



# Denazification & The E.W. Borchert Case



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## Denazification: The Political Cleansing by the Allies in Germany

The German term *Entnazifizierung* was derived from the English term denazification. With denazification, the victors of the Second World War<sup>1</sup> undertook the attempt “to remove Nazi-ideology as well as all national socialist and militaristic influences from German society.”<sup>2</sup> “Eradication of National Socialism” had been the Allies’ professed goal of the war. It was self-evident for them that a general reckoning on moral and political grounds should be harsh. In February 1945, the “Big Three”<sup>3</sup> unequivocally announced at the Yalta Conference: “It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. [...] We are determined [...] to bring all war criminals to just [...]; wipe out the Nazi Party, Nazi laws, organizations and institutions; remove all Nazi and militarist influences from public office and from the cultural and economic life of the German people; and take in harmony such other measures in Germany as may be necessary to the future peace and safety of the world.”<sup>4</sup>

The large-scale “political purification process” was, on one hand, supposed to achieve a radical replacement of the Nazi-elites, and, on the other, denazification. It was necessary to bring people with political and moral qualities into responsible positions to participate actively in a democratic development.<sup>5</sup> Denazification was seen as the decisive prerequisite for future democratization and was also considered a prerequisite for Germany’s later rehabilitation. For this purpose, the Allies declared at the Yalta Conference, “It is not our purpose to destroy the people of Germany, but only when Nazism and militarism have been extirpated will there be hope for a decent life for Germans, and a place for them in the comity of Nations.”<sup>6</sup> There was broad agreement among the Allies as to this general declaration of intent. There was, however, no procedure until the end of the war for the practical implementation of comprehensive denazification that was sought by the Allies.

The first concrete suggestions for the implementation of denazification came from the Americans. In a directive of the Joint Chiefs of Staff (JCS 1067) that had been passed on April 26 and had been approved by US President Harry S. Truman on May 10, 1945, the Americans first recorded directives for denazification. They stipulated the dissolution of the Nazi Party and of all affiliated institutions. Arrests of higher Nazi functionaries should take place and all active National Socialists should be removed from public offices, semi-official institutions and private companies. The purging of the educational system was decreed in a separate paragraph. The directive also included a list of organizations and groups of persons who should be “automatically arrested,” “automatically dismissed” or “dismissed at discretion.”<sup>7</sup> The first phase of denazification began with mass arrests by the Allies. Immediately after the Allied victory in May/

<sup>1</sup> The winners of the Second World War were Great Britain, the United States of America, the Soviet Union, and, by the end of the war, France as well. Cf. footnote 8 in this text in regard to the French as a victorious power.

<sup>2</sup> Fischer, Torben and Matthias N. Lorenz, eds. *Lexikon der “Vergangenheitsbewältigung” in Deutschland. Debatten- und Diskursgeschichte des Nationalsozialismus nach 1945*. Bielefeld: transcript, 2009. 18.

<sup>3</sup> The “Big Three” were Josef Stalin (1878-1953), Winston Churchill (1874-1965) and Franklin D. Roosevelt (1882-1945). The latter died on April 12, 1945, and his successor was Harry S. Truman (1884-1972).

<sup>4</sup> Roosevelt, Franklin D. *The Defeat of Germany. Joint Statement with Churchill, Stalin at the Yalta Conference on February 11, 1945*. Miller Center at the University of Virginia. Web. July 25, 2016.

<sup>5</sup> Eckert, Rainer. “Entnazifizierung.” *Lexikon des DDR-Sozialismus. Das Staats- und Gesellschaftssystem der Deutschen Demokratischen Republik*. Vol. 1. Paderborn, München, Wien, Zürich: Schöningh, 1997. 247.

<sup>6</sup> Roosevelt, *The Defeat of Germany*.

<sup>7</sup> Fischer and Lorenz. *Vergangenheitsbewältigung*. 18; Clemens Vollnhals, “Entnazifizierung. Politische Säuberung unter alliierter Herrschaft,” *Ende des Dritten Reiches – Ende des Zweiten Weltkrieges. Eine perspektivische Rückschau*. Ed. Hans-Erich Volkmann. München/Zürich: Piper, 1995. 372-373; Rolf Steininger, *Deutsche Geschichte seit 1945. Darstellung und Dokumente in vier Bänden*. Vol. 1. Frankfurt: Fischer, 1996. 46-52; Angelika Königseder, “Entnazifizierung,” *Deutschland unter alliierter Besatzung: 1945-1945/55*, Ed. Wolfgang Benz. Berlin: Akademie-Verlag, 1999. 114.



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June 1945, all four powers established internment camps.<sup>8</sup> Most of the more than 300,000 persons arrested were middle and lower functionaries of the Nazi movement (Nazi Party, Nazi organizations), members of the civil service, followed by members of the SS, SD, Gestapo and Waffen SS. All internment camps first served the purpose of providing safety to the occupation powers, since the formation of a German underground movement was initially feared. However, the camps very quickly became “an unofficially declared penalty.” More than 180,000 Nazi followers were detained in such camps in the three Western zones. More than 122,000 persons were detained in the Soviet occupation zone (SBZ). The practice of internment in the Eastern zone was a great deal harsher. Among the detainees there were numerous persons who were interned regardless of what their attitude had been towards National Socialism. Not only were Nazis to be removed from power, but communists were also to be brought to power. Frequently, a denunciation was sufficient to lock up actual or alleged opponents. Terrible detention conditions existed in the so-called “special camps” in the Soviet zone. Many of the internees died there as a consequence of the catastrophic accommodations: malnutrition, insufficient clothing, poor hygiene, and epidemics. More than one third of all detainees died in the Soviet camps. According to another estimate, it was up to 80,000 people.<sup>9</sup>

Soon after the end of the war, there were fierce disagreements between the Allies as to how denazification ought to be implemented politically in the respective occupation areas. Initially, the three other occupation powers oriented themselves by the goals and methods of denazification formulated by the Americans in directive JCS 1067. Essential points of the American initiative were adopted as policies in the concluding protocol at the Potsdam Conference (July 17 – August 2, 1945). As cornerstones of Germany’s transformation, the victors formulated the famous four D’s: *denazification*, *democratization*, *demilitarization* and *decentralization*. It was determined that Germany should be jointly governed by the Allied Control Council. In Summer 1945, the victors wanted to deal with the occupied country as one political and economic entity.<sup>10</sup> A declaration concerning denazification was made at the end of the conference: “All members of the Nazi Party who participated in their activities more than nominally, and all persons who oppose the Allied goals with animosity, must be removed from public and semi-public offices and from responsible posts in important private companies. They must be replaced by persons who appear, in their political and moral nature, to be capable of contributing to the development of truly democratic institutions in Germany.”<sup>11</sup>

The great contradiction emerging from Potsdam and for a joint approach to denazification was that the four occupation administrations were supposed to wield their governmental powers according to the dictates of their respective governments, both in their own occupation zones and also jointly in the Allied Control Council. This basically allowed the occupation powers to conduct completely independent policies. With that, a different procedural approach in implementing the four D’s was inevitable, since cohesion of the four occupation zones was contingent on the willingness to the occupying powers to collaborate. Formulating the political principles of the Potsdam Protocol was basically meant to affirm the joint letter of intent from the Yalta Conference in February 1945. Although, a joint approach was supposed to be coordinated by the Allied Control Council, it was months until it issued a mandatory ruling for all occupation zones. The first overarching directive of the Allied Control Council regarding denazification was issued on January 12, 1946, (directive no. 24)<sup>12</sup>. The next one followed on October 12, 1946 (directive no. 38).<sup>13</sup> These late directives of the Allied Control Council in 1946 did not result in a joint approach in the four occupation zones, since the occupation powers’ concepts of “political

<sup>8</sup> At the Yalta Conference (February 4 – 11, 1945), France was declared by the “Big Three”—the Soviet Union, USA and Great Britain—to be a future occupying power. On May 1, 1945, France joined the London declaration of 1944 concerning the Allied governance framework in Germany. With the third protocol concerning occupation zones (July 26, 1945), France got its own occupation zone in Germany and Austria and its own occupation sector in Berlin and Vienna when the American and British occupation powers ceded some of their area. France was not represented at the Potsdam Conference. After the Conference, France, in several diplomatic notes (August 1, 1945), endorsed the Potsdam Protocol. Ernst, Deuerlein, ed., *Potsdam 1945. Quellen zur Konferenz der “Großen Drei.”* München: DTV, 1963. 349-350; *Die Berlin-Regelung. Das Viermächte-Abkommen über Berlin und die ergänzenden Vereinbarungen.* Bonn: Presse- und Informationsamt der Bundesregierung, 1971. 211-214; Mathias Uhl, *Die Teilung Deutschlands. Niederlage, Ost-West-Spaltung und Wiederaufbau 1945-1949.* Berlin: Be.bra, 2009.12.

<sup>9</sup> Vollnhals, *Politische Säuberung*, 377; Eckert, *Entnazifizierung*, 247-248; Steininger, *Deutsche Geschichte*, 135; Uhl, *Teilung*, 144-146; Peter Bender, *Episode oder Epoche? Zur Geschichte des geteilten Deutschland.* München: DTV, 1996. 31.

<sup>10</sup> Steininger, *Deutsche Geschichte*, 45.

<sup>11</sup> Deuerlein, *Potsdam 1945*, 355-356.

<sup>12</sup> “Removal of National Socialists and persons who are opposed to the endeavors of the Allies from public offices and responsible positions.”

<sup>13</sup> “Arrest and punishment of war criminals, National Socialists, and militarists and internment, control, and surveillance of possibly dangerous Germans.”



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cleansing" diverged considerably and, by now, each of the occupation powers was acting independently in occupied daily life.<sup>14</sup>

In no other occupation zone was denazification as broad in scope as in the Americans zone. Americans conducted a gigantic "ideological inventory" at the center of which was a *Fragebogen* (questionnaire), used to acquire facts. Starting on July 7, 1945, all people in the American zone who had held positions of responsibility during the Nazi period, as well as people who now wanted to apply for key positions in public life had to complete a survey with 131 questions and had to reveal their political past to the American occupation authorities. The Germans involved had to confide almost all details of their lives in the questionnaire: weight, religious affiliation, previous convictions, income development, professional career, military service, trips abroad, detailed information as to membership in the Nazi Party, Nazi organizations, and whom the respondent had voted for in 1933. The questions had to be answered truthfully. Omission and incomplete information were viewed as an offense against the military government and were punishable. By means of their "big questionnaire," the Americans wanted to remove all former Nazis from public life and, as of September 1945, also from the economy. Interpretation of the data by the American Military Government took place according to purely mechanical considerations and without any German input. By March 1946, 1.26 million of the 1.4 million questionnaires submitted to the American military government had been evaluated. At this point, 140,000 civil service employees and 68,600 employees in commerce, trade and industry had been dismissed. Almost 80,000 applications were rejected for political reasons. The American procedure of denazification soon assumed the "character of a bureaucratic inquisition in order to check political disposition," and caused hard feelings among the population. The American Military Government conducted denazification in their zone with missionary zeal. In the American sector, the "revolution by means of paper" degenerated into an undifferentiated process of cleansing personnel with disastrous consequences for rebuilding of the economy and administration.<sup>15</sup>

Many experts who had been denazified were, as a rule, also experts needed for reconstruction. Former members of the Nazi Party were virtually barred from their profession and were only allowed to work as unskilled laborers. The Military Governor of the American occupation zone, General McNarney (1893-1972), declared sarcastically at a news conference on November 29, 1945: "The cleansing of National Socialism will be conducted completely according to established guidelines. I also do not feel sorry for those National Socialists who were only followers. I would like to see every former Nazi as a day laborer, as far away as possible from every responsible position. If someone claims that the productivity of some industries and offices would suffer from the removal of Nazis and Nazi followers, then I declare, no human being is indispensable."<sup>16</sup>

The rigorous denazification in the American sector caused the number of cases needing review to climb into the millions. In spring 1946, the Americans thus felt compelled to transfer denazification to the Germans themselves. On March 5, 1946, the "Law for Liberation from National Socialism and Militarism" was signed. The so-called "liberation law" from now on formed the legal basis for political cleansing. Its core was an individual case review, with the possibility of rehabilitation. Thereafter, every German older than 18 had to complete a registration form that was evaluated by the German civilian court handling denazification. The court decided on five classifications of incrimination (chief culprit, incriminated, less incriminated, follower, exonerated). All together, 13.41 million registration forms were submitted in the American sector. Of those, 27 percent were affected by the liberation law, i.e., they had been members of the Nazi Party or another Nazi organization. Most proceedings were stayed due to two amnesties: one for youth and one for nominal followers with small

<sup>14</sup> Vollnhals, *Politische Säuberung*, 372; Königseder, *Entnazifizierung*, 114; Von Münch, Ingo, ed., *Dokumente des geteilten Deutschland. Quellentexte zur Rechtslage des Deutschen Reiches, der Bundesrepublik Deutschland und der Deutschen Demokratischen Republik*. Stuttgart: Kröner, 1976. 32-43; Görtemaker, Manfred. "Die Potsdamer Konferenz 1945." *Schloß Cecilienhof und die Potsdamer Konferenz 1945*. Ed. Chronos Film und Stiftung Preußische Schlösser und Gärten Berlin-Brandenburg, Berlin: Chronos, 2001. 84.

<sup>15</sup> Vollnhals, *Politische Säuberung*, 372; Steininger, *Deutsche Geschichte*, 135-137; Königseder, *Entnazifizierung*, 114-115; Fischer and Lorenz, *Vergangenheitsbewältigung*, 18; Glaser, Hermann, 1945. *Ein Lesebuch*. Frankfurt: Fischer, 1995. 339-341; Benz, Wolfgang, *Potsdam 1945. Besatzungsherrschaft und Neuaufbau im Vier-Zonen-Deutschland*, München: DTV, 2005. 178-180.

<sup>16</sup> Ranke, Winfried and Carola Jüllig, Jürgen Reiche, Dieter Vorsteher. *Kultur, Pajoks und Care Pakete. Eine Berliner Chronik 1945-1949*, Berlin: Nishen, 1990. 19.



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incomes and war invalids). About 10 percent came to public trial, but less than one percent of those to be denazified were actually punished or suffered permanent disadvantages. Due to the transfer of denazification to the German offices, the courts soon functioned as “follower factories.” Once summoned to the denazification court, the accused had to prove his innocence. Neighbors, friends and colleagues issued clearance certificates (in the vernacular, called *Persilscheine*, after the laundry detergent *Persil*) for each other. The mass accusations thus mutated into mass acquittals.<sup>17</sup> Two years after the end of the Second World War, the nasty saying, “Since the democratic sun has been shining on us, we are getting browner and browner,” circulated among the population in the American sector of defeated Germany.<sup>18</sup> Denazification ended up having the opposite effect from what had originally been intended. By 1948, what was initially a strict denazification process became more and more farcical.<sup>19</sup>

“Political cleansing” was handled less radically in the British and French zones than in the American zone. There were regional differences and various policy shifts in the French occupation zone. Generally speaking, the French and British acted more pragmatically and, from the very beginning, gave priority to administrative efficiency and reconstruction. For example, at the end of August 1945, the French Military Government ordered that hard-to-replace experts ought not to be dismissed, if possible. Moreover, the French officially transferred the task of denazification to German offices, with remarkable discretionary powers, as early as October 1945. By November 1, 1946, more than 36,000 people had been dismissed from public offices in the French zone. In comparison, by March 1946 in the American zone almost 337,000 people had been let go due to their political past. The military government in the British zone arrived at decisions on the basis of questionnaires, just as the Americans did. The consequences were often questionable. For example, in the Oldenburg district, 41 percent of the employees in the office of nutrition and 33 percent of railroad workers were dismissed, due to Nazi incrimination, while only 9 percent of teachers and 8 percent of police officers had to leave their positions. In February 1947, the French occupying power and, by the end of 1947, also the British occupying power, had adopted the law of liberation from the American zone in a slightly modified form: i.e., the “judicial procedure of denazification” before the court was adopted. This legal practice turned out to be even milder than in the American zone.<sup>20</sup>

While there was at least no disagreement in the Western zones with conducting denazification as an integral component of German democratization, in the SBZ it was misused to assert communist claim to power. In the Eastern zone, the disempowerment of the “monopoly bourgeoisie” and Junkers benefitted the working class and farmers. Denazification pursued a twofold objective in the SBZ: On one hand, it served as a reckoning with National Socialism, and on the other, it was utilized for implementing the communist claim to power. In contrast to the Western zones, German offices in the East were involved in the process of denazification from the very beginning. Under the control of the Soviet Military Administration, by December 1946 state and provincial administrations largely took over “political cleansing” in the SBZ. The departments of the judiciary, police, domestic administration, and education were radically denazified. With the help of the Soviet occupation power, communists and, from April 1946 onward, members of the SED (Socialist Unity Party of Germany) got important positions at all administrative levels. By the end of 1946, about 390,000 former members of the Nazi Party had been dismissed. The decisive difference from denazification in the West was thus not the dismissal rate, but rather reappointments to central positions in administration and economy. Indeed, the cardinal mistake in denazification policies in the Western zones can be found in the denazification of people on a massive scale, instead of concentrating purposefully on positions in key social areas. The Soviet Military Administration re-organized its denazification process in December 1946—probably with an eye to possible criticism from the Western powers; Allied Control Council directive 24, from January 24, 1946, now became its basis. The occupation power ordered the formation of denazification commissions acting under the control of the SED Party; there were, however, hopelessly overworked due to the mass of investigations.

<sup>17</sup> Vollnhals, *Politische Säuberung*, 380-383; Steininger, *Deutsche Geschichte*, 136-137; Benz, *Potsdam*, 180-182; Fischer and Lorenz, *Vergangenheitsbewältigung*, 18.

<sup>18</sup> Quoted after Bender, *Episode oder Epoche*, 32-33. “Brown” was slang for Nazi-identified and was a reference to the brown shirts of the SA.

<sup>19</sup> Steininger, *Deutsche Geschichte*, 137.

<sup>20</sup> Niehuss, Meredith and Ulrike Lindner, eds. *Deutsche Geschichte in Quellen und Darstellung*. Vol. 10. Stuttgart: Reclam, 1998. 134-135; Vollnhals, *Politische Säuberung*, 375-376, 383; Königseder, *Entnazifizierung*, 116; Benz, *Potsdam*, 181; Fischer and Lorenz, *Vergangenheitsbewältigung*, 18-19; Uhl, *Teilung*, 148.



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A mild and pragmatic legal practice prevailed, since simple members and followers of the Nazi Party were mostly experts who—just as in the Western zones—were urgently needed for rebuilding. However, in the SBZ, as a rule, they were not allowed to return to positions in administration, the police and the legal system. In August 1947, the Soviet occupation power gave a clear sign with order 201, to conclude denazification. This paved the way for the successful rehabilitation of nominal members of the Nazi Party. Furthermore, the jurisdiction for Nazi and war crimes was transferred from the Soviet military tribunals to German courts.<sup>21</sup> The Soviet occupation force was the first of the victorious powers to put an end to denazification, with their mandate 35, and to thus put pressure on the Western Allies to bring about closure, which happened over the course of the year.<sup>22</sup>

The denazification process that the Allied Control Council was supposed to have steered towards under a uniform course of action, according to the Potsdam Agreement, had been in progress since the start of occupation in the various occupation zones and was implemented, as stated, in the most varied ways.<sup>23</sup> The Soviet manner of denazification, in comparison to that in Western zones, seemed to be more consistent and more efficient in its implementation. However, this was only because the Soviet occupation power, together with the German communists and the SED Party, implemented radical social change by means of denazification. It is a certain irony of denazification that the Soviets, by means of their comprehensive “political cleansing process,” purposefully and efficiently removed Nazi elites from important positions, and brought people into responsible positions who had the moral and ideological characteristics to contribute to the structure of a Stalinist-oriented second German Republic. But, in the Eastern zone “political cleansing” resulted in a state-decreed antifascism. Nevertheless, denazification in the SBZ also inevitably meant the large-scale integration of the Nazi-incriminated. An examination of SED Party statistics in 1953 reveals that almost 8.7 percent of its members were former members of the Nazi Party, while another 6 percent were members of Nazi organizations. In contrast, the share of former Social Democrats in the SED was only 6.5 percent.

Because of the extent of the “Nazi infection of German society,” denazification as political cleansing had to fail in the end, especially when it was conducted as a bureaucratic mass-denazification, as was practiced by the Americans. The large scope and impact of the Nazi regime on German society was too much for it. After all, total membership in the Nazi Party had reached about six million by the end of the war, and added to that were the millions more who were members of the numerous Nazi organizations.<sup>24</sup> A change in the power structure of the victorious powers also had a decisive impact on ending the political mass purges: But the East-West conflict that came to the fore, the Cold War. Contemporary historian Peter Bender (1923 – 2008) got to the heart of this new situation in his history of divided Germany in 1996. He wrote: “Just three years after their victories, the Western powers and the Soviet Union came into such conflict with each other that both feared that the opposing side might win the Germans for itself. The vanquished became interesting to the victors, and this had consequences. You could no longer snoop around in the pasts of hundreds of thousands, if you needed goodwill or even support. All four powers withdrew from denazification in 1948. Soon it was impossible, especially for the Western Allies, to condemn German militarism, if they intended to make use of the military skills and experiences of the Germans. You could not bring German generals to trial if you wanted to enlist their comrades. (...) And so the Cold War became the moral redemption of the Germans.”<sup>25</sup>

<sup>21</sup> A special department of the German criminal police (K5), which can be seen as a precursor of the Ministry of State Security of the GDR that was established in February 1950, took over investigative activities. The methods of section K5 and the legal practice of the East German criminal divisions in regard to Nazi and war crimes gained sad notoriety in summer 1950 during the Waldheim Trials, named after a penitentiary. The excessive retribution in the Waldheim penitentiary should not be equated wholesale with the prosecution of Nazi crimes during WWII. Reichel, Peter. *Vergangenheitsbewältigung in Deutschland. Die Auseinandersetzung mit der NS-Diktatur in Politik und Justiz*, München: C.H. Beck, 2007. 39-41.

<sup>22</sup> Vollnhals, *Politische Säuberung*, 372, 383-386; Eckert, *Entnazifizierung*, 247-251; Benz, Potsdam, 173-178; Reichel, *Vergangenheitsbewältigung*, 37-41; Fischer and Lorenz, *Vergangenheitsbewältigung*, 18-19; Uhl, *Teilung*, 152-154.

<sup>23</sup> Benz, *Potsdam*, 173.

<sup>24</sup> Vollnhals, *Politische Säuberungen*, 378; Königseder, *Entnazifizierung*, 117; Fischer and Lorenz, *Vergangenheitsbewältigung*, 18-19; Uhl, *Teilung*, 154-155.

<sup>25</sup> Bender, *Episode oder Epoche*, 33-34.



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## The E.W. Borchert Case: Comments on the Denazification of a Berlin Actor

The main actor of the first postwar German feature film, *Die Mörder sind unter uns* (*The Murderers Are among Us*), which had just been completed, was arrested on August 15, 1946 by the Americans in their occupation sector because of his Nazi past.<sup>1</sup> In this first DEFA feature film, the actor Ernst Wilhelm Borchert (1909-1990) played, opposite Hildegard Knef (1925-2002), the surgeon Dr. Hans Mertens, who was traumatized by his war experiences. The role of the physician and his own traumatic experiences during the war<sup>2</sup> had emotionally afflicted the actor Borchert to such an extent that he had attempted suicide.<sup>3</sup>

The arrest of E.W. Borchert by the Americans arose from the fact that he had been a member of the Hebbel Theater in the American sector of Berlin since the summer of 1945. In order to obtain a work permit, the actor had to pass the Americans' strict denazification process. Here Borchert concealed that he had been a member of the Nazi Party (NSDAP)<sup>4</sup> since May 1, 1933, and had also joined the Nazi SA stormtroopers in 1933-1934.<sup>5</sup> Due to the initially rigorous approach of the Americans to the denazification, the actor understood that he would be considered an "active Nazi" due to his early joining of the Party, and that, therefore, the Americans would not give him a work permit. From the very beginning, Borchert therefore kept his involvement with the Nazi Party secret.<sup>6</sup>

In the course of 1945, two developments in the American occupation sector of Berlin indirectly proved to be advantageous for Borchert. On one hand, the questionnaires and forms had caused a flood of paperwork and a huge challenge for Berlin's administrative apparatus. On the other hand, the strict denazification of the Americans and the need to provide cultural entertainment in their sector gave rise to conflicts within the military administration. While officers responsible for "political cleansing" did not pay attention to such qualifications at all and continued having NSDAP members removed rigorously, the officers responsible for film, theater and music put a greater value on the professional and artistic qualifications of affected artists. Unless it became apparent that the artist had been very publicly associated with the NSDAP or the Nazi regime, questions concerning a work permit didn't even arise. An artist like Borchert, who wanted to actively participate in an antifascist new beginning and therefore concealed his Nazi past, could find good opportunities for professional development, including in the American occupation sector.<sup>7</sup>

The Allies did not agree on comprehensive guidelines for denazification until January 12, 1946. According to Allied Control Council directive 24, all National Socialists and all persons hostile towards the efforts of the Allies were supposed to be dismissed from administrative positions and positions of responsibility. Based on this, the following fiat for all of Berlin was issued by the Berlin Allied headquarters on February 1946. "In order to completely eradicate the influence

<sup>1</sup> About the genesis of the four-sector city Berlin: The London Protocol concerning the occupation zones in Germany and the occupation sectors in Berlin was adopted on September 12, 1944. Two months later, on November 14, a supplementary agreement to the London protocol was concluded. The same day the Allies agreed in the London Protocol to the institutions of the Allied Control Council in Germany (Allied Control Council) and Berlin (Allied Commandant's Office). In these three contractually stipulated agreements, a joint occupational sovereignty by the Allies was defined for the territory of Greater Berlin, i.e., Berlin should not be the occupation sector of one single Ally, but rather it should obtain the position, resp. the status, of a jointly administrated occupation area. The London Agreements were endorsed at the Yalta Conference in February 1945. The London Agreements were implemented together with the Berlin statements on June 5, 1945. The first American and British military units arrived in their Berlin occupation sectors in July 4, 1945. The Allied Kommandatura held a meeting for the first time and assumed the administration of Berlin that had been up to now under the control of the Soviet Union. The fourth occupation power—France—acceded to the London Agreements on May 1, 1945, and on July 26, 1945, in accordance with the third Zone Protocol, got a French occupation zone in Germany, resp., a fourth occupation sector in Berlin as the American and British Allies ceded some of their occupation areas. The French victorious power accepted its Berlin occupation sector on August 12, 1945. Six urban districts were part of the American sector (Kreuzberg, Schöneberg, Steglitz, Zehlendorf, Tempelhof and Neukölln), 23.9 percent of the area and 30.7 percent of the population of Berlin. The Soviet sector comprised 45.6 percent of the area and 36.9 percent of the population. The British were responsible for 18.7 percent of the area and 18.8 percent of the population. 11.8 percent of the area and 13.4 percent of the population were adjudicated to the French. Cf., Chamberlin, Brewster S. *Kultur auf Trümmern: Berliner Berichte der amerikanischen Information Control Section, Juli – Dezember 1945*. De Gruyter: Stuttgart 1979. 8-32. Kandler, Herbert. *RIAS Berlin. Eine Radio-Station in einer geteilten Stadt*. Dietrich Reimer: Berlin 2002. 14-19. Summary in Burghard Ciesla: *Als der Osten durch den Westen fuhr. Die Geschichte der Deutschen Reichsbahn in Westberlin*. Böhlau: Cologne. Weimar, Vienna, 2006. 23-25.

<sup>2</sup> His family did not survive the war. It was not known what he experienced during his wartime deployment in 1944-1945. Cf. below, his testimony and description during the court hearing in Berlin- Lichterfelde on September 2, 1946.

<sup>3</sup> "Borchert fand milden Richter. Zugehörigkeit zur NSDAP und SA verschwiegen." *Telegraf*, September 3, 1946.; Habel, F.-B..*Das große Lexikon der DEFA-Spielfilme. Die vollständige Dokumentation aller DEFA-Spielfilme von 1946 bis 1993*. Schwarzkopf & Schwarzkopf: Berlin 2000. 414. Ranke, Winfried (ed.). *Kultur, Pajoks und Care-Pakete. Eine Berliner Chronik 1945 – 1949*. Nischen: Berlin 1990. 145.

<sup>4</sup> Nationalist Socialist German Workers' Party (NSDAP), commonly referred to in English as the Nazi Party.

<sup>5</sup> The *Sturmabteilung* (SA) was a paramilitary fighting organization of the NSDAP.

<sup>6</sup> *Telegraf* of September 3, 1946. Chamberlin. *Kultur in Trümmern*. 11-21. Ranke, *Kultur*. 14-23.

<sup>7</sup> Chamberlin. *Kultur auf Trümmern*. 21.



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of National Socialism and militarism in Berlin's public and economic life, and in order to promote the development of truly democratic institutions, it is hereby mandated: 1. It is illegal (...) to employ National Socialist Party members or to leave them in their positions if they participated more than just nominally in the actions of the NSDAP or if they oppose the endeavors of the Allies."<sup>8</sup> A renewed review ensued. Based on the "law concerning the liberation from National Socialism and militarism" (the "Liberation Law") of March 5, 1946, new report forms and an associated "American questionnaire" containing 131 questions were distributed. Borchert made false statements in it, and hid his membership in NSDAP and SA during the Nazi period.<sup>9</sup>

Evidence surfaced during the course of his renewed review, however, and he was arrested in the middle of August. His judicial hearing took place on September 2, 1946 in Berlin-Lichterfelde before an American military tribunal. The judge presented Borchert with the incriminating evidence—"photocopies of files"—that clearly showed that the actor had been a member of the NSDAP and of the SA early on. The actor was herewith guilty according to Allied decrees. The preamble of the American Questionnaire expressively pointed out that omission and false or incomplete statements constituted an offense against the military government and would be punished.<sup>10</sup>

Borchert pled guilty at the beginning of the hearing. The judge allowed the actor to himself explain the motives for his deception, and he was permitted to have witnesses called to the stand. First, Borchert talked about his ensemble at the Erfurter Stadttheater at the time and explained, "Almost all my colleagues had democratic views." He added then, in the language of the Third Reich, that "many of the most valuable colleagues were *jüdisch versippt* (married to Jews)."<sup>11</sup> Borchert justified his early membership in the NSDAP by explaining that his colleagues at the Erfurter Stadttheater had asked him to "join the Nazi Party on the surface, in order to have a chance of protecting his colleagues."<sup>12</sup>

Two former colleagues from the Hebbel Theater took the stand as witnesses for the defense (Fritz Rasp and Konrad Wagner),<sup>13</sup> as did actor Albert Johannes (1897-1983) from the Berlin Komödie Theater—who had played the striking character role of the devious fortuneteller Bartholomäus Timm in *The Murderers Are among Us*<sup>14</sup>—and his Jewish wife probably also testified. Johannes emphasized under oath, "Borchert was strictly opposed to the Nazis. He illegally protected my wife, who was Jewish; and he managed, back then in Erfurt, to make it possible for a Jewish colleague to continue working for another year and then helped him go to Switzerland and find work there." The Jewish witness declared under oath that Borchert had hidden her in his apartment as late as 1942, when she, as a Jewish woman, was a fugitive.<sup>15</sup>

It also came up during the hearing that Borchert had been drafted into a police-training unit after all German theaters were closed on September 1, 1944.<sup>16</sup> After his return, he found out that his only son, his foster daughter and all his relatives were dead. Borchert's parents had already died in November 1943 during an airstrike. The end of the trial report says that, in his emotional distress, Borchert saw the only way out of his incurred trauma by working as an actor again. This would only be possible, however, if he deliberately concealed his Nazi past from the Allied administration. The military court sentenced him to twelve months imprisonment. The actor was supposed to spend three of them in prison and nine on probation. On the same day, after bail had been posted, the sentence was changed into an immediate release from prison due to time Borchert had already served since his arrest. *The Telegraf* commented: "Borchert found benign judges."<sup>17</sup>

When the world premiere of *The Murderers Are among Us* took place in the Deutsche Staatsoper in the Soviet occupation sector of Berlin, the name of the main actor was not listed on the playbill. However, Borchert received an invitation and

<sup>8</sup> Quoted in Ranke. *Kultur*. 16-17.

<sup>9</sup> Cf., *Telegraf* of September 3, 1946. Friedrich Luft, "Die Mörder sind unter uns," *Die Neue Zeitung*, October 18, 1946. Stefanie Görtz, *Die Mörder sind unter uns*, Wolfgang Staudte, D 1946. Institut für Kino und Filmkultur: Köln, 2002. 17.

<sup>10</sup> Quoted in Ernst von Solomon, *Der Fragebogen*. Rowohlt Taschenbuch: Reinbek, 2007. 5.

<sup>11</sup> *Telegraf*, September 3, 1946.

<sup>12</sup> *Ibid.*

<sup>13</sup> Actors Fritz Heinrich Rasp (1871-1976) and Konrad Wagner (1902-1974).

<sup>14</sup> Katrin Zutz and Uta Zutz. "Johannes Albert." [www.defa-sternstunden.de](http://www.defa-sternstunden.de), [Last accessed June 13, 2016]

<sup>15</sup> *Telegraf*, September 3, 1946.

<sup>16</sup> Here one finds a "blank spot" concerning Borchert's deployment at the end of the war. The police unit was supposed to have been under the control of SS, according to the *Telegraf* in its report on the trial.

<sup>17</sup> *Telegraf*, September 3, 1947. Ranke. *Kultur*. 36.



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was allowed to attend the launch party.<sup>18</sup> The name of the main actor was eliminated from the DEFA-export documents (then Sovexportfilm).<sup>19</sup>

After his sentencing by the US Military Court, Borchert was not initially allowed to pursue his career as an actor in the American occupation sector. The denazification process moved into German hands in the four-sector city. After a certain time, Borchert received an offer from the Deutsches Theater, which was in the city's Soviet sector. The requirement for his engagement, however, was the hearing of his case before a newly constituted Denazification Commission for Artists in the Soviet sector. The Commission for Artists conducted its first public hearing on September 4, 1946. By the end of 1947, this special civilian court had dealt publicly with 535 denazification applications from artists. 310 applicants were exonerated<sup>20</sup> on September 24, 1947.<sup>21</sup> Actor E.W. Borchert was among them. It was announced in the press of the Soviet sector, "The witnesses concerning his activities in Erfurt, Cologne and Berlin gave him the best references, so that the commission could conclude that he could be considered to have only had a nominal party membership."<sup>22</sup> Borchert began his work in the theater again at the Deutsches Theater under Wolfgang Langhoff. He stayed there until 1950, before moving to theaters in West Berlin due to the escalating Cold War and further separation of the city.

<sup>18</sup> *Die Neue Zeitung*, October 18, 1946. Habel. *DEFA-Spielfilme*. 414. Görtz. *Die Mörder sind unter uns*. 17.

<sup>19</sup> Sovexport, too, had eliminated the name from its export materials. Information from Hiltrud Schulz (DEFA Film Library). Information based on the 1948 files from Artkino, the US distributor of the movie *The Murderers Are among Us* in Artkino Corporation Collection, Art. 213, 214, 215. New York: MoMA Film Studies Center. The name "W. Borchert" appears almost at the end of the opening credits, listed among the supporting actors.

<sup>20</sup> *Neues Deutschland*, January 27, 1948. 3.

<sup>21</sup> *Berliner Zeitung*. September 18, 1947.

<sup>22</sup> *Neue Zeit*. September 25, 1947.



## German Newspaper Coverage

### ***Die Neue Zeitung*, 18 October 1946 — by Friedrich Luft**

“The first German postwar film was affected by significant difficulties. The quick start of a new film production was a venture across the board for Deutsche Film AG. The camera had to deal repeatedly with technical obstacles along the way. The screened theatrical print was not of good technical quality. And because there was no premiere film theater in the Russian sector of the city, a cinema projector had to be installed at great effort at the Berlin Neue Staatsoper, where the film was premiered in a very festive setting. The name of the lead actor [Ernst Wilhelm Borchert] did not appear in the program. During the final days of filming, it became known that he had deliberately forged the answers on the questionnaire. There were barriers and difficulties everywhere. [...]”

### ***Telegraf*, 3 September 1946 — Borchert Found a Lenient Judge: Affiliation with NSDAP and SA Concealed**

“Yesterday, the lower American Military Court, Berlin-Lichterfelde, under Mr. Fred A. Tappan, sentenced Ernst Wilhelm Borchert, the famous Berlin actor, to one year in jail for deceiving the allied authorities by falsely filling in a questionnaire. The convicted offender was given a suspended sentence of nine months and has to go to prison for three of these. Time served will be credited. He was arrested on August 15, but was released on bail.

The trial was revealing in several respects. Only about ten people attended the trial, since the scheduled date had remained almost unknown. Witness statements were given by actors Albert Johannes from the Komödie Theater and Fritz Rasp from the Hebbel Theater, and by Konrad Wagner and a woman of Jewish origin and French nationality.

Borchert, who officially pleaded guilty at the beginning of the trial, after the judge presented him photocopies of record cards as proof, delivered a lengthy statement from which one learned the following: He had joined the former NSDAP in May 1933 and was a member of the SA from 1933 to 1934. Back then, he was a member of the Erfurt Stadttheater. To this he said, “Almost all of my colleagues had very democratic views and many of the most important colleagues were *versippt* (married) to Jews.” He then explained that, at the suggestion of his colleagues, he agreed to join the NSDAP for outward appearances, in order to have an opportunity to protect his colleagues. This account was accurate, as Albert Johannes declared under oath. He explained, “Borchert was always strictly opposed to the Nazis. He illegally accommodated my wife, who was Jewish, in his home. Back then in Erfurt he succeeded in helping a Jewish colleague to continue working for one more year and helped him to go to Switzerland and get work there.” Later on, the French witness also testified under oath that as late as 1942, the accused hid her in his apartment, since she was being persecuted as a Jew. Furthermore, Borchert stated during his interrogation that it was only after the closing of the Berlin theaters that he was conscripted into a police training formation that was partially under the SS. When he returned to Berlin, he found out that his only son, his 17-year-old foster daughter and all his relatives were dead. His parents had already perished in November 1943 in a direct bomb hit. He found a way to manage his emotional distress only through the opportunity to work again as an actor. This is why he had kept his party affiliation a secret from the authorities. When he received the American questionnaire, he continued on this path.”

### ***Berliner Zeitung*, 18 September, 1947 — Now also Bernhard Etté.**

“The De-Nazification Commission for Artists announces that the appeals of famous conductor Bernhard Etté and actor Ernst Wilhelm Borchert will be heard on September 24, 1947.”

### ***Neue Zeit*, 25 September 1947 — Bernhard Etté and E.W. Borchert exonerated.**

“The De-Nazification Commission for Artists granted the appeal of famous conductor Bernhard Etté. The appeal was also granted for famous actor Ernst Wilhelm Borchert from the Hebbel Theater. Witnesses from his work in Erfurt, Cologne and Berlin provided the best testimonials for him, so that the commission could successfully establish proof of his nominal membership in the Party.”



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Translations by Sigrit Schütz.