

East German secret police files highlight role of ex-Nazis in post-war Germany

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Certain truths about German post-war development are often dismissed by historians and the media as “old history.” Among these is the fact that after the collapse of the Hitler regime, countless Nazi criminals went unpunished and were allowed to pursue careers in West Germany as judges, public prosecutors, professors, business executives and policemen.

An article entitled “A Nazi Quagmire,” published July 12 by Andreas Förster, the political editor of the *Berliner Zeitung*, revived public awareness of this fact.

The article was occasioned by the release last April of two previously undisclosed files of the East German Ministry for State Security (MfS or Stasi), which dealt with the processing of Nazi and other war criminals. When a journalist applied to inspect records for a research project in 2000, both of these files were deemed classified by officials responsible for the Stasi documents.

The documents concerned issues relating to the years 1971-1980 and involved 18 police officers and employees of the West German Federal Intelligence Agency (BND), the Military Counter-Espionage Service (MAD), the Office for the Protection of the Constitution (OPC), as well as police from the states of Schleswig-Holstein, Hamburg and West Berlin. Photocopied documentary evidence of the Nazi past of 12 of these people was enclosed in the Stasi files.

In his article, Förster listed some of the names, including Kurt Fischer, a former employee of the federal Office for the Protection of the Constitution, who was born in 1905. According to the Nazi files, Fischer served as a police officer during the war, first in Sosnowitz in occupied Poland.

In 1944, the SS main office for business and administration—responsible for the concentration camps—moved him to Dachau and then “to service” in the office for “pest control” in Auschwitz. From this office Zyklon B poison gas was sent from Germany to be used in the mass murder of the inmates in Auschwitz. After the war, SS officer Fischer first turned up in the Federal Republic (West Germany) under the name of Karschner, before the OPC recognised him by his true name.

According to Nazi documents among the MfS files, 39-year-old Josef Anetzberger—apparently later employed by the BND—had been appointed a troop-leader of the Sachsenhausen SS Death’s Head Guard, responsible for guarding prisoners.

The records also show that Franz Market, a Schleswig-Holstein-born employee of the federal OPC, had been commissioned as an SS overseer to a POW camp in Bozen from 1944. However, he was dismissed from the SS in September 1944 on account of “repeated procedural transgressions.”

The Stasi also found incriminating documents concerning Erwin

Japp, a police inspector in southern Schleswig-Holstein in the early 1970s. According to the enclosed Nazi files, Japp was from 1942 adjutant to the commissioner of police in Simferopol, where a massacre of more than 14,000 Jews took place around Christmas 1941, followed by another mass killing in 1942. His name also appears on a list of people who were supposed to have participated in Nazi crimes in the USSR.

The newspaper report builds on previous revelations. Memorable in this respect is the so-called *Brown Book*, which was published in Stalinist East Germany (German Democratic Republic—GDR) in 1965 and appeared in a new edition after the fall of the Berlin Wall.

The *Brown Book* was branded by West German politicians and the media at the time as pure Stalinist propaganda. It listed the SS rankings and Nazi party positions of 1,800 leading businessman, politicians and senior civil servants in the Federal Republic and West Berlin. Most historians now agree that 99 percent of the information in the *Brown Book* is true, although the number of ex-Nazis occupying leading positions in business, state administration, scientific institutions, the legal profession and the army is thought to have been underestimated.

By the time of the appearance of the *Brown Book*, the Nazi past of a number of prominent figures in the business world and politics had already been revealed. These included the former West German president Heinrich Lübke, who was involved in the construction and management of concentration camps; the former Baden-Württemberg prime minister Hans Filbinger, who as a Nazi naval judge continued passing out death sentences up to the very end of the war; the former West German chancellor Kurt Kiesinger, who had occupied a top post in Hitler’s foreign ministry; Hans Globke, undersecretary in the federal chancellery and Konrad Adenauer’s closest advisor, who had been responsible for the framing of the Nuremberg race laws in his ministerial post in the Third Reich’s Department of the Interior; and also—less known to some—Theodor Maunz, the Nazis’ leading administrative jurist, who wrote a substantial part of the commentary to the West German constitution after the war.

Also documented is the process whereby the post-war West German intelligence agency (BND) developed out of the so-called “Gehlen Organisation.” Reinhard Gehlen, its leader and later the first president of the BND, had run the Department of Eastern Foreign Armies in Hitler’s general staff. He was commissioned by the US occupation authorities and the forerunner of the CIA to set up the new German secret service in 1946.

He used the opportunity to provide refuge and new identities for numerous former members of the SS, the Nazi intelligence service, the Gestapo, Hitler’s counter-intelligence and his armed forces.

Documents about the Gehlen Organisation, released by the CIA and now available in the National Archive in Washington, reveal that about 400 members of the organisation—most of whom were in leading West German positions in the summer of 1949—originally worked in the Nazis' intelligence network. An internal investigation during the early 1960s identified some 200 BND employees as former members of the Nazi security service. Even at the beginning of the 1970s, approximately 25 to 30 percent of those engaged by the BND had Nazi backgrounds.

In the same issue of the *Berliner Zeitung*, Förster mentions a research project commissioned to clarify the history of the BND. Gregor Schöllgen, the renowned historian appointed to the task, gave up “in exasperation” after two years of negotiations with the authorities, because forces in the government and the BND blocked the project, evidently to protect BND employees.

The exposé of the “Nazi quagmire” within the German state poses questions that are important for an assessment of the current political situation. The Stasi research project with the reference number FV 5/7 contains altogether 27 file folders. Only 25 of these have so far been released for inspection. Förster claims that these folders also name numerous people with a Nazi past who are still members of the intelligence service or police force, as well as about 100 more former Nazis who were later able to take up positions in business and politics.

The Stalinist regime of East Germany exploited such findings to spread illusions about the supposed anti-fascist and socialist character of the official ruling party, the Socialist Unity Party (SED). At the same time, however, Western secret service agents with a Nazi past were pressured by the Stalinists to offer themselves as double agents for the East German Stasi.

What interest did the German state have in keeping these files under lock and key for another twenty years after the demise of East Germany?

After outraged demonstrators stormed the central Stasi buildings to prevent the shredding of files in 1989-1990, those in control agreed that all documents of the East German intelligence service were to be transferred to the state archive for the purpose of research and to enable public access. After the last election to the People's Chamber of the German Democratic Republic (East Germany), Joachim Gauck (a member of the New Forum movement at the time) was elected leader of a special committee for overseeing the dismantling of the GDR secret service ministry.

After the incorporation of the GDR into the Federal Republic of Germany (West Germany), Gauck was appointed commissioner to oversee the documents of the GDR state security service. Allowing the original demand for the opening of all files to lapse, he initiated instead the Stasi Document Law in 1991.

This law states that the authorities can block access to files if they contain information about employees in the Federal Republic's secret services or those of friendly nations, and “if the federal minister of the interior says that the release of documents would endanger public safety or otherwise impinge on the well-being of the nation or another country.” This part of the law was applied to the above-mentioned two files when a journalist tried to gain access them in 2000. Gauck's office denied him permission after consulting with the then-Social Democratic Party interior minister and former member of the Greens, Otto Schily.

Addressing this issue, Förster states: “The stringent custody provisions in the Stasi Documents Law mean, among other things, that even twenty years after the demise of the Stasi, files concerning GDR

(East German) business partners—who, for example, worked as managers of West German SED firms while simultaneously acting as spies for the Federal Republic (West Germany)—are still locked-up. Names of former officers of the Soviet secret service, the KGB, also have to be redacted in the files, because the current Russian intelligence organisation has in the meantime become an ally of the German intelligence service.”

What were these people used for? What are they being used for now? What files are still being kept secret and for what reason? Do they contain the names of former Stasi employees or double agents who crossed over into the service of the BND, MAD or OPC after the fall of the Berlin Wall? Do present-day secret service agencies need their experience when it comes to the suppression of opposition tendencies within the population? This would seem to be the likely conclusion in view of the current situation, characterised by an ever-deepening gap between rich and poor and increasingly brutal attacks on the population by the ruling elite.

The announcement by Chancellor Angela Merkel's government that it needs to make use of the files of the Stasi Documents Authority until 2019—that is, until 30 years after the end of the GDR—could be relevant to the previous questions. The reason offered for this course—that the government wants to check all applicants for and employees in top positions in the public service to see if they formerly worked for the Stasi—is at best half-true.

A visible sign of the expansion of secret service operations against the population is already to be found in the massive new building complex that will become the new BND headquarters—no longer in faraway Pullach in Munich, but in the middle of the capital, Berlin.

Some €720 million was set aside for this in the budget. Further funding has already been officially requested. The 10-hectare terrain of the complex will be hermetically blocked off, numerous surveillance cameras will keep watch on the building site fencing, the site itself will be floodlit at night, and almost every construction worker is being accompanied by a guard. The area of this city within the city will equal 35 football fields. About 4,000 of the 6,000 official employees of the BND are expected to move into the premises in 2013.

Like the history of the BND itself, the architectural dimensions evoke the darkest period in German history.



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