundamental to state power in the classic Weberian sense.¹⁴³¹ Thus, on the symbolic or representational level, the *Budessgrenzschutz* encapsulated the state monopoly of violence that had otherwise been confined to the individual state governments or the Allied powers.

Less than six years after the war ended, West Germany had a new paramilitary national border police force. Historians have offered a variety of explanations for how this came about. Most of them

¹⁴²⁷ The Kapp-Lüttwitz Putsch is a good example of how these forces turned against the government; see Robert Gerwarth, *The Vanquished: Why the First World War Failed to End, 1917-1923* (London, Penguin Books, 2016), 165.

¹⁴²⁸ Ibid.

¹⁴²⁹ Max Weber, *Politics as a Vocation*, 2.

¹⁴³⁰ Ian Loader and Neil Walker, *Civilizing Security*, 8; see also Peter Lessmann-Faust, "Blood May: The Case of Berlin 1929," in Richard Bessel and Clive Emsley, *Patterns of Provocation: Police and Public Disorder* (New York: Berghahn Books, 2000), 13-15; David Bayley, *Changing of the Guard*, 10; Brian Chapman, *Police State* (New York: Praeger Publishers, 1970), 17.

¹⁴³¹ See Anthony Giddens, *The Nation State and Violence*, 18.

link Adenauer's federal police proposals to West Germany's rearmament.¹⁴³² These explanations are not empirically focused on the *Bundesgrenzschutz* and thus describe it anecdotally as part of the broader rearmament process. The larger question ignored in these studies is how Adenauer's desire for a national police force ended with the establishment of a new border guard? There was already a federal force – the *Zollgrenzschutz* – to monitor the frontiers.¹⁴³³ Some historians have suggested the West German border police might also be viewed as a response to police militarization in East Germany.¹⁴³⁴ Indeed, Adenauer expressed concerns about the Communist *Volkspolizei* and exaggerated its strength in some of his arguments to the Allied High Commission and West German lawmakers. Yet his fear of militarized police in the East was not a consistent theme of the security needs he expressed in his demands. Instead, evidence shows that he shifted his justifications from external to internal security threats depending upon which one he believed would be more convincing to his targeted audience. Before the Korean War, for example, he argued that West Germany had no need for an army, but claimed his government was too weak to deal with striking truck drivers and crime. After the Korean War, however, he insisted a police force was needed to protect the state against Communist insurgents and the militarized *Volkspolizei*. This dissertation has argued that Adenauer's needs for a federal police force is better understood using a sociological framework based on the state's monopolization of violence. Without an armed force to exclusively represent his government, both his symbolic and instrumental executive power was limited. Otherwise, West Germany's Länder and the Allied powers shared the monopolization of violence. The disorder that brought down Germany's first democracy was ever present on the minds of West Germany's founders. A national police force would consolidate the monopolization of violence so the federal state

¹⁴³² See Thomas Schwartz, *America's Germany*, 119-123; Hans-Peter Schwarz, *Konrad Adenauer, Vol. 1*, 522; David Clay Large, *Germans to the Front*, 57,66.

¹⁴³³ David Parma's recent book has been the only study on the *Bundesgrenzschutz* to point out that its origins were not based on the need for a border guard; see David Parma, *Installation und Konsolidierung des Bundesgrenzschutz*, 4-5.

¹⁴³⁴ See David Clay Large, *Germans to the Front*, 66.

could respond to emergencies or public disorders that threatened its new democratically elected government.

From this perspective, the foundation of the *Bundesgrenzschutz* was a consequence of West Germany's need for a representational symbol of its democratic government as well as its functional need for agency in security matters. In spite of the numerous debates about national policing, the government never envisioned border security as a role for the new force they proposed. Federal control over the frontiers was simply the exception in the Basic Law that Adenauer's government used to establish the force without an amendment, which required a two-thirds rather than a simple majority vote.¹⁴³⁵ Soon after the force was created, Social Democratic lawmakers complained that Adenauer was using it for duties unrelated to patrolling the borders, such as guarding the federal chancellery in Bonn. The SPD correctly pointed out that stationing border policemen at the Palais Schaumburg violated the law limiting their use beyond the thirty-kilometer depth of the national borders.¹⁴³⁶ Adenauer ignored these complaints, however, and his *Bundesgrenzschutz* "Watch Battalion" remained in Bonn. Further evidence that border security was just the political means to achieve a specific objective came in 1952 when Adenauer's Interior Ministry began secretly expanding the force after he signed the European Defense Community (EDC) treaty. In spite of the favorable chances for West German participation in European defense, the government never contemplated disbanding the *Bundesgrenzschutz* because it was the only exclusive representative symbol of its coercive powers. Since the Allies agreed to allow German military contributions under supranational oversight, Adenauer ignored the warnings by the United States and Great Britain that expanding the border police might undermine French support for the EDC.¹⁴³⁷ He

¹⁴³⁵ This is discussed in detail in chapter 1 – Adenauer knew that he did not have enough votes for an amendment and did not want to go through the lengthy process. A simple majority vote based on Article 87 of the Basic Law was faster and more likely to succeed.

¹⁴³⁶ Memorandum from Bundestag President Ehlers to Chancellor Konrad Adenauer announcing the terms of the BGS Law, 15 February 1951, BArch-K B136/1927.

¹⁴³⁷ The United States and Great Britain wanted to stop Adenauer until the treaty was ratified, but both nations secretly welcomed an expanded border police because it relieved their military forces for duties elsewhere – for

mistakenly believed that the French would let him get away with doubling the size of the *Bundesgrenzschutz* because he believed the extra personnel would be absorbed into the European Defense Force once the treaty was ratified. He even said as much in his private correspondence with CSU Chairman Franz Josef Strauss when he promised him the force would be returned to 10,000 men if he voted for the expansion.¹⁴³⁸ In 1953, the uprising in East Berlin and the violent Soviet crackdown on protestors convinced West German lawmakers to support Adenauer. Here again, the fear of developments in East Germany shaped West German responses. Although there were many political reasons why the European Defense Community eventually failed, Adenauer's refusal to halt the expansion was a contributing factor that historians have overlooked.¹⁴³⁹ The French were convinced he was attempting to re-militarize West Germany and High Commissioner Andre François Poncet called the *Bundesgrenzschutz* "Bonn's Black Reichswehr."¹⁴⁴⁰

Without question, West Germany's border policemen had deep roots to its authoritarian past. Its first leaders were combat veterans from the Kaiser's army who joined violent paramilitaries after the First World War and also served in the broad spectrum of Nazi Germany's armed forces and military police units – including the SS. The Allied delegates and policymakers at the Potsdam Conference had tried in vain to prevent the return of these men to postwar police forces.¹⁴⁴¹ Yet the *Bundesgrenzschutz* never became the "Black Reichswehr" that the French feared. Instead its men remained loyal to West Germany's liberal democracy. How can we explain the taming of the authoritarian spirit and militarism that shaped the lives of these men in the years before the Federal Republic was established? To be sure,

Great Britain, they needed their armed forces for wars of decolonization and the United States needed troops in Korea.

¹⁴³⁸ This was described in the private correspondence of Adenauer and Interior Minister Lehr – see Adenauer to Lehr, 31 October 1952, BArch-K B 136/1929 Fiche No. 3, Slide No. 139.

¹⁴³⁹ Although there are numerous studies analyzing the failure of the EDC, the expansion of the *Bundesgrenzschutz* is completely left out even though there is strong archival evidence that it was a major concern to the Allies and they took significant steps to convince Adenauer to immediately suspend the expansion.

¹⁴⁴⁰ Andre François Poncet, *Les Rapports Mensuels*, 906

¹⁴⁴¹ The Allies included the German civilian police institution in its broader campaign to demilitarize Germany after the war; see Supreme Headquarters Allied Expeditionary Force Evaluation and Dissemination Section, G-2 Counter Intelligence Sub-Division, *The German Police*, xi.

there was no sudden transformation of these men into pacifist democrats.¹⁴⁴² For many of them, West Germany was the fourth political regime and second democracy they had served. Problematic themes and practices remained popular in their organizational literature and training programs. Evidence shows that they were still heavily influenced by their experiences as leaders in Weimar police forces and the *Wehrmacht* at least until the late 1960s. Many of them experienced combat in the First World War and, according to the controversial “brutalization thesis,” should have been prone to violence.¹⁴⁴³ These veteran border policemen imagined and indeed prepared for war against the Soviets as a continuation of the ideological battle against Bolshevism that they had been fighting since the 1920s. Problematic training doctrines were still influential and reinforced their framing of the East based on familiar tropes from the Nazi war of annihilation. To many of these men, the East was still a “wild” land of “Asiatic hordes.” Moreover, training programs still included controversial military or civil war fighting tactics, such as the use of mortars and hand grenades to quell urban unrest. This military equipment and doctrine contradicted the democratic principles of civilian law enforcement. The counterinsurgency tactics used by Nazi Germany against partisans was still prevalent in training programs until the late 1960s. Thus, it was still possible in 1965 for *Wehrmacht* veterans to teach border policemen urban warfare and “street fighting” tactics based on lessons they learned in the suppression of the 1944 Warsaw uprising.

The popularity and prevalence of these authoritarian practices and military policing themes were never far below the surface in the organizational culture of the *Bundesgrenzschutz*. One only has to scan the border police journals *Der Grenzjäger* and *Die Parole* to find articles and political cartoons with racially motivated stereotypes about Bolshevism and Eastern culture. The same was true for *Schutzpolizei* (regular police) forces throughout West Germany where military tactics and civil war

¹⁴⁴² Konrad Jarausch and Michael Geyer, *Shattered Past*, 20.

¹⁴⁴³ For the brutalization thesis, see George L. Mosse, *Fallen Soldiers*; Omer Bartov, *Murder in Our Midst: The Holocaust, Industrial Killing, and Representation* (Oxford: Oxford University Press, 1996); see also Mark Jones, *Founding Weimar: Violence and the German Revolution of 1918-1919* (Cambridge University Press, 2016), 21.

fighting remained popular into the late 1960s.¹⁴⁴⁴ In spite of these problematic legacies and stereotypes, however, evidence also shows that these themes were never manifested in the practices of *Bundesgrenzschutz* personnel. Although these men might have still held onto illiberal beliefs in private or expressed them in closed groups, they demonstrated an outward support for democracy in practice. When an off-duty group of drunken border policemen in Braunschweig began singing Nazi songs, for example, they were unaware that local citizens overheard them. Moreover, when the border police command staff, all of which were *Wehrmacht* veterans, met in private, minutes of their discussions revealed that they still spoke of Prussian military leaders and history in hagiographic terms. These incidents and discussions remained largely private otherwise, as with the embarrassing case of the drunken men in Braunschweig, discipline was swift and severe. Without question, authoritarian policing ideals coexisted alongside programs for progressive change and reform. Thus, purging these private beliefs was not as important as the consequences meted out to those who might decide to transform their illiberal beliefs into action. A more important prerequisite for building a democratic police force are the limits and constraints exercised by the state over those charged with the armed use of force in its name.¹⁴⁴⁵ By the late 1950s and early 1960s, the organization had begun emphasizing the civilian features of the border-policing career. The same journals that promoted racist stereotypes also included articles about civics, wages and working conditions, and advertisements emphasizing leisure activities and incentives for policemen to secure low interest home loans. These articles show a sort of organizational ambivalence or a mixture of the old with the new reflecting the more gradual transformation characterized by the re-civilization process.¹⁴⁴⁶

The limits and constraints on this mixture of the old with the new were also evident after the Interior Ministry circulated a first draft of its urban warfare manual. Border police leaders assigned to the

¹⁴⁴⁴ See Klaus Weinhauer, *Schutzpolizei*, 167-173.

¹⁴⁴⁵ See Timothy Snyder, *On Tyranny: Twenty Lessons from the Twentieth Century* (New York: Tim Duggan Books, 2017), 43.

¹⁴⁴⁶ This is reflected by arguments made by Konrad Jarausch in *After Hitler*, and more broadly by Jarausch and Michael Geyer in *Shattered Past* – in other words, Germans were not suddenly transformed into democrats, but rather underwent a more gradual process of change.

Ministry's security branch immediately ordered its recall when they discovered that it emphasized military tactics and equipment instead of democratic policing principles like the protection of life and property. In spite of the ongoing organizational struggle between continuity and change, however, authoritarian policing themes and military tactics were topics that could no longer be talked about in public. Thus, what was acceptable discourse had changed even though some men may have held onto their illiberal beliefs. Similar patterns were visible in other segments of West German society. Politicians, for example, avoided discussions about Germany's past treatment of foreign workers when considering new postwar policies towards guest workers.¹⁴⁴⁷ The same was true in West Germany's municipal and state police forces where stories about "heroic" policing traditions of the past could no longer be openly expressed by the 1960s.¹⁴⁴⁸ Moreover, during the violent student protests of the late 1960s, the *Bundesgrenzschutz* and the civilian officials who managed it at the Interior Ministry exercised restraint and preached de-escalation instead of direct confrontation. Law enforcement riot control tactics were not part of the border police-training regimen since the states already had a specialized riot police, the BePo, to handle these incidents. Border policemen functioned as reserve forces during the student demonstrations of 1968 and were given strict rules of engagement that banned physical force against protestors unless used as a last resort to prevent death or great bodily injury. This approach contradicted the aggressive tactics the Berlin Police used against protestors in 1967 that ended in the death of Benno Ohnesorg and the violent injury of many other young men and women.¹⁴⁴⁹

The *Bundesgrenzschutz* exercised restraint even though it was a paramilitary force trained for combat because of the legal limits on its use in the Basic Law. Moreover, the emergence of a critical public in postwar West Germany also played a role in limiting how border policemen were used against

¹⁴⁴⁷ See Karen Schönwälder, "West German Society and Foreigners in the 1960s," in Phillip Gassert and Alan E. Steinweis, *Coping with the Nazi Past*, 121.

¹⁴⁴⁸ Klaus Weinbauer, "The Modernization of the West German Police: Between the Nazi Past and Weimar Tradition," in Phillip Gassert and Alan E. Steinweis, *Coping with the Nazi Past*, 107.

¹⁴⁴⁹ The Berlin Police was contrasted by the de-escalation tactics used by the Munich Police during the Shah's visit to their city; see Eckard Michels, *Schabesuch 1967*, 158-165.

protestors. From a legal perspective, the Basic Law prohibited federal interference in state police affairs unless the government declared a national emergency under Article 91.¹⁴⁵⁰ Even if Article 91 was invoked, border policemen were restricted to roles that supported rather than supplanted the state police. Legal checks and balances, parliamentary oversight, and the division of power in West Germany's federalist system of government limited how the executive branch used its police. Sociologists have shown that this top-down approach and internal accountability of policing is a trademark of democratic states. It reflected the ongoing re-civilizing approach to security in postwar West Germany.¹⁴⁵¹ Yet top-down checks and balances were insufficient to convince critics that all potential institutional abuses of power could be tamed. The emergence of a critical public added yet another layer of indirect civilian oversight that reflected West Germany's broader democratization. Konrad Jarausch has argued that journalists and the wider public were no longer willing to tacitly accept the government's explanations without asking tough questions.¹⁴⁵² By the late 1960s, border policemen had already endured years of public criticism by state police unions and had also been the subject of several high-profile press scandals. It began with the Bonin Affair in the 1950s when a circle of veteran *Wehrmacht* Officers publicly admitted to *Der Spiegel* reporters that they were considering plans to use the *Bundesgrenzschutz* as an independent military defense force.¹⁴⁵³ The Bonin Affair and its revelations publicly embarrassed Konrad Adenauer because it appeared as though West Germany was carrying out unilateral military plans.¹⁴⁵⁴ Then in 1965, *Stern* magazine published a series of sensational photographs that showed summer camp boys visiting border police barracks where they appeared to be playing war games. The photos showed the boys carrying out mock executions and holding policemen's automatic rifles. Although an internal

¹⁴⁵⁰ Article 91 of the Basic Law allowed the federal government to intervene in state policing only when a national emergency was declared; national emergencies were defined as large natural disasters or wars to the extent that the state police forces were unable to respond or handle them without federal support.

¹⁴⁵¹ Ian Loader and Neil Walker, *Civilizing Security*, 62; see also Andrew Goldsmith and Colleen Lewis, *Civilian Oversight of Policing: Governance, Democracy, and Human Rights* (Oxford: Hart Publishing, 2003).

¹⁴⁵² See Konrad Jarausch, *After Hitler*, 143.

¹⁴⁵³ Colonel Bogislaw von Bonin was in the planning section of the Amt Blank – the predecessor of West Germany's Federal Ministry of Defense; for an analysis of this scandal see Heinz Brill, *Bogislaw von Bonin im Spannungsfeld zwischen Wiederbewaffnung – Westintegration – Wiedervereinigung*.

¹⁴⁵⁴ See Alaric Searle, *Wehrmacht Generals*, 127

investigation later revealed that the *Stern* photos were deliberately staged, the scandal damaged the organization's public reputation at a time when it was already under pressure from state police unions because of the combatant status debate. The *Stern* scandal directly influenced key organizational changes. Officials at the Interior Ministry implemented new training programs and press relations policies that required direct oversight by high-ranking command personnel whenever members of the press interacted with border policemen. In addition to these scandals, the GdP Chairman Werner Kuhlmann made a sustained public effort to criticize the *Bundesgrenzschutz* for its military equipment and training. His attacks, which began in the mid 1960s and lasted over a decade, kept the organization in the headlines and contributed to even greater oversight by the Interior Ministry, not least as an attempt to counter Kuhlmann's public accusations and comments to the press. Using border policemen against protestors, for example, increased the chances for violent encounters that might give Kuhlmann's criticisms more credibility. The responses by the Interior Ministry and border police commanders to mitigate the potential for organizational damage by a critical public reflected values and practices of liberal democratic rather than authoritarian policing; it was a clear example of the re-civilized approach to national security.¹⁴⁵⁵ The responses were also part of the ongoing effort by West Germany's government to negotiate what was and was not acceptable practice for its national police force. The policemen in the *Bundesgrenzschutz* were no different from their colleagues in state and municipal forces, but their leaders had learned lessons from the press scandals and took deliberate steps to avoid future problems.

The mitigation of public scandals during the 1960s was also driven to an extent by the personnel shortages. The staffing crisis threatened the existence of the *Bundesgrenzschutz* as it faced repeated calls by the GdP that it should be disbanded and its men transferred into the army or state police forces. Critics argued it was a redundant or parallel-armed force with duties similar to the *Bundeswehr*. Lower unemployment rates during the "economic miracle" increased competition for applicants with the private

¹⁴⁵⁵ Konrad Jarausch, *After Hitler*, 143.

sector and the *Bundeswehr*. After losing more than 9,000 policemen to the army in 1956, the Interior Ministry and Command Staff of the *Bundesgrenzschutz* implemented an expensive and robust recruitment campaign. The army offered its recruits better pay, opportunity for promotion, and the choice to serve in barracks closer to their hometowns. Interior Minister Gerhard Schröder recognized that the organization might collapse unless he could re-staff the vacant positions. Schröder and the new chief, *Inspekteur* Alfred Samlowski, promoted a massive advertising campaign aimed at convincing West Germany's young men of the career benefits they would receive as border policemen.

The intensity of the recruitment campaign between 1956 and the introduction of conscription in 1969 shows how important the organization was to the democratic West German state both on a functional and representational level. If, as some studies have suggested, the *Bundesgrenzschutz* was just an anecdotal stage in the rearmament process then why did the federal government expend so much effort and money to keep it going? Why not take the remaining staff of approximately 9,000 men and transfer them into the *Bundeswehr*, which was suffering from personnel shortages of its own? Paradoxically, the state induced a competition for personnel that weakened both forces and prevented them from reaching their desired manpower levels. The first three chapters of the dissertation show that the *Bundesgrenzschutz* was the only exclusive national coercive force available to the federal state while the army was part of NATO. The government's desire to maintain the independent *Bundesgrenzschutz* was also a consequence of its role as a "police buffer" to contain minor border disturbances and prevent them from escalating into larger conflicts or even a nuclear war, which might destroy the entire nation.

The recruitment campaign also sheds significant light on the new ideals of postwar masculinity and how border police service could be used to reinforce conservative values for a new generation of young men. Although the force attracted thousands of veteran soldiers and had more applicants than vacancies during its early years, recruiters needed new advertisement methods after 1956 since young men had a variety of employment options to choose from. While the recruitment propaganda still promoted border policing as an adventure or action oriented profession, the Interior Ministry also made

sure to emphasize its civilian features. Ads and recruitment films showed applicants that they would be trained in the latest technologies and learn professional skills they could transfer into other careers such as banking, engineering, or other state and municipal police organizations. The ads also encouraged candidates that they would be given generous time to pursue hobbies, travel, and otherwise enjoy leisure activities like men in non-police careers. Moreover, social benefits such as health care, pension rights, and the opportunity to earn the coveted ranking of civil servant for life (*Beamter auf Lebenszeit*) were more appealing to the younger generation than action and adventure. Once designated a “civil servant for life,” policemen could transfer into a variety of state and federal careers such as the *Bundesbahn* or *Bundespost* (railway and national mail service) among others. This benefit was not possible if they chose to join the army instead. The Interior Ministry emphasized these civilian aspects of the job to show applicants that becoming border policemen did not mean they had to abandon their personal lives or be consigned to the dullness and regimentation of the barracks. The focus on these civilian benefits also reflected what historians have shown was part of a broader demilitarization of society in postwar Europe.¹⁴⁵⁶

As the evidence in this study shows, the Interior Ministry emphasized the border policing career to young men as a way to reinforce the values of postwar conservatism that were under threat by modern culture and Americanization. This was evident in the training and professional ethics courses that new recruits and veteran policemen were required to attend. Through the *Bundesgrenzschutz Seelsorge* (chaplain service), both the Protestant and Catholic churches used professional ethics to reinforce the conservative values of home and hearth to their students. Instructors linked the ideals of protecting democracy with the moral obligations of men to be good husbands and fathers. Border policemen were prohibited from marrying until the age of twenty-seven unless they had the permission of a superior

¹⁴⁵⁶ James Sheehan, *Where Have all the Soldiers Gone*, 178-179; Jay Lockenour, “The Demilitarization of Germany, 1945-2010,” in Peter N. Stearns (ed.), *Demilitarization in the Contemporary World* (Chicago: University of Illinois Press, 2013), 48.

officer. By regulating marriage, the conservative government emphasized “normative” gender roles and wanted young policemen to marry a certain type of woman they believed would make a “suitable” wife. Here again, these policies promoted conservative ideals of home and family. Yet, prohibiting marriage worked against the *Bundesgrenzschutz* as they lost many potential applicants to the *Bundeswehr*, which rescinded its marriage ban because it contradicted the concept of the “citizen in uniform.”¹⁴⁵⁷ By 1960, the *Bundesgrenzschutz* also ended the marriage prohibition. By the end of the 1960s, new reforms took hold that helped modernize the organization by aligning its equipment, training, and duties with those of state and municipal police forces.

Between its founding in 1951 and the passage of the emergency laws in 1968, the *Bundesgrenzschutz* was focused exclusively on external security or disaster relief operations. Although border policemen were awarded combatant status in 1965, they never fought in the guerilla wars against Communist insurgents that their leaders imagined and trained for. But with the passage of the emergency laws, the organization filled a void caused by the transfer of internal security duties from the Allied powers to the West German government. Whereas the Basic Law prohibited the government from using the *Bundeswehr* for domestic security, border policemen were ideally suited for these duties. Besides, the *Bundeswehr* was part of NATO and could only be used to defend West Germany against external enemies. When the emergency laws were passed, the *Bundesgrenzschutz* was still understaffed and its personnel needed additional training in civilian law enforcement practices. As a direct consequence of this paradigm shift from external to internal security, the *Bundestag* authorized the use of conscripts to bring the force up to its 20,000-man strength. Until then, the use of conscription for civilian police forces was controversial and never gained the two-thirds majority vote it needed to pass.¹⁴⁵⁸

The emergency laws represented a point of departure for the organization as it began what became the first extensive modernization program in its twenty-year history. By the late 1960s and early

¹⁴⁵⁷ See Frederike Bruehoefener, “Defining the West German Soldier,” 128-137.

¹⁴⁵⁸ David Parma, *Installation und Konsolidierung des Bundesgrenzschutzes*, 370.

70s, a new generation of West German men had replaced most of the founding *Wehrmacht* veterans. There were still tensions between continuity and change, however, and this was reflected in minor incidents such as the debate over the hair length of border police recruits. Moreover, in 1969, prosecutors in Munich arrested and charged border policeman Wilhelm Radtke for war crimes. Although there were thousands of *Wehrmacht* and SS veterans who had served in the *Bundesgrenzschutz*, Radtke was the first and only border policemen arrested for his actions during the war. Certainly, Radtke was not the only border policeman whose past was compromised, but as the only one ever charged for murder, his case reinforced the popular postwar narrative that war crimes were only perpetrated by a small percentage of Germany's veterans. There was very little press coverage of Radtke's arrest and neither the prosecution nor its outcome was mentioned in West German newspapers. Still, evidence shows that Radtke had no support from his colleagues or superiors. Instead, the Interior Ministry and Radtke's commanding officers in Nabburg where he was based, offered prosecutors their full cooperation. Otherwise, the organization remained silent. These silences suggest the *Bundesgrenzschutz* and its personnel had changed – they ignored Radtke because of the accusations. This was a distinct shift from the organizational culture of the 1950s when border policemen complained that they should be allowed to wear the medals they were awarded for combat service during the Third Reich. By 1969, it was no longer possible to publicly express such opinions.

In 1972, the federal government passed a major revision of the organization's legal status. The revisions codified the demilitarization of the *Bundesgrenzschutz*, which had begun with passage of the emergency laws. The training, equipment, and policies of the organization now conformed to those used by all of West Germany's civilian police agencies. Mortars, machineguns, and hand grenades, for example, were prohibited. The revised law was part of the wider spirit of progressive reforms that took hold in West Germany during the Chancellorship of Willy Brandt. Known as the Chancellor of domestic reform, Brandt's leadership inspired the largest effort to modernize domestic governmental agencies and advanced West Germany's democratization at a faster pace than at any point during the previous twenty

years.¹⁴⁵⁹ His program of *Neue Ostpolitik* encouraged a policy of rapprochement with the East that reduced tensions along the inner-German border and allowed the government to shift more border policemen and resources towards domestic security.¹⁴⁶⁰

The government's focus on domestic security came at a time when West Germany faced the growing crisis of both international and domestic terrorism. Independence movements in the developing world and especially the high-profile campaign by the Palestinian resistance movement, "Black September," against Israel and its allies used violence to bring attention to their causes. During the 1970s, terrorism expanded globally with the increase in international travel prompted by the advent of jumbo jet aircraft. The threat of terrorism and the shock of violence have often been used by democratic states to employ illiberal methods to increase security. Democracies need security to thrive, but citizens who live in fear of violence look to the state for tougher policing.¹⁴⁶¹ Thus, West Germany had to find a response that was effective without eroding the basic democratic foundation of the state. As a first step, the Interior Ministry assigned border policemen to train stations and airports where the threat of an attack was greatest. But as the state and local police dealt with violent attacks by the RAF, the government increasingly turned to border policemen for support and manpower. The *Bundesgrenzschutz* had the advantage of their large helicopter squadrons, which they used to rapidly move men and equipment to trouble spots and crime scenes. The Interior Ministry credited the use of helicopters in supporting the nationwide manhunts as a contributing factor to the capture of RAF fugitives.

In 1972, The *Bundesgrenzschutz* was also given a supportive role in security operations for the Olympic games in Munich. Here again, the effects of re-civilization played a central role. Despite intelligence and warnings that terrorists might target the Olympics, the Interior Ministry and the Munich Police opted for a low profile approach to security. Neither the Olympic Committee nor Munich Police

¹⁴⁵⁹ Bernhard Gotto, "Von enttäuschten Erwartungen: Willy Brandt's "Mehr Demokratie wagen" und Valéry Giscard d'Estaings "Démocratie française," 43.

¹⁴⁶⁰ Katarzyna Stoklosa, *Polen und die deutschen Ostpolitik 1945-1990*

¹⁴⁶¹ Ian Loader and Neil Walker, *Civilizing Security*, 207.

Chief, Manfred Schreiber, wanted the first Olympiad on German soil since the Third Reich to be marred by images of military security forces. Protestors were the biggest security concern for Olympic officials. Border policemen were chosen for the *Ordnungsdienst* (GSOD) security detail based on their aptitude for sports rather than their skills as policemen. Members of the GSOD wore civilian athletic clothing and were unarmed so that they could blend in with crowds and de-escalate potential disturbances. Whereas Police Chief Schreiber's de-escalation tactics had been successful in diffusing crowds during the Shah's visit, they were useless against terrorists and contributed to the tragic conclusion of the games. The attack by Black September and their seizure of eleven Israeli athletes caught security officials completely off guard. The blundered hostage rescue attempt that followed led to the murder of all eleven Israeli athletes and one police officer.

The tragedy at Munich was a turning point for the *Bundesgrenzschutz* and West Germany's approach to domestic security in general. Re-civilizing security and democratization did not mean the state had to surrender its obligation to maintain order and jeopardize the safety of its citizens in the process. Re-civilizing security after the twelve-year Nazi dictatorship meant that the state had to be "made safe by and for democracy."¹⁴⁶² The creation of GSG 9 in the aftermath of the Munich tragedy was not evidence that West Germany had slid backwards towards authoritarian practices as some critics on the political Left had claimed.¹⁴⁶³ Instead, GSG 9 reflected a corrective response to what metaphorically might be described as a swing of the security pendulum too far to one side. What the West Germans needed was a measured response that balanced the need for security without destroying democracy. The threat from domestic and international terrorists groups was exceptional, but not to the extent that the government could have justified calling on the *Bundeswehr*. Ulrich Wegener's GSG 9 operated at a threshold below that of the army, but above the competency of local police forces. It was

¹⁴⁶² Ian Loader and Neil Walker, *Civilizing Security*, 7.

¹⁴⁶³ Criticism came from the Extraparliamentary Left and the younger generation of the SPD, which had drifted back towards the party's Marxist roots; see Karrin Hanshew, *Terror and Democracy*, 145

the type of specialized police force West Germany needed to deal with unusual or high-risk security incidents and terrorist attacks. Nevertheless, GSG 9 still saw very little action and was not directly used to counter the RAF's assassination campaign in the years before the Mogadishu raid. Instead, the government exercised restraint over this high-level force option and thus restricted GSG 9 personnel to executive protection duties in Bonn.¹⁴⁶⁴ It would take more than five years after it was formed before GSG 9 was finally deployed to fight terrorists. The governments of both Willy Brandt and Helmut Schmidt exercised great restraint when it came to the use of violent, coercive force. Still, there were many state polices and responses to domestic terrorism that remained controversial. Nationwide manunts, increased police surveillance, and the "Radical's Decree" of 1972, which banned persons deemed to have radical ideologies from public service jobs, were evidence enough for the government's critics to claim it had become authoritarian.¹⁴⁶⁵

Finally, West Germany's *Bundesgrenzschutz* shows us that a state and its police organizations can and do change. It was a police force founded and led by soldiers and policemen who had loyally served the Third Reich, but who also exhibited the same loyalty to the new democratic state. It was managed by civilian officials in the Interior Ministry and was subjected to constitutional and parliamentary oversight that limited its police powers. These checks and balances on executive power show how West Germany re-civilized its approach to national security in the aftermath of the Nazi dictatorship. There was no simple path from dictatorship to democracy. Even men who might have privately held onto their authoritarian beliefs still practiced democratic policing. The veterans laid the foundation for the younger generation of policemen who came of age after the war. The *Bundesgrenzschutz* offered the older generation a new opportunity to work as armed servants of the state while providing younger men with technical training they could apply in other careers. For West Germany's border policemen, the prospect

¹⁴⁶⁴ Karrin Hanshew, *Terror and Democracy*, 224.

¹⁴⁶⁵ *Ibid.*, 224.

of maintaining secure jobs in a familiar profession facilitated the practice of democracy in spite of any political ideologies and beliefs they may have held onto that were no longer socially acceptable.

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