The Policing of Berlin as a Post-Conflict City

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Abstract

The essay explores the difficult transition from war to peace in the defeated capital of Hitler's Third Reich. Not only did Soviet forces exact terrible revenge on the civilian population, but conditions of desperation and hunger led to a spike in black-market activity and crime. The Unconditional Surrender, ratified by Potsdam, set up a significant imbalance of power between the occupiers and the occupied. Amid conditions of continued hunger, in the sheets as well as on the streets, such a blatant asymmetry encouraged exploitation and immorality. As a wounded and post-conflict city, Berlin posed special problems for the police authorities. With many policemen having tainted themselves through participation in illegitimate oppression and war crimes, policing had to be begun again from scratch. Although the Allies had lofty ideals of how to reform policing (reflecting their national traditions, but also progressive ideas about the employment of women), their lack of unity, together with the scale of the practical difficulties the city faced, meant that such reforms became watered down and ineffectual. The former capital's need to regenerate and heal was sacrificed to the needs of the cold war. Women and anti-Nazis were increasingly marginalized, while former Gestapo men found favour.

Introduction

Does policing primarily reflect the needs and interests of the public or those of the state? I would argue that the latter prevails. My *first* hypothesis then is that the situation of Berlin in 1945-1948 demonstrates a top-down model of policing.[1] In this specific time and place, the system of state rule was complicated by the exceptional conditions of defeat and four-power occupation. The three victorious allies (Britain, the USA, and the USSR) were joined by the liberated French to each occupy a sector of the defeated city. They would come together to govern Germany as a whole in the Control Council. Greater Berlin, within the boundaries of 1920, was to be governed by the Allied *Kommandatura*. Berlin was an unusual (and transformative) military occupation because the victors chose not to consume, annex or appropriate territory, but instead to subject their jointly-ruled area to radical transformation on a four-power basis (Bhuta; Cuyckens; Mann). This stretched the limits of what the Hague Conventions of 1899 and 1907 foresaw and allowed (Kunz; Rubin; *Hague Regulations*). World opinion generally concurred that, through genocide and war crimes, Nazi Germany had forfeited and sacrificed its residual rights to customary sovereignty. As a form of foreign occupation, however, 1945 was unprecedented. In essence, it represented a co-imperium with several states jointly exercising 'jurisdiction or governmental functions and powers in territory belonging to another state' (Mann). Although the state took a new (four-power) form, it remained the defining agency and source of authority and meaning.

As a reforming power, the Allied Control Council had impressive and far-reaching ideals with which to shape reformed governance and policing in Germany. The Allies would not just demilitarize the defeated territory; they proposed to 'denazify' and even 'deprussianize' it. However, the very imbalance and asymmetry of power relations tended to negate progressive principles. Having studied multiple 'post-conflict cities', Alice Hills argues that this is common (Hills). Hills taught defence studies at the UK's Joint Services Command and Staff College, where she specialized in post-conflict operations, including counter-insurgencies. In later work, she specialized in studying policing reform and development in sub-Saharan Africa. In asking how (on earth) to 'make Mogadishu safe', she focused on security governance and police-military relations in this strategically significant, but fragile and insecure city (Hills 2018). Other post-conflict cities she examined include Basra, Baghdad, Freetown, Grozny, Juba, Kabul, Kaduna, Kigali, Kinshasa, Monrovia and Sarajevo (Hills 2009).

My *second* hypothesis is that postwar Berlin demonstrates Hills's contention about outside ideas, regarding policing, failing to take root in cities

emerging from conflict. However well meaning, the fact that outside agencies do not take account of local conditions and mentalities means that their policies bounce off, and fail to make a lasting impact on, police structures that are, by their nature, impervious (Banton; Chan; Hills (2009); Reiner).

My *third* hypothesis is that the complexity of the postwar policing situation, amid multiplex and entangled foreign governance, significantly delayed the wounded city's ability to heal. The legacy of violence, particularly that perpetrated gratuitously in the ecstasy of victory, significantly delayed the wounded city's capacity to regenerate (psychically if not physically). The cold war further complicated the situation, muddying the waters. By adding the pain of separation and division, it left Berliners as psychologically scarred as their pock-marked and gap-toothed city. The methodology combines primary-source research (using documents and memoirs) with historiography.

Mass Graveyard as Laboratory

How could order survive in the murderous death throes of the Third Reich? Having devastated most of Europe, Adolf Hitler chose complete destruction over surrender. To end his baneful rule, Berlin had to be taken street by street, house by house. With his suicide in the bunker, the war in Europe finally came to an end, but was replaced by a wave of violence (particularly sexual) that targeted female civilians (Gebhardt). To cover up their complicity in Nazi crimes, the remnants of the police hierarchy ordered the burning of records. In the last days of the war, the notorious Police Presidium building on the Alexanderplatz suffered a direct hit. Up in smoke went the precious databases of criminal records, fingerprints, tattoos, and mugshots that the Nazis had carefully sorted by racial profile. The end of a war as colossal and devastating as World War Two does not bring immediate peace. The violence it released proved difficult to put back in the bottle. Like the Māori lost in Dresden, as depicted in *Slaughterhouse Five*, large numbers of Prisoners of War (POWs) were stranded far from home (Vonnegut). Many Displaced Persons (DPs), who had hitherto been treated as slaves, wanted revenge on the Germans who had mistreated them. This helped to create a lawless scenario of incessantly breaking crime waves. With firearms lying around, attempts to contain looting often ended in shooting contests with the assorted desperadoes. On 6 September 1945, Major General John J. Maginnis recorded:

> *"We had another incident tonight, this time in Schöneberg. The MPs [Military Policemen] were called in by the German police on an attempted rape by two Russians, which ended in a shooting contest. [Public Safety Officer] Captain [Charles] Bond went along to see the fun and almost got himself killed. The Russians were subdued but one of the MPs was shot in the thigh". (Maginnis)*

Rossellini's *Germany, Year Zero* (Italy, 1948) conjured up the oppressive atmosphere of guilt and suffering. With war wounds and mass graves still fresh, ordinary civilians simply went missing and perpetrators disappeared into the mass of hungry, dejected survivors. Psychologically, Berliners were as scarred as their devastated infrastructure. Through their misfortunes and suffering, a growing minority of Berliners managed to see themselves as the injured parties. Soviet victory brought an almost total collapse of law and order to the city. Civilians, especially women and girls, faced weeks of terror and agony as they were designated the objects of punishment and revenge (Teo; Grossmann). Celebration, especially through drunkenness, on the part of ordinary Soviet soldiers, led to mass rape. Throughout the city, Berliners remembered the terrible words '*Uri, Uri*' and '*Frau komm*' (demanding that they surrender their watches and womenfolk). Rape was, to a large extent, inescapable and endemic. The indiscriminate punishment affected the virtuous (antifascists) as much as the innocent – foreigners, hospital patients, nurses and nuns (Naimark). The rapists clearly sought to punish the German people as a whole. Even if they had tried to, there was little that German men could do to prevent the rapes. The result was an upsurge in sexually transmitted diseases as well as unwanted pregnancies ('Gewährung'). The awfulness and unavoidability of the crimes created a strong sense of collective suffering. For some, the despair was so great that they committed suicide.

> *"'They rape our daughters, they rape our wives', the men lament. 'Not just once, but six times, ten times and twenty times'. There is no other talk in the city. No other thought either. Suicide is in the air… 'Honor lost, all lost', a bewildered father says and hands a rope to his daughter who has been raped twelve times. Obediently she goes and hangs herself from the nearest window sash". (Andreas-Friedrich)*

“With war wounds and mass graves still fresh, ordinary civilians simply went missing and perpetrators disappeared into the mass of hungry, dejected survivors. Psychologically, Berliners were as scarred as their devastated infrastructure.”

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An anonymous journalist was pragmatic: as a survival strategy, escaping the pack meant finding and latching onto a 'single wolf' (Anonymous). The vacuum of order lasted two months before the other Allies arrived. Ralf Dahrendorf went on to become a leading political scientist and director of the London School of Economics. In the Third Reich, he had been imprisoned in a concentration camp for distributing anti-Nazi leaflets. Experiencing the end of the war in Berlin, he called it a "supreme, horrible moment of utter lawlessness" (Dahrendorf).

Nazism created the wounds (psychological as well as physical) that Allied occupation was ultimately supposed to heal. The scale of crimes, committed by Germany's rulers, meant that it would not be a 'normal' occupation. Before the surrender, the eventual victors had asked how Germany should be reformed so that crimes of this nature could not be committed again. To teach the German people, as a whole, a lesson, denazification should be extensive and harsh. While the British and Americans mostly limited their punishment to alterations to the economic and political structures, ordinary Soviet soldiers meted out their anger and hate through rape. As a consequence, the 'wounded city' had an excess of evident scar tissue (Till). Truth and reconciliation, stability and order, understanding and compassion, all took a back seat to the infliction of pain (hypothesis 3). This disproportionately affected women. Those who could not (or would not) take the step of abortion were left with children conceived through violence ('Gewährung').

Continued Instability, Lawlessness and Crime

Even after the other Allies arrived, hunger gnawed away, producing distress and agony. This meant that, in practical terms, women's virtue (or rather their bodies and sexuality) had a price in cigarettes. The black market had sprung up long before the Unconditional Surrender of 7 May 1945. Nevertheless, soldiers of the four Allied victors significantly contributed to it (Roesler). Berliners' sense of grievance was nourished by the sight of the victors openly trading on and profiting from their misery. Faced with food scarcity, Germans found that they had little choice but to exchange their prized possessions (including family heirlooms) for food and cigarettes. Thus, the chaos of defeat only seemed propitious for breeding poverty, depravity and crime. The black market brought ordinary citizens into contact with criminals, often for the first time.

Starring Marlene Dietrich, former Berlin cultural officer Billy Wilder's film *A Foreign Affair* conjured up a corrupt city of sin and unchained sordid lust, entirely mired in corruption and vice. Young and inexperienced troops

were wont to taste the forbidden fruit of iniquity. Their adventurous holiday spirit contrasted sharply with the Berliners' preoccupation with bare survival. Ordinary GIs ('Government-Issued' General Infantry) assured one another that, as tainted former Nazis, the 'Krauts' deserved to have people preying on their weakness (Janis). Seeing pain as a useful lesson, the Allies were often indiscriminate in applying it. As Deputy Commandant Colonel Frank L. Howley argued, the only reason his forces brought food into Berlin was because they did not want 'the rotting corpses' of German civilians to become a source of infection (*Time*). The disparities in wealth and power between the occupiers and the occupied were immense. The formers' luxury accommodation and lifestyles just made the misery endured by ordinary Berliners more corrosive. Historians are beginning to explore the sordidness of the occupation (Carruthers; Farquarson).

Desperation encouraged both crime and disease. Everywhere there was the stench of death. With the struggle for survival relentless, Berliners died at four times the pre-war rate (Cairncross). When winter came, famine and epidemics were to be expected. With the usual norms, inhibitions and curbs eroded, young city dwellers were seen as running wild (Evans). As its modern transport system attested, Berlin was used to functioning like a well-oiled machine. Instead, in the immediate postwar period, it experienced profound dysfunction and non-governance.

The Allies had mixed aims (hypotheses 2 and 3). As occupation governments, they wanted to reform German society, notably the system of policing. Individually, however, they were inclined to continue profiting from German disarray, even if this deepened the population's distress. The continuation of the black market meant that the city did not return to 'normal'. Although suggesting novel reforms (notably widespread denazification and the employment of women), the *Kommandatura*'s Public Safety Branch made little dent on the conditions of depravity, exacerbated by asymmetrical relations of power and outright exploitation (political, economic and sexual).

Power Asymmetry

Under four-power occupation, sovereignty was absent (hypothesis 1). Ideas for how to put the defeated, devastated city back on its feet varied considerably. At the same time as fighting crime, the Allies wanted to democratize, denazify and demilitarize Germany. Having inflicted a total military defeat, the victors were determined to demonstrate to the German population that they could not shirk responsibility for what they had 'brought upon themselves' through ruthless and fanatical racial warfare. Their last-ditch,

ferocious 'Nazi resistance' had destroyed what remained of the German economy and made the resulting chaos and suffering unavoidable ('Proposal by the United States Delegation'). Unchastened, many Germans felt that it was the disorganization of the Allied occupation that had turned the city topsy turvy, upending notions of order, decency and legitimacy. The fact that the occupiers did not need to obey German laws stressed that they would remain aloof from their 'hosts'. Blatant asymmetry in power relations encouraged a potent sense of unfairness at the widespread squalor and impropriety. The feelings of distress and inequality were largely intentional. Ways occupation governments viewed the Germans influenced the way they exercised control. Seeing themselves as conquerors rather than liberators, the occupiers had opted for policies designed to punish the Germans. Some genuinely believed that the pain of defeat would provide the defeated with a salutary (moral) lesson. For German observers, this manifested a colonial mentality, in which the victors were treating them as disposable playthings (*Die Frontstadt*). In 1948, British Military Governor General Sir Brian Robertson recognized that "protracted and delayed tutelage" would not paint Britain's occupation / "colonial authority" as benevolent (Jürgensen). For his part, Winston Churchill had enjoyed a *bain de foule* in front of the wrecked Chancellery building on 16 July 1945: "When I got out of the car and walked about among them, except for one old man who shook his head disapprovingly, they all began to cheer. My hate had died with their surrender, and I was much moved by their demonstrations, and also by their haggard looks and threadbare clothes" (Churchill). Instead of vengefulness, he found compassion.

At times, the obstacles to restoring order in the shattered city seemed insurmountable. As well as fighting crime, police forces manifest order and stability, supporting the notion of security in relation to governance. Because the remnants of the Berlin police force were tainted with Nazism, at first, the police commanders were obliged to use inexperienced, untrained patrolmen. Turnover in personnel meant that there were continuous shortages of reliable patrols together with uniforms and equipment. Violence often overshadowed order, undermining the police's claim to exercise what Max Weber called *Herrschaft* (Weber). Hungry, exhausted policemen, in tattered, non-standard uniforms, were poor symbols of efficiency or hegemony. This impacted on public confidence in police authority and on notions of legitimacy. For their part, the rookies cared particularly about provision of decent footwear and wished for weapons that would act as effective deterrents. Nevertheless, despite low pay and dreadful conditions, their sacrifices and bravery allowed the gradual reimposition of order. Like

the 'rubble women', who had cleaned the streets of debris while on a hunger ration, women police exhibited courage and an undaunted spirit of survival. Their recruitment and service paid tribute to Allied optimism about the reformability of the police. But they lacked sustained support from a high command that saw them as unsuited (and intrinsically unsuitable) to the task (Nienhaus). These managers put their own preoccupations and assumed needs ahead of either the public or the state. In doing so, they created a 'brand' of rigid and aggressive policing that was to persist for decades (hypotheses 1 and 2).

Causing the splitting of the police force, the onset of the cold war further undermined the rationale for thorough-going and wide-ranging reform. What Hills saw in sub-Saharan Africa in the 1990s was clear in 1948 Berlin: reforms designed to increase democratization and to pursue more equal representation took a back seat to power politics, particularly as manifested at the border (Fenemore). The new conflict on top of the old one prioritized the security of the new (divided) state structures. The population of Berlin was expected to fall into line with the commanders of the respective camps. There was no space for reconciliation and understanding, on which the sinews of a newborn (and peaceful) city could grow (hypothesis 3).

Conclusion

To the wounds of 1939-1945, not least those caused by the punishing air war, were added mass rape and widespread malnutrition in 1945. The blockade of 1948-49 was followed by insatiable cold war culminating in the brutal intervention of the Berlin Wall (on 13 August 1961). As a consequence, the body politic experienced successive new wounds on top of the old ones. In the immediate postwar period, Berliners saw their fabled order collapse into ignominy. Hunger caused a spike in black-market trading and crime. With heirlooms tradable for cigarettes, a new army of destitutes scoured the streets looking for valuable butts. What the occupiers discarded as worthless was worth more than currency to the occupied. In the new, postwar sexual economy, young women found themselves caught between the irresolvable poles of desirability and disposability. Although the occupation achieved much, it was harmed by callous 'victor-conqueror' attitudes, which seemed destined to mire it in tawdriness and depravity. "The Germans are not likely to remember with gratitude the Allied Military Governments" (*Manchester Guardian*).

The state of emergency left by defeat had lasted at least three years before being subsumed by division and the cold war. This context of up-

side-down morality and shamelessly asymmetric relations of power meant that the occupation's virtuous aims to reform policing – not least by training and employing women – became watered down and eventually abandoned (hypothesis 2). Policing expert Alice Hills argues that 'societies get the policing they deserve' (Hills 2016). Although ambitious in conception, ideas for reforming Berlin's policing proved more muted in application. Local circumstances tended to trump outside intervention and Allied disagreement helped to make the police structures more impervious to change. The police commanders who went on to serve the respective Allies diligently, as they embarked on the cold war, possessed little interest in gender equality or other progressive policing policies. As a consequence, reforms remained piecemeal, sporadic and temporary. Protecting the state appeared to demand a rigid form of policing, based on patriarchal notions of masculinity (Weinhauer). In the Western part of the city, ideas about what was outstanding in the Allied national policing traditions, together with the soothing effects of deploying patrolwomen, fell into neglect and then abandonment. Although Berlin deserved transparent, democratic and citizen-friendly policing, they instead got a structure whose manifest violence reflected unreconstructed Nazism (Fuhrer; Rigoll). In the early 1950s, policemen, who had been expelled through denazification and who were later discovered to have actively participated in the Holocaust, were allowed to return to the service (Steinborn and Krüger). The 'SS-*Führertyp*' came to predominate; they ensured that the police was led and trained like a military unit (Weinhauer; Rott). Hans-Ulrich Werner was in charge of the West Berlin police deployment on 2 June 1967. When he had joined the SS, they had rated his command of Nazi ideological principles as 'very good' (Aly; Fenemore). On that day, as the Shah of Persia enjoyed the Magic Flute inside the Opera House, Werner's men chased after student demonstrators on horseback and subjected them to brutal beatings. Chased into a carpark, from which there was no escape, 26-year-old student Benno Ohnesorg was on the ground and being subjected to blows when Karl-Heinz Kurras shot him in the back of the head.

According to Hills's viewpoint, demonstrators who went against the prevailing ideology must have deserved the blows of the policemen who waded into them with such fury (hypothesis 1 and 2). Often the violence of the protectors of law and order was so ferocious that their wooden truncheons snapped under the ferocity of the blows they were meting out. At the height of the blockade, during the railwaymen strike of May-June 1949, multiple shots were fired. The situation at that point could not have been farther from the initial Allied aims and expectations of democratization

and denazification. As positions hardened and calcified, keeping with the spirit of the nascent cold war, the minimal capacity for insight, empathy and understanding of the 'other' was lost. Exacerbated by propaganda, brinkmanship had become an all-consuming obsession that left little room for reflection or self-examination. It was not until the late 1960s that recruits who had not been socialised in the Third Reich became available. Up until the killing of Ohnesorg, political decision-makers supported the West Berlin police in taking ruthlessly harsh actions (Weinhauer).

What does it take to heal a city (hypothesis 3)? Beyond its tangible infrastructure, a city represents the combined spirits or souls of its inhabitants. Although reforms (like denazification and the employment of women) were tried, the will to pursue them evaporated with the onset of the cold war (hypothesis 2). Berlin seems to match Hills's insistence that reforms, imposed on post-conflict cities from the outside, tend not to stick. Even if they have progressive interludes, societies end up with the policing they deserve. In divided Berlin, the reversion to policing *Eigensinn* (or a stubborn and wilful pre-existing identity) was accelerated by the state-centric, top-down needs of a cold war polity (hypothesis 1). The security needs of the rulers trumped those of the ruled. Every brutal demonstration of force, in East or West, cemented the city's division and thwarted its population's pursuit of that prerequisite for mending: peace.

Like the graffiti scrawled in 1945 on the *Reichstag* building, rubble and walls are easier to erase from the cityscape than from inside people's heads. Policing in Berlin thus exhibited what Alexander and Margarete Mitscherlich termed the incapacity for mourning, coupled with an absence of regret. Under ex-collaborator Maurice Papon, the police force of Paris developed similarly hostile attitudes to pro-independence Algerian immigrants, murdering hundreds after a demonstration in October 1961. Here, repression and impunity combined to create a particularly murderous form of state terror. Other police forces could demonstrate a propensity for excessive violence (not least British troops in Northern Ireland). Yet the model of heavy-handed policing associated with cold-war Berlin – and manifested most clearly during the visit of the Shah on 2 June 1967 – became emblematic as an expression of unresolved (national) trauma. The fact that Kurras was also a Stasi (East German state security) informer muddies the water somewhat. Cold warriors of the East were as damaged and dangerous as those of the West. Nevertheless, as a wounded city, Berlin remained unhealed far longer than its European counterparts, such as Amsterdam, London, Rome and Vienna.

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Endnote

[1] Research for this paper grew out of a project exploring policing in the defeated city (Bessel; Fenemore 2020 and 2023; Jones; Reinke and Fürmetz; Steege). I am particularly interested in how the conflict impacted on law and order and, with it, on the experiences of ordinary Berliners. As a city, Berlin offers multiple narratives. I seek to pay heed to them by producing a bottom-up history of the period.