

Commercial Escape Organizations: the GDR's Public Enemy Number One

By Marion Detjen, 2011

If you look at the numbers, commercial escape organizations played only a marginal role in German-German migration movements. These were people based in West Germany (FRG) who, in a professional and well-organized fashion, helped East German citizens escape to the west for money. In the 1970s, there were around two dozen such organizations, which in East Germany (GDR) were called “state-hostile human trafficking bands” (*staatsfeindliche Menschenhändlerbanden*). Less than ten percent of all illegal escapes employed them. Even at the height of commercial escape assistance in 1973—after routine car searches for the routes between Berlin and the FRG had been abolished in the transit agreement between the two German states, and it seemed for a short while as if all you had to do was put the fugitive in the trunk—they facilitated barely 1,000 escapes (*Ausschleusungen*). By 1974, when the Ministry for State Security (*Stasi*)¹ had re-established control over the escape routes by other means, their numbers dropped to 433, including those escapes that were led through Eastern Europe. In 1977, when *Die Flucht* (*The Flight*) was released, escapes organized by professionals were down to only 118, and the downward trend continued.

The majority of 3,000 to 6,000 successful escapes per year were not organized by “human traffickers,” but rather by private parties. For the most part, East German citizens took advantage of official permits to visit the West and then did not return home. Once the GDR had committed itself to at least theoretically respecting the human rights and fundamental freedoms of its citizens by signing the Final Act of the Conference on Security and Cooperation in Europe in 1975, most of those desiring to leave the country abandoned the idea of an escape altogether. Instead, they applied for exit permits, which could incur years of discrimination and sometimes jail-time, but did not endanger life and limb.

Although professionally assisted escapes were a marginal phenomenon, they absorbed an increasingly large part of the GDR's surveillance apparatus. In an effort to make existing measures to counter escape assistance more efficient, the *Stasi* founded a “Central Coordination Group” in 1975. To this end, all state resources were re-prioritized, expanded and interlinked. While the Central Coordination Group also fought the growing exit movement, the “human trafficking bands” remained public enemy number one. The persecutory diligence of GDR officials went so far that in the early 1980s they staged assassination attempts against the heads of these organizations. Escape organizer Kay Mierendorff, who had retreated to the Upper Bavarian countryside, lost several fingers and hearing in one ear as the result of a letter bomb in 1982. Wolfgang Welsch, another prominent escape organizer, barely survived the poisoned meatballs he ate on vacation with the *Stasi* spy who had posed as his best friend for years. And it is not clear to this day whether or not the 1979 murder of the Swiss escape organizer, Hans Lenzlinger, was arranged by the *Stasi*.

How are we to understand the disproportionate relationship between the actual damage done by commercial escape assistance and the fixation of GDR officials on this enemy? Roland Gräf's film would have us believe that the escape organizers forced GDR citizens who fell into their clutches, as a result of misguided desires for career or travel, into a hopeless corner and threatened them with dire consequences. If this had been the case, GDR officials would have exercised their responsibility to protect their citizens by warning them of the escape organizers' criminal practices. In fact, however, the scenario of the film was unrealistic.

¹ *Stasi* is the colloquial term used to denote people who worked for the Ministry for State Security, the GDR's secret police.

First, no full-time commercial escape organizer could risk entering the GDR to find “clients” or put them under pressure. Contact with those who wanted to flee was made through couriers, and transport was arranged through paid traffickers, who were motivated by political or idealistic commitments, or paid per job by the organizers. In order for an escape organization to get wind of someone who wanted to flee, there had to be a close relative or friend in the West who would engage the organization and pay the advance money for the escape. The organizers thus never dealt with people who wanted to flee within the GDR, but rather with people in the West who could go to the police if the organization’s methods seemed criminal. The organizers and refugees first met if and when an escape succeeded.

Second, a minority of escape organizations did, in fact, employ criminal methods. Some were con artists who demanded large advances from their clients in the West without really making arrangements for the escape. The rest actually made an effort to fulfill their contract, but did so by turning someone else in to the East German authorities and using their papers. For these so-called “victim routes” or “hobo routes,” they employed socially weak and dependent people, who even confirmed in writing that they had been informed of the risks. In any case, it was not the organizers that faced the greatest risk, but rather the couriers and traffickers. If they were caught and imprisoned in the GDR, they could face up to fifteen years for “state-hostile human trafficking,” according to paragraph 105 of the GDR Criminal Law Code; further, if they had really bad luck they didn’t even make it onto the list of political prisoners that the West German government could “buy free,” to the tune of millions of Deutschmarks a year. The more carelessly an escape was planned by the organizers, the greater the risk of imprisonment of not only the courier and smuggler, but also the refugee. Those captured while trying to escape could get up to five years for “unlawfully crossing the border,” according to paragraph 213, although in most cases they were “bought free” after only a year or two in prison. It happened that organizers sent both refugees and smugglers on suicide missions, where it was clear from the start that everyone on the ground would be caught and sent to jail. There were also accidents: in at least one case, a small child—who had been given a sleeping pill for the border crossing and was squeezed with his parents into a hidden compartment of an automobile—died, due to heat exposure or the wrong dosage. The recklessness and imprudence, and the criminal background of some escape organizations provided the GDR regime with a welcome way to deflect attention from the fact that it was itself the source of all these grievances. It was the criminalization of leaving the country—codified in its laws and in contradiction to fundamental rights—that made those who wanted to emigrate into fugitives. The threat of prison came not from commercial escape assistance, but rather from the GDR. And people would not have risked jail-time for a failed organized escape, if the dangers of trying to cross the border without outside help had not been so much worse. Crossing the border on your own, you risked a high probability of getting shot by a border guard, blown up by a buried mine in the control area, or killed by spring guns attached to the fences.

Third, the murder of a refugee by an escape organizer within GDR territory would not have gone unpunished in the FRG. The justice systems in the GDR and FRG worked closely together in the case of “normal” criminal violations. West German authorities were obliged by the constitutionally anchored fiction of a continued German juridical unity to recognize and carry out the regulations and decisions of the GDR, as long as these did not contradict free democratic basic order. Only special circumstances would prevent the sentencing of a culprit in the FRG or his extradition to the GDR: for example, the confirmed presumption that he had acted in self-defense and that GDR officials had a political interest in suppressing information about the circumstances. Since the mid-1960s, when unfair and fraudulent methods of escape organizations became known, the West German and West Berlin authorities fully cooperated in bringing these to light and to indict escape organizers who were criminals by West German standards. “Official findings” from the GDR were always welcome, as long as they actually had to do with references to fraud, “deceitful deportation” or other crimes by escape

organizers. By the late 1960s, even information about the misuse or falsification of documents was followed up in the West, offences which, in the first years after the building of the Wall, had been considered acts of necessity and above the law.

That escape organizers were no longer automatically excused for crimes necessary for arranging an escape—most of which had to do with document-related violations—was partly a result of the deteriorating reputation of escape organizations in the mid-1960s. Originally, these had been developed by idealistic students who wanted to help other students, friends and relatives in East Berlin. Their actions—digging tunnels, leading groups through the sewers, tricking as-yet-unperfected passport controls, retrofitting cars—had the broad support of the population of Berlin and of West Berlin politicians, because it was a way to counter the impotence and helplessness everyone felt about the Wall. The more the GDR regime worked to block escape routes and perfect the barrier, including with the help of spies who increasingly infiltrated the groups, the more difficult, dangerous and expensive escape assistance became. In certain cases it came to deaths, although the escape organizers claimed to eliminate such dangers. An East German border guard died at a tunnel opening in October 1964; that he was caught in the “friendly fire” of the Kalashnikovs of his comrades standing behind him, and not shot by an escape organizer’s pistol, was carefully kept secret by the GDR until 1990. East German propaganda, which represented the dead soldier as a victim of the malicious bloodlust of western bandits, also had an effect in the West. As they realized that it was no longer possible for escape organizers to work without carrying weapons for self-defense, without running the risk of imprisonment and without payment, the idealistic groups increasingly withdrew. What remained—or what filled the gap—were escape organizations with fewer scruples and less interest in maintaining a good reputation. Aside from a few politically motivated escape organizers, a range of shady business people—including traders, travel agents, barkeepers, even bordello owners—established themselves as the leading organizers. As of the late 1960s, these “bosses” dominated the public image of the field.

Another change came with the beginning of *Ostpolitik*, which brought alternative ways to make the Wall more porous: family reunification measures and buying prisoners free, both paid for by the FRG; lifting travel restrictions for retired people; and permission for West Berliners to visit friends and family in East Berlin. These allayed some of the sacrifices demanded by the division. But because these had to be negotiated with the GDR, the escape organizations became a kind of dirty competition, disturbing détente and the German-political aims of western governments. Some politicians and administrators would have liked to take action against them, in particular against their “abuses” of the transit agreement that went into effect in 1972. Until the early 1980s, the GDR government hoped that West Berlin and West German authorities would help pursue escape organizers. Between 1972 and 1981, 390 criminal proceedings against commercial escape organizers were opened in West Berlin alone. A few, whose criminal actions had been proven, were pulled out of circulation. But the vast majority of the cases ended in dismissal or acquittal. It became clear that the rule of law and the West German constitution—which guaranteed freedom of movement to refugees and immigrants from the GDR, who were considered “German in the sense of Basic Constitutional Law”—did not allow for an efficient line of action . . . even if the motives of the escape organizations were purely commercial, even if their work was shoddy, even if they were politically unpopular and hindered the progress of détente. This, above all, and not the actual number of successful flights, explains the increased zeal with which the GDR regime pursued escape organizers in the early 1980s. But not even the assassination attempts were able to stop them; Kay Mierendorff was back at work while still in the hospital. The organizations only came to an end in 1984, when the GDR approved exit permits in large numbers for the first time.

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Ein Loch in der Mauer - Die Geschichte der Fluchthilfe im geteilten Deutschland 1961-1989 (transl. *A Hole in the Wall: The History of Escape Assistance in Divided Germany 1961-1989*), Siedler Verlag, Munich, 2005.

Marion Detjen's book is a historical analysis of the escape movement and escape assistance in divided Germany after the building of the Berlin Wall. It is the first and only book to present the history of organized escape assistance in the context of inter-German migration and politics, thus shedding new light on East-West German relations between 1961 and 1989.

The book includes vivid stories of tunnel-diggers, dangerous escapes and political intrigues, as well as a thorough analysis of the support and persecution of escape organizations in both German states. Among many other sources, it draws on the German author Uwe Johnson's interviews with escape organizers from the early 1960s.