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Racial Profiling on the U-Bahn: Policing the Berlin Gap in the Schönefeld Airport Refugee Crisis

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Abstract

The German Democratic Republic (GDR) treated the Berlin Wall as an official state border, but the Federal Republic of Germany (FRG) did not recognize it as an official state border and thus did not impose entry controls. This asymmetric recognition opened up a gap in the regime of border policing and turned divided Berlin into one of the most significant sources of unauthorized migration into the FRG, creating tensions in Berlin, West Germany, and western Europe more broadly. Countries including France, Denmark, and the Netherlands all pressured the FRG to shut the open border in Berlin. This article examines how West German authorities sought to respond to their demands without recognizing the Berlin Wall as a state border. West German authorities pursued two broad strategies. The first involved internalizing the border through institutionalized racial profiling in West Berlin. The second entailed externalizing the border by asking the GDR to enforce FRG visa and passport requirements. Although both forms of border policing have often been associated with the end of the Cold War, this article shows that they were adopted earlier, and in response to Cold War imperatives.

Keywords: Berlin Wall; FRG; GDR; asylum seekers; migration; policing; racial profiling; border externalization

The Berlin Wall remains a powerful symbol of immobility, the most visible manifestation of a border regime willing to murder its own citizens in order to keep them from leaving. Given this history, it comes as a surprise to learn that under the right conditions, the wall was an open door. Not for East Germans, of course, or for other citizens of Eastern bloc states. But passengers holding passports from the Global South—from countries including Turkey, Ghana, India, and Lebanon—could fly to Schönefeld Airport in East Berlin, purchase a transit visa, and travel to the Friedrichstraße train station, where they could board the U-6 subway and emerge in West Berlin. Nobody from the West would check their papers. An official at the West German Interior Ministry described the Berlin Wall in 1984 as a “loophole ... in what is otherwise [our] relatively well functioning defense mechanism against illegal entry.”¹ Hundreds of thousands of people made use of this loophole in order to travel to West Germany and beyond. In fact, by the mid-1980s all of the Federal Republic of Germany (FRG)’s western neighbors were pressuring West Berlin to close its border or to risk jeopardizing the ongoing project of European integration.²

¹ Bundesarchiv (BArch) B 137/10812, April 30, 1984, BMI to BKA, AA, and BMIDB, “Betr.: Bekämpfung der illegale Einreise von Ausländern über den Flughafen Schönefeld; hier: Ressortbesprechung am 19.4.1984 im Bundesministerium des Innern.”

² Maryellen Fullerton, “Restricting the Flow of Asylum-Seekers in Belgium, Denmark, the Federal Republic of Germany, and the Netherlands: New Challenges to the Geneva Convention Relating to the Status of Refugees and the European Convention on Human Rights,” *Virginia Journal of International Law* 33 (1989): 35–114; Christopher

The German Democratic Republic (GDR) constructed the Berlin Wall in August 1961 in order to keep its own citizens from leaving the country and thus to stem its ongoing emigration crisis. For the East, the Berlin Wall was a legitimate international border, whereas for the West, it was an illegitimate “Wall of Shame” that cut across a single city. The Allied Command refused to impose any form of border control within Berlin because this would have treated the Wall as an international border, conceding legitimacy to the division of the city.³ Instituting any form of border control would mean constructing a “supporting wall” (*Gegenmauer*)—it would be tantamount to sinking to the level of the Soviets.⁴ This stance allowed the West to point out, correctly, that the East had constructed the wall in order to imprison its own citizens. The cost was to cede control over who could enter West Berlin from East Berlin, opening the “Berlin Gap” (*Berliner Loch*), a location where people could enter the West without entry documents. Historians have shown that much of the German-German border was co-constructed, with each side engaging in its own projects of demarcation and separation.⁵ Within Berlin, it was the Allied refusal to recognize the border that opened a gap in the regime of border policing and thus an unexpected pathway for unauthorized migration.

West Berlin and FRG authorities first registered the existence of unauthorized migration through the “gap” in 1970—one year before “illegal migrant” first appeared as a category in police statistics in the West.⁶ The FRG began to pressure the GDR to impose more border controls on their side of Berlin in the mid-1980s, and GDR authorities entered the “business of bordering” by taking first interest-free credit and later political promises in exchange for enforcing FRG visa requirements on their own territory.⁷ Previous accounts of these negotiations only begin in the mid-1980s, when the FRG first confronted the GDR about the “gap.” None acknowledge the fact that FRG authorities were aware of the open border for fifteen years before negotiations began.⁸ By starting the story in 1970, this article argues that the sovereign oddity created by the “Berlin Gap” catalyzed new strategies of bordering on the western side of the border. Unable to control a border whose existence they were

McDowell, *A Tamil Asylum Diaspora: Sri Lankan Migration, Settlement and Politics in Switzerland* (Oxford: Berghahn Books, 1996).

³ Landesarchiv Berlin (LAB) B Rep 004/3654, September 25, 1962, BK/O(62)7, Allierte Kommandatura Berlin to Regierenden Bürgermeister von Berlin, “Betrifft: Aufenthaltskontrolle von Personen nicht-deutscher Staatsangehörigkeit in Westberlin,” and LAB B Rep 004/3654, July 17, 1967, BK/L(67)15, Allierte Kommandatura Berlin to Regierenden Bürgermeister von Berlin, “Betrifft: Aufenthalt von Ausländern.”

⁴ When the judicial committee of the Bundestag discussed the problem in 1981, it began with the fact that the orders of the Allied Command made it impossible to control papers on the S-Bahn because to do so would be to “erect a kind of supporting wall [*Gegenmauer*].” BArch B 106/85176, “Stenographisches Protokoll über die 26. Sitzung des Rechtsausschusses am Mittwoch, dem 13. January 1981.”

⁵ Edith Sheffer, *Burned Bridge: How East and West Germans Made the Iron Curtain* (Oxford: Oxford University Press, 2011); Sagi Schaefer, *States of Division: Border and Boundary Formation in Cold War Rural Germany* (Oxford: Oxford University Press, 2014); Astrid M. Eckert, *West Germany and the Iron Curtain: Environment, Economy, and Culture in the Borderlands* (New York: Oxford University Press, 2020). Jason Johnson’s study of Modlareuth, by contrast, argues that in this remote village the border was experienced as an imposition from outside; Jason Johnson, *Divided Village: The Cold War in the German Borderlands* (New York: Routledge, 2017).

⁶ Serhat Karakayali, *Gespenster der Migration. Zur Genealogie illegaler Einwanderung in der Bundesrepublik Deutschland* (Bielefeld: transcript Verlag, 2008), 96.

⁷ I borrow the term *business of bordering* from Ruben Andersson, *Illegality, Inc. Clandestine Migration and the Business of Bordering Europe* (Oakland: University of California Press, 2014).

⁸ Jochen Staadt, “Versuche der Einflußnahme der SED auf die politischen Parteien der Bundesrepublik nach dem Mauerbau,” in *Materialien der Enquete-Kommission “Aufarbeitung von Geschichte und Folgen der SED-Diktatur in Deutschland,”* vol. 5, *Deutschlandpolitik, innerdeutsche Beziehungen und internationale Rahmenbedingungen* (Baden-Baden: Nomos Verlag, 1995), 2406–2600; Jochen Staadt, “Geschlossene Gesellschaft. Unerwünscht. Ausländer in der DDR—Asylanten aus der DDR,” *Zeitschrift des Forschungsverbundes SED-Staat* 38, no. 38 (2015): 43–64; Heinrich Potthoff, *Die “Koalition der Vernunft.” Deutschlandpolitik in den 80er Jahren* (Munich: Deutscher Taschenbuch Verlag, 1995), 28–30; Karl-Rudolf Korte, *Deutschlandpolitik in Helmut Kohls Kanzlerschaft. Regierungsstil und Entscheidungen 1982–1989* (Stuttgart: Deutsche Verlags-Anstalt, 1998), 229–302; and Hermann Wentker, *Außenpolitik in engen Grenzen. Die DDR im internationalen System 1949–1989* (Munich: R. Oldenbourg Verlag, 2007), 509–11.

unable to acknowledge, Western officials gradually learned to police the border everywhere but where a map would tell you that the border really was.

One West German response was to bring border control inside the FRG's own territory, in other words to *internalize* the border, through the widespread use of racial profiling in order to catch unauthorized migrants on public transit. The "Targeted Foreigner Surveillance" (*Arbeitsgruppe Gezielte Ausländerüberwachung*) division of the West Berlin police was empowered to stop people on public transit in order to ask for their papers, beginning in the early 1970s.⁹ Contemporaneous critics drew comparisons to Nazi antisemitism and accused the police of "selecting people, who appear to be foreign based on their skin color,"¹⁰ but consistently avoided the term *race* or *racism*, both of which were taboo in post-Nazi Germany.¹¹ Of course, scholars do not necessarily need to reproduce the language used by our sources.¹² Following this logic, this article uses the term *racial profiling* as an analytic to describe what the police called "targeted foreigner surveillance." The UN Working Group of Experts on People of African Descent concluded in a 2017 report that in Germany "Racial profiling by police officials is endemic,"¹³ and the actions of police in twenty-first-century Germany continue to "normalize the assumption that Germany is white."¹⁴ The policing strategies developed in response to the "Berlin Gap" were based on the assumption that "Germans" were a phenotypically homogeneous group who could be easily distinguished from foreigners. Police practices reproduced and naturalized this racist assumption over decades.

The unacknowledged "Berlin Gap" also catalyzed a process of border *externalization*, or the process of moving the border away from the line on the map. Although "remote control" of migrants has been part of the global migration regime since the nineteenth century, scholars agree that since the 1980s states have increased forms of "anticipatory border enforcement" by creating "buffer zones," so that people seeking asylum first encounter border police in locations that are in fact very far from sovereign territory where they can call on a country's asylum law.¹⁵ Political scientists who have written about border

⁹ Norbert Steinborn and Hilmar Krüger do not mention the AGA in *Die Berliner Polizei 1945–1992. Von der Militärreserve im Kalten Krieg auf dem Weg zur bürgernahen Polizei?* (Berlin: Berlin Verlag, 1993). The police watchdog journal *Bürgerrechte & Polizei/CILIP* has published at least three articles about the AGA: Otto Diedrichs, "Die AGA. Sonderfahnder gegen Ausländer," *CILIP* 24, no. 2 (1986): 46–51; Otto Diedrichs, "Die 'Arbeitsgruppe Ausländer' bei der Berliner Polizei," *CILIP* 45, no. 2 (1993): 46–49; Norbert Pütter, "'Ausländerpolizeien,'" *CILIP* 65, No. 1 (2000): 36–41.

¹⁰ Tessa Hofmann and Gesellschaft bedrohte Völker, ed., *Abgelehnt, Ausgewiesen, Ausgeliefert: Dokumentation zum Hearing über die sozialen und rechtliche Lage der Asylbewerber in West-Berlin (20.–22.1.1984)* (Gegenwind Verlag: Göttingen, 1984), 24.

¹¹ Rita Chin, Heide Fehrenbach, Geoff Eley, and Atina Grossmann, *After the Nazi Racial State: Difference and Democracy in Germany and Europe* (Ann Arbor: The University of Michigan Press, 2009); Rita Chin, "From Rasse to Race: On the Problem of Difference in the Federal Republic of Germany" (Occasional Papers of the School of Social Science, Institute for Advanced Study, Princeton, NJ, paper no. 42, 2011).

¹² Maria Alexopoulou, "'Ausländer'—A Racialized Concept? 'Race' as an Analytical Concept in Contemporary German Immigration History," in *Who Can Speak and Who Is Heard/Hurt? Facing Problems of Race, Racism, and Ethnic Diversity in the Humanities in Germany*, ed. Mahmoud Arghavan, Nicole Hirschfelder, Luvena Kopp, and Katharina Moyal (Bielefeld: transcript, 2019), 45–67.

¹³ Quoted in Kevina King, "Black, People of Color and Migrant Lives Should Matter: Racial Profiling, Police Brutality and Whiteness in Germany," in *Rethinking Black German Studies: Approaches, Interventions and Histories* (Oxford: Peter Lang, 1998), 175. Also see Eddie Bruce-Jones, *Race in the Shadow of Law: State Violence in Contemporary Europe* (New York: Routledge, 2017), and Kampagne für Opfer rassistischer Polizeigewalt, "Chronik rassistisch motivierter Polizeivorfälle für Berlin in den Jahren von 2000 bis 2018" (<https://kop-berlin.de/files/documents/chronik.pdf>).

¹⁴ King, "Black, People of Color and Migrant Lives Should Matter," 179.

¹⁵ Alison Mountz, *Seeking Asylum: Human Smuggling and Bureaucracy at the Border* (Minneapolis: University of Minnesota Press, 2010); David Scott Fitzgerald, *Refuge Beyond Reach: How Rich Democracies Repel Asylum Seekers* (Oxford: Oxford University Press, 2019). Fitzgerald's account of "building Fortress Europe" is useful for understanding the *architecture* of border externalization, but his lack of attention to continental Europe—perhaps exemplified by the fact that he consistently refers to a single country named "Germany" without any further specification throughout the 1980s and 1990s—means that he misses the way that externalization began already during the Cold War.

externalization in Europe have largely situated this development in the post-Cold War era.¹⁶ In the German case, these practices developed inside Cold War Berlin. This happened far away, as the FRG asked authorities in places such as Turkey, Pakistan, and Togo to stop people from boarding airplanes to East Berlin, but also closer to home, as the FRG pressured the GDR to perform border control on its behalf.¹⁷

By outsourcing border control, West Germany ought to reduce unauthorized migration without being seen to violate its commitment to the *non-refoulement* of asylum seekers. The November 9, 1989, fall of the Berlin Wall continues to symbolize the end of the Cold War, a “global iconic event” and “joyful historical memory” invoked by antiborder activists to this day.¹⁸ Simultaneously to the Berlin Wall, the “Berlin Gap” also collapsed, but not before producing an architecture designed to deter and repulse would-be asylum seekers. Those practices have now been in existence for far longer than the wall ever stood.

Schönefeld Airport as Global Gateway

Schönefeld Airport, once the international airport of the GDR, was located immediately outside of Berlin city limits in Brandenburg. Soviet occupation forces approved construction of a civilian airport at the site in 1947, gave permission to the GDR to run its own flag carrier, Interflug, in 1955, and gave the GDR control over the airport in 1958. The GDR sought to develop the airport into a travel destination for all of the residents of Berlin.¹⁹ Interflug sold tickets directly to travel agencies in West Berlin, and almost two years after the construction of the Berlin Wall, in June 1963, East Berlin public transit began to run a bus line from West Berlin directly to the airport.

Schönefeld had a competitive advantage: because it was slightly outside of Berlin city limits in Brandenburg, it was not subject to the same restrictions as city airports. Only airlines headquartered in the United States, France, and the United Kingdom could fly into the West Berlin airports, and they could use only the three Allied air corridors in order to reach West Berlin, an airspace limitation that severely limited their ability to design efficient flight routes.²⁰ Schönefeld lacked comparable restrictions. The airport was part of the route network for other Eastern bloc airlines, including the USSR flag carrier Aeroflot, the Romanian flag carrier TAROM, and the Polish flag carrier LOT, but also for capitalist flag carriers, including Austrian Airways and Scandinavian Airlines, and for charter services, including US-based Eastern Airlines and Denmark-based Sterling Airways.²¹

¹⁶ Sarah Collinson, “Visa Requirements, Carrier Sanctions, ‘Safe Third Countries’ and ‘Readmission’: The Development of an Asylum ‘Buffer Zone’ in Europe,” *Transactions*, 21, no. 1 (1996): 76–90; Sandra Lavenex, *Safe Third Countries: Extending the EU Asylum and Immigration Policies to Central and Eastern Europe* (Budapest: Central European University Press, 1999); Carl Levy, “Refugees, Europe, Camps/State of Exception ‘Into the Zone,’ The European Union and Extraterritorial Processing of Migrants, Refugees, and Asylum Seekers (Theories and Practice),” *Refugee Survey Quarterly* 29, no. 1 (2010): 92–119; Thomas Gammeltoft-Hansen, *Access to Asylum: International Refugee Law and the Globalization of Migration Control* (Cambridge: Cambridge University Press, 2011).

¹⁷ For an account of this process on the US/Mexico border, see Ana Raquel Minian, “Offshoring Migration Control: Guatemalan Transmigrants and the Construction of Mexico as a Buffer Zone,” *American Historical Review* (February 2020): 89–111.

¹⁸ Julia Sonnevend, *Stories without Borders: The Berlin Wall and the Making of a Global Iconic Event* (New York: Oxford University Press, 2016); Hope M. Harrison, *After the Berlin Wall: Memory and the Making of the New Germany, 1989 to the Present* (Cambridge: Cambridge University Press, 2019).

¹⁹ Annette Vowinckel, “Drehkruz Ost. Der Flughafen Berlin-Schönefeld im Kalten Krieg,” *ZeitRäume. Potsdamer Almanach des Leibniz-Zentrums für Zeithistorische Forschung*, 2019, 175–88.

²⁰ Robert Gruner, *Interflug und DDR-Außenpolitik. Die Luftfahrt als diplomatisches Instrument* (Hamburg: Diplomica Verlag, 2009), 71–76.

²¹ John L. Kneifel, *Die Zivilluftfahrt der Deutschen Demokratischen Republik. Eine Untersuchung der Entwicklung der Zivilluftfahrt und des Luftrechts der DDR seit 1949 und ihre rechtlichen und wirtschaftlichen Beziehungen zu den COMECON und anderen Fluggesellschaften*, 1970.

Schönefeld was also able to offer cheaper fares. Because Interflug and other Eastern bloc airlines operated outside of International Air Transport Association (IATA) tariff agreements, they could often offer fares that were half of those in the West.²² Interflug effectively became Berlin's first budget airline.²³ Its advertising promised that passengers would "travel for minutes and save hours," only for passengers to complain that poor baggage handling facilities meant that they would "travel for minutes and wait for hours."²⁴ West Berlin politicians mounted recurrent boycott campaigns against the Interflug option, but these cheap fares proved attractive. In 1968, 100,000 people from West Berlin flew through Schönefeld, rising to 400,000 in 1983.²⁵ Interflug was particularly popular for Turks living in West Berlin.²⁶ Flying out of West Berlin required making a stop at an intermediate destination in the FRG before continuing onward to Turkey, but East Berlin offered direct flights to Istanbul, and, beginning in 1977, Ankara.²⁷

Although the sovereignty of the GDR was imperfectly recognized internationally, border control authorities at the Schönefeld Airport passport checkpoint exercised that sovereign power through the everyday work of bordering: controlling not just East and West Germans, but also foreigners from around the world.²⁸ This could mean making an exception, as spelled out in a 1982 dissertation written for advancement within the GDR Ministry for State Security. The dissertation explains that people from Arab states frequently carry forged travel documents because of the "imperialist politics" of Israel and that "they will continue to be forced to use manipulated documents, in order to avoid the discriminatory control and surveillance measures of adversarial organs." In order to make the correct decision, the passport control agent needs "a great deal of intuition and Chekist cleverness" to decide who should be allowed to continue onward as part of the global struggle against imperialism and who should be stopped for further questioning.²⁹ The everyday work of bordering created a situation in which East Germans could not leave the Eastern bloc, while others could use Schönefeld as a transit airport to West Berlin.

The "Berlin Gap" and Unauthorized Migration

West German officials first discovered the "Berlin Gap" in the context of an investigation into unauthorized migration in the FRG. In 1970, the German Trade Union Confederation and the Labor Ministry demanded an amnesty program for an estimated 30,000 to 60,000 unauthorized foreign workers in the FRG, and the Interior Ministry agreed to tolerate these unauthorized workers in exchange for an investigation into the pathways they used to enter the country. One such pathway appears to have already been an open secret. Seyfi Öztürk, the Minister of Labor of Turkey, paid an official visit to the FRG in August

²² BArch DM 1/16964, December 19, 1983, draft, "Entscheidungsvorschläge zur Vereinfachung des Kontroll- und Abfertigungsprozesses auf dem Flughafen Berlin-Schönefeld."

²³ Max Hirsh, *Airport Urbanism: Infrastructure and Mobility in Asia* (Minneapolis: University of Minnesota, 2016), 72.

²⁴ BArch DM 1/9658, October 1, 1968, letter from Herr Hutschenreuter of INTRATOURS to Interflug Director Herr Heiland.

²⁵ BArch DM 1/16964, December 19, 1983, draft "Entscheidungsvorschläge zur Vereinfachung des Kontroll- und Abfertigungsprozesses auf dem Flughafen Berlin-Schönefeld."

²⁶ Sarah Thomsen Vierra, *Turkish Germans in the Federal Republic of Germany: Immigration, Space, and Belonging, 1961-1990* (Cambridge: Cambridge University Press, 2018), 28.

²⁷ LAB B Rep 004/3489, November 10, 1977, II D I "Vermerk. Betr.: Problematik von Gastarbeiterflügen von und in die Türkei über den DDR-Flughafen Schönefeld."

²⁸ I take "doing the border" from Alf Lütke, "Working the Passage: East German Border Checkpoints, 1961-1990: The Case of *GÜSt Bahnhof Friedrichstraße*, Berlin," *Journal of Contemporary History* 50, no. 3 (2015): 680-705.

²⁹ BSTU VVS JHS 001 287/83, December 1982, "Die Erarbeitung operativ bedeutsamer Feststellungen und Hinweise im Prozeß der Kontrolle und Abfertigung des grenzüberschreitenden Verkehrs, speziell während der Identitätskontrolle bei Reisenden aus arabischen Staaten und daraus abzuleitende Schlußfolgerungen für die Qualifizierung der Paßkontrolleure," Diplomarbeit. For more on the history of East German engagement with the Palestinian cause, see Lutz Maeke, *DDR und PLO. Die Palästinapolitik des SED-Staates* (Berlin: Walter de Gruyter, 2017), and Matthias Bengston-Krallert, *Die DDR und der internationale Terrorismus* (Marburg: Tectum Verlag, 2017).

1970, where he mentioned that many of the unauthorized migrants from Turkey had entered via East Berlin. The Federal Labor Ministry checked with the West Berlin Labor Office, which confirmed Öztürk's claims and estimated that between 10,000 and 15,000 people from Turkey and Greece had used this route.³⁰ The West Berlin police and the central asylum processing center in Zirndorf provided further confirmation, but at this point officials made no attempt to crack down on the route through East Berlin.

After the terrorist attack at the Munich Olympics in 1972, the Allied Command gave the West Berlin police permission to impose border control between the GDR and West Berlin at the place where the direct bus from Schönefeld to West Berlin crossed the border. This was acceptable because the crossing was not between West and East Berlin—the latter a city that the Western Allies continued not to recognize as legitimate—but between West Berlin and the German Democratic Republic, a country that the FRG had recognized in the 1972 Basic Treaty while leaving the Berlin problem open. West Berlin officials turned back more than 600 “Arabs”—they do not record more precise citizenships—at this checkpoint between September 1972 and January 1973.³¹ Some returned to Schönefeld to fly elsewhere, but others reached the “gap.”³² By the middle of 1973, West Berlin had more than 2,000 registered Arab asylum seekers and worried that if this development was unchecked, soon there would be “entire city districts full of Arabs.”³³ Although beyond the scope of this article, the state introduced several new procedures in order to process this specific group of asylum seekers, including decentralization, the granting of work permits for the duration of the application procedure, and the creation of “rapid processing centers.”³⁴

The “Berlin Gap” was so well known in the 1970s that it even played a starring role in the November 9, 1975, episode of the long-running crime procedural *Tatort*, “Death in the U-Bahn Shaft,” which featured the West Berlin police trying to track down a “people smuggler.” At the beginning of the episode, a group of police trainees attend a lecture about how “the foreigner from the Arab world enters Berlin as if on a flying carpet,” illustrated with a slide of a man wearing a keffiyeh on a carpet carried by “Eastern wind (*Ostwind*).”

It remains difficult to assess how significant the “gap” was as a pathway for unauthorized migrants, in part because the FRG did not make efforts to compile official statistics on unauthorized migration in this period.³⁵ The Interior Ministry did periodically calculate the percentage of asylum seekers who had arrived by various routes. According to those calculations, the “gap” peaked in importance in 1977, when 59 percent of all asylum seekers entered via East Berlin, most of whom were fleeing a military coup in Pakistan.³⁶ In 1980, by

³⁰ BArch B 106/107385, December 8, 1970, Referat V II 6 to Referat BGS I 4, “Betr.: Illegale Einreise ausländischer Arbeitsuchender über Berlin (West),” and BArch B 106/107385, November 20, 1970, BMA to AA and BMI, “Betr.: Besuch des türkischen Arbeitsministers Seyfi Öztürk an der Bundesrepublik Deutschland; hier: Illegale Einreise türkischer Arbeitnehmer über Ostberlin.”

³¹ BArch B 106/90204, September 18, 1973, Berlin Senator für Inneres to BMI and IM der Länder, “Betr.: Ausländerangelegenheiten; hier: a) Kontrolle von Ausländern bei der Einreise aus Ostberlin und der DDR nach Berlin (West) b) Zuführung von Asylbewerbern an das Sammellager beim Bundesamt für die Anerkennung ausländischer Flüchtlinge in Zirndorf.”

³² BArch DM 1/16845, November 8, 1972, Ministerium für Verkehrswesen Hauptverwaltung Zivile Luftfahrt, “Information über einige Probleme, die sich aus der Zurückweisung an der GÜST Rudower bzw. der Ausweisung arabischer Bürger durch die Westberliner Organe ergeben.”

³³ BArch B 106/90204, “Ergebnisniederschrift über die Besprechung zwischen Herrn Minsiter und Bürgermeister Neubauer am 16.10.1973 im Rathaus Schöneberg betr. die Durchführung von Asylverfahren in Berlin.”

³⁴ BArch B 106/90204, September 18, 1973, Referat V II 6 to Herrnh Leiter des Ministerbüros, “Betr.: Asylbewerber in Berlin, Bezug: Heutige fernmündliche Unterredung mit dem Herrn Leiter des Ministerbüros,” and BArch B 106/90204, Senator für Inneres Berlin to BMI, “Betr.: Ausländerangelegenheiten; hier: a) Kontrolle von Ausländern bei der Einreise aus Ostberlin und der DDR nach Berlin (West), b) Zuführung von Asylbewerbern an das Sammellager beim Bundesamt für die Anerkennung ausländischer Flüchtlinge in Zirndorf.”

³⁵ Karakayali, *Gespenster der Migration*.

³⁶ BArch B 106/85176, “Stenographisches Protokoll über die 26. Sitzung des Rechtsausschusses am Mittwoch, dem 13. Januar 1981.”

contrast, only 9 percent of asylum seekers in the FRG entered via East Berlin. Most asylum seekers in 1980 were fleeing a military coup in Turkey and were not subject to visa requirements, which opened many more possible pathways into the FRG.³⁷

Officials focused on the “Berlin Gap” not because it was the *only* or even the *predominant* pathway for unauthorized migrants, but because other common routes passed through the existing architecture of border control. When unwanted travelers from Pakistan arrived at the Frankfurt airport, the FRG could, and did, respond by adding a visa requirement for Pakistani travelers.³⁸ When unwanted travelers from Ghana arrived over the “green border” with the Netherlands, the FRG could, and did, respond by increasing the number of border patrols in the area.³⁹ Policing the “gap” required the FRG to find ways of controlling mobility that did not depend on the border. Unable to recognize the existing border as a border, West German authorities had to move the border elsewhere—both inside, through the widespread use of racial profiling on public transit, and outside, through outsourcing the work of policing the border to other states.

“Internalizing” the Border: Racial Profiling on West Berlin Public Transit

West Berlin police began to engage in widespread racial profiling on public transit in 1972. As previously discussed, the terrorist attack at the 1972 Munich Olympics led to a hardening of preexisting border infrastructure against “Arab” travelers, including a wave of deportations.⁴⁰ It also led to the first expansion of the “border” onto public transit within West Berlin. In October 1972, Allied Command told West Berlin police that it had no objections to controlling travelers on U-Bahn lines within West Berlin, but that the police were forbidden from operations on S-Bahn lines because they were operated by the GDR *Reichsbahn*.⁴¹ One year later, the police reported that, so far, this procedure had enabled them to arrest eight foreigners “as illegals under foreigner law.”⁴²

Although the global history of migration policing remains to be written, developments in West Berlin appear to have paralleled developments elsewhere. In the United States, a 1973 traffic stop in California led to the arrest of two undocumented migrants and a US citizen who was charged with having knowingly transported unauthorized migrants into the United States. The subsequent case went to the Supreme Court. In *United States v. Brignoni-Ponce*, the court ruled that this *specific* traffic stop had in fact violated the defendant’s rights. However, the court also upheld the border patrol’s wide discretion in making traffic stops, acknowledged that “Mexican appearance” could be a factor in a stop, and thus, according to one legal scholar, “created law that permitted racial profiling in immigration enforcement for decades.”⁴³ The same appears to have been true in the FRG.

The existing record suggests that terrorist attacks frequently led to further expansions of police power. In 1975, the police successfully petitioned the Allied Command for permission to conduct additional checks on the S-Bahn as part of their search for kidnappers.

³⁷ LAB B Rep 004/3281, undated, “Bericht über die Unterbringung von Asylbewerbern in Berlin,” and BArch DM 1/16846, August 22, 1986, “Information über die Beförderung von Asylanten über den Flughafen Berlin-Schönefeld.”

³⁸ Lauren Stokes, “Jet-Age Refugees at the Frankfurt Airport,” paper in progress.

³⁹ For the early history of the FRG border police, see David Michael Livingstone, “The Bundesgrenzschutz: Re-Civilizing Security in Postwar West Germany, 1950–1977” (PhD diss., University of California, San Diego, 2018).

⁴⁰ Quinn Slobodian, “The Borders of the *Rechtsstaat* in the Arab Autumn: Deportation and Law in West Germany, 1972/73,” *German History* 31, no. 2 (2013): 204–24.

⁴¹ LAB B Rep 004/3652, October 10, 1972, “PHK Piepenhagen hat heute folgendes vorgetragen: Betr.: Erweiterte Kontrollen zur Verhinderung der illegalen Einreise von Angehörigen arabischer Staaten nach West-Berlin.”

⁴² LAB B Rep 004/3652, November 22, 1973, III C 0342/341, “Vermerk: Betr.: Sitzung des Sicherheitsausschusses am 26. November 1973; hier: TO-Punkt: Kontrolle der Einreise von Ausländern aus Ostberlin.”

⁴³ Kevin R. Johnson, “How Racial Profiling in America Became the Law of the Land: *United States v. Brignoni-Ponce* and *Whren v. United States* and the Need for Truly Rebellious Lawyering,” *The Georgetown Law Journal* 98 (2010): 1005–77, esp. 1043.

candidate Peter Lorenz.⁴⁴ After the bombing at the LaBelle disco in April 1986, the Allied Command ordered a further intensification of racial profiling in order to catch the responsible parties.⁴⁵ However, the police continued to practice profiling throughout the intervening decade even in the absence of an immediate terrorist threat. The police watchdog group CILIP calculated in 1985 that West Berlin police had made an average of 1,000 stops on public transit a month between 1974 and 1985.⁴⁶

Like the “Berlin Gap” itself, this form of racial profiling was no secret. In 1982, the West Berlin chief of police told a *taz*-journalist that the “Targeted Foreigner Surveillance” unit had to be crafty to outwit those illegal entrants who “use their similar appearance to their advantage, by travelling at night and using the passports of other Black people with residence permits. It is reported that during the controls in the darkness they are difficult to tell apart from one another.” The journalist went on to explain, “Blacks above all accuse the police of racist behavior, when they are checked. The people from the AGA [Targeted Foreigner Surveillance unit] have to defend themselves, but they are more prepared to do so than their colleagues who are only trained for conditions here.”⁴⁷ The article demonstrates the official insistence on German racial innocence in the midst of pervasive anti-Black racism. First, the police chief does not criticize his officers for doing their job poorly, but instead reproaches Black people for “us[ing] their similar appearance to their advantage,” insinuating that Blackness itself is suspicious. One Ghanaian had a more accurate take on the situation: “West German border guards, like most Europeans, are a little ‘stupid,’ i.e. they find it difficult to distinguish between ‘us Blacks.’”⁴⁸ Second, the police chief not only assumes that Germans are white but that Germany is a space where race does not exist. When he claims that police officers would have to be specialized in foreigners’ affairs to know how to react to an accusation of racism, he suggests that “race,” and with it “racism,” are foreign to German soil.

The police chief did not speak for all Germans. Many who witnessed the checks on public transit criticized the practice. The Berlin city archives include a set of complaint letters from 1986, the year of the LaBelle disco bombing and associated intensification of racial profiling. Helma Sanders-Brahms was riding the train when a police officer asked a Turkish family for their passports. Without their passports on them, they produced annual transit passes in hopes of proving their residency, but to no avail. Sanders-Brahms asked a series of questions: “Does somebody riding a Berlin subway always have to have their passport on them? Or just if they are Turkish? Or if they are foreign? Is that also the case for Swiss, French, Americans?”⁴⁹ Sanders-Brahms did not explicitly invoke race, only nationality, but by comparing national categories, she drew attention to the fact that “Targeted Foreigner Surveillance” did not surveil all foreigners equally.

Several other critics compared the police practices to Nazism, including explicit comparisons between the “foreigner controls” and antisemitism. One group of teachers wrote a letter stating that “it is clear here that people with specific *physical* characteristics are being stigmatized and subjected to public humiliation through your police measures. To preserve the peace, we won’t mention the mental association with ‘Semitic’ noses and bowl-egedness.” They asked the city to use “historical experience” in order to “stop these

⁴⁴ LAB B Rep 004/3652, March 4, 1975, SenInn an Alliierte Kommandatur, “Betr.: Kontrolle von Reisenden auf dem Reichsbahngelände in Berlin (West),” and LAB B Rep 004/3653, March 17, 1978, III B to Herrn Senator zur Besprechung mit den alliierten Sicherheitsberatern am 21. März 1978, “Betr.: Kontrollen der Polizei auf S-Bahn-Gelände.”

⁴⁵ LAB B Rep 004/3655, 9. May 9, 1986, SenInn to SenJustiz und Bundesangelegenheiten in Bonn, “Betr.: Bekämpfung des Terrorismus in Berlin; hier: BK/L (86)2 vom 12. April 1986.”

⁴⁶ Diedrichs, “Die AGA,” 47.

⁴⁷ LAB B Rep 004/3654, clipping TAZ, September 3, 1982, “Wo Schlepper und Schleuser verkehren.”

⁴⁸ BArch B 106/85176, April 5, 1982, anonymous letter to German Embassy Paris.

⁴⁹ LAB B Rep 004/3655, April 13, 1986, Helma Sanders-Brahms to Herrn Innensenator.



Figures 1 and 2. Berlin Landesarchiv F Rep 290-02-15 #0280235 and #0280236 Zivilstreife der Polizei: Ausländerkontrolle auf einem U-Bahnhof (September 7, 1986).

defamatory and anti-integrative controls as quickly as possible!”⁵⁰ A group of Catholic seminarians wrote, “The way in which the train cars are combed through and all of the people who do not have a ‘good German appearance’ are pulled off and herded together on the train platforms, instead of checking their papers on the trains, is not excusable or justifiable and brings up uncomfortable associations.”⁵¹ Although neither letter used the language of racism, both described police basing decisions on physical appearance.

One historical comparison triggered a police investigation. A man wrote to complain that he had been riding the subway with a British friend when they witnessed a police officer pointing at specific people on the train car and shouting “Foreigners Out! (*Ausländer Raus!*)” The British friend reportedly remarked that “the malicious facial expression of the officer during this obviously superfluous harassment outdid the cliché of the evil German in anti-German films from the postwar period.” The police conducted an internal investigation about the claims in this letter. The police report both exonerated the officer on duty—because “in order to make oneself understood with language difficulties, the use of hand gestures is common”—and criticized the letter writer: “The tone in which the complaint is written allows us to conclude that Mr. K has a broken relationship to our democracy and only participates in criticism, without participating constructively.”⁵²

This report was written in the context of a multiyear struggle over whether the West Berlin police should be required to wear badges that identified them by name. A pilot

⁵⁰ LAB B Rep 004/3655, June 19, 1986, GEW-Betriebsgruppe am Berliner Sprachen Institut im DGB Landesverband Berlin to SenInn.”

⁵¹ LAB B Rep 004/3655, July 18, 1986, Kirchliche Hochschule Berlin Studentenvertretung Offener Brief an die Herren Innensenator.

⁵² LAB B Rep 004/3655, July 1, 1986, “Betr.: Beschwerde ... über das Verhalten von Polizeibeamten bei Kontrollen einreisender Ausländer vom 25.4.1986.”

program to outfit 300 police officers with name badges in 1979 ended when the police unions rejected it, arguing that they shouldn't have to "go along with every piece of American bullshit." The possibility of required name tags was raised again in 1983 but continued to meet resistance, including a police union protest in November 1986.⁵³ The hostile response to outside criticism of police practices echoes into the present. A Black German architecture student who was stopped on a train by federal police officers in 2010 compared the police behavior to the behavior of the Nazi SS. The police responded by charging him with slander.⁵⁴ In summer 2020, the federal interior minister, Horst Seehofer, blocked a study into "racial profiling" in Germany. In the same month, anti-racism activists succeeded in getting the municipal government of Berlin to pass a broad anti-discrimination measure that prohibits public authorities from discriminating against people based on criteria including race and ethnic background. The police union responded by criticizing the law for creating a "blanket mistrust" against the police.

Back in 1986, Mayor Diepgen's office responded to the complaint letters by explaining that "the fight against international terrorism" required police checks" and that "unfortunately it is unavoidable that the police search measures also concern fellow citizens (*Mitbürger*) who come under suspicion because of their southern appearance, as possible perpetrators or accomplices."⁵⁵ This letter acknowledged that the police were making stops based primarily on their perception of people's appearance, while neglecting to mention that "fellow citizens" with a "southern appearance" had already been under generalized suspicion for more than a decade, even in the absence of a direct terrorist threat.

The practice of racial profiling paradoxically increased the number of unauthorized migrants in West Berlin.⁵⁶ In 1982, the Berlin senator of the Interior Ministry had cautioned that the city needed to be careful about how it described the work of the "Targeted Foreigner Surveillance" team to the press in order not to create "inflated expectations" that the unit could reduce the number of asylum seekers in the city.⁵⁷ The FRG Basic Law included a provision that guaranteed asylum to the politically persecuted, which meant that once a person stopped on public transit expressed their intention to apply for asylum to the police officer, the officer was supposed to allow them to do so.⁵⁸ Because many of the people intercepted by police on public transit had actually intended to travel farther onward either to other parts of West Germany or to other parts of Europe, this form of policing turned people in transit into asylum seekers living in West Berlin.

This created significant personal costs. One Tamil woman who now lives in Germany recalls that, because her father lived legally in France, she and her husband fled Sri Lanka intending to pass through the "Berlin Gap" and make their way to France, when they were caught by police in Berlin in February 1985. The police told them that they could either be sent back to Sri Lanka or file an asylum claim in the FRG, but could not travel onward.⁵⁹ The woman was eventually granted refugee status in 1990 but still feels frustrated to think of the years that she spent in a transit camp unable to see her father.

Police practice was inconsistent. In the early 1980s, asylum activists documented several cases where the "Targeted Foreigner Surveillance" unit had placed unauthorized migrants into detention without giving them access to a translator or lawyer who could help them

⁵³ Steinborn and Krüger, *Die Berliner Polizei 1945–1992*, 259–62.

⁵⁴ The student later sued the police for discrimination, but lost the suit when the local administrative court ruled that "skin color" was a legitimate point of reference to use when policing for illegal immigration. The higher administrative court later overturned this decision. King, "Black, People of Color and Migrant Lives Should Matter," 179–81.

⁵⁵ LAB B Rep 004/3654, June 16, 1986, Eberhard Diepgen to Alois Loeßl.

⁵⁶ LAB B Rep 004/3655, May 9, 1986, SenInn to SenJustiz und Bundesangelegenheiten in Bonn, "Betr.: Bekämpfung des Terrorismus in Berlin; hier: BK/L (86)2 vom 12. April 1986."

⁵⁷ LAB B Rep 004/3654, February 12, 1982, III b, "Vermerk Betr.: Einreisekontrollen für Ausländer."

⁵⁸ LAB B Rep 004/3653, August 11, 1977, III C 1 to Herrn Senator Ulrich, "Betr.: Senatssitzung am 16. August 1977; hier: Besprechungspunkt 'Probleme der Asylbewerber.'"

⁵⁹ Oral history of "Frau S," in Stadtarchiv Nürnberg F 21, Nr. 228.

apply for asylum.⁶⁰ The procedure also led to the detention and deportation of people who already lived in West Berlin but who had violated the Foreigner Law by slipping from documented into undocumented status.⁶¹ Racial profiling on public transit appears to have been one of the ways that police placed foreign residents first in migrant detention facilities and ultimately in deportation proceedings.

“Externalizing” the Border: Outsourcing Border Control

The existing deportation apparatus was responsible for two tragedies that heightened the tensions around the “Berlin Gap,” placed further pressure on the city administration, and led to the suggestion to “externalize” the border by negotiating with the GDR. First, asylum seeker Cemal Kemal Altun committed suicide on August 30, 1983. Altun had been a leftist activist in Turkey before arriving in West Berlin via the “gap” in January 1981, where he lived with his sister while he considered what to do next. When he heard that the Turkish government considered him a suspect in an assassination, he decided to apply for asylum in September 1981. Turkey responded by demanding his extradition. Even after the Federal Office for Asylum recognized Altun as somebody who was in fact politically persecuted and therefore had the right to remain in Germany, the federal Interior Ministry continued to pursue extradition. Altun chose to end his life rather than risk forced return, leaping out of an open window of a sixth-story courtroom during a hearing.⁶² Four months after Altun’s suicide, six men died on New Year’s Eve 1983 in a fire in the migrant detention center at Augustaplatz. One of the six men was a twenty-two-year-old Tunisian citizen who had been scheduled for deportation to Tunisia despite having lived in France since he was a child of two.⁶³ Two of the men in the cell had set their own mattresses on fire, apparently in order to protest their conditions, but all were dead by the time firefighters arrived. Thirteen witnesses in neighboring cells alleged that the cell had been open and unlocked when the men set the fire but that the guards had subsequently come to lock it. One witness claimed on the national news that the guards had in fact watched and laughed as the men died. Police deported seven of the thirteen witnesses before they could give testimony in court.⁶⁴

Both tragedies further galvanized a group of asylum activists who had already been gathering data in order to organize a “Hearing on Asylum” for more than a year before the fire. West Berlin representatives of the SPD and the Alternative List now demanded that Berlin Senator for the Interior Heinrich Lummer of the CDU step down in recognition of the inhumane conditions in migrant detention.⁶⁵ Lummer refused and repeatedly told the press that his hands were tied given the uncontrollable state border. He also proposed a solution—negotiate with East Germany.⁶⁶ In other words, the mere existence of unauthorized migration did not impel the solution of border externalization—it was the public scandal

⁶⁰ Hofmann and Gesellschaft bedrohte Völker, *Abgelehnt, Ausgewiesen, Ausgeliefert*.

⁶¹ BArch B 137/10812, January 25, 1985, “Betr.: Bekämpfung der illegale Einreise von Ausländern über den Flughafen Schönefeld, Bezug: Besprechung in der Berliner Vertretung am 28.01.1985 Weisung des Herrn Abteilungsleiters II vom 24.01.1985.”

⁶² Veronika Arendt-Rojahn, ed., *Ausgeliefert: Cemal Altun und andere* (Reinbek/Hamburg: Rowohlt Taschenbuch Verlag, 1983). Tim Szatkowski gives a detailed account of the foreign policy considerations behind the Altun case in *Die Bundesrepublik Deutschland und die Türkei 1978 bis 1983* (Berlin: Walter de Gruyter, 2016), 126–36, and Julia Kleinschmidt discusses the protest against the case in “Streit um das ‘kleine Asyl.’ ‘De-Facto-Flüchtlinge’ und Proteste gegen Abschiebungen als gesellschaftspolitische Herausforderung für Bund und Länder während der 1980er Jahre,” in *Den Protest regieren. Staatliches Handeln, neue sozialen Bewegungen und linke Organisationen in den 1970er und 1980er Jahren*, ed. Alexandra Jaeger, Julia Kleinschmidt, and David Templin (Essen: Klartext Verlag, 2018): 231–58.

⁶³ “Wahrer König,” *Der Spiegel* nr. 2/1984, pp. 78–79.

⁶⁴ ARD Panorama, January 17, 1984.

⁶⁵ Hofmann and Gesellschaft bedrohte Völker, *Abgelehnt, Ausgewiesen, Ausgeliefert*; Miltiadis Oulios, *Abschiebung. Geschichte, Theorie und Praxis der deutschen Migrationspolitik* (Berlin: Suhrkamp, 2015).

⁶⁶ Press clippings collected in LAB B Rep 002/15645.

surrounding West Berlin's own practices in the detention and deportation of unauthorized migrants that caused politicians to look elsewhere for solutions.

Pressure was also mounting from outside West Berlin. In January 1985, the Labor Ministry of Bavaria threatened to repudiate the federal state's obligations to house asylum seekers if the "Berlin Gap" were not closed. The minister president of Baden-Württemberg followed suit in September 1985.⁶⁷ Countries that bordered the FRG also expressed frustration. In January 1985, the French government threatened to leave the recently concluded Saarbrücken Agreement, in which the two countries had agreed to reduce controls on their shared border, if the FRG did not do something about the Berlin problem. French diplomats explained that the agreement meant that "one must ... consider all of Western Europe to be a single space. For this reason, French interests are hurt by the open gap in Berlin." They accused the West Berlin police of giving asylum seekers train tickets to Paris in order to get rid of them and insisted that West Berlin step up controls and place more asylum seekers in camps: "If the Asians and the smuggling organizations would realize that the way to Western Europe would end in a camp in West Berlin, that would immediately have a deterrent effect and the refugee stream would run dry."⁶⁸ In May 1985, Dutch diplomats also accused the FRG of giving asylum seekers free train tickets. Although the claim of free train tickets was evidently baseless, a Foreign Ministry official wrote an internal memorandum explaining that policemen who caught unauthorized migrants did have the discretion to choose to allow them to travel onward if they claimed that their final destination was another country, even in the absence of a valid visa for that country, so that "in effect we practice the same procedure that we object to when the GDR does it."⁶⁹ These diplomatic exchanges established that countries could threaten European integration through their failure to enforce strict controls on non-European mobility.

The Foreign Ministry responded to this pressure with its own strategy for reinforcing the unrecognizable border. First, it pressured countries with flights to the GDR to prevent people without visas for the FRG from boarding flights to GDR, thus moving the "border" outside of the GDR. This strategy appears to have been mostly unsuccessful.⁷⁰ Second, Bonn produced PR campaigns intended to dissuade would-be migrants from common countries of origin. In August 1986, the Foreign Ministry asked its representatives around the globe for feedback on a planned PR campaign about an airplane of deportees. The embassy in Lagos suggested focusing on tragic personal stories, noting that "of course we must avoid every appearance that our reasons for deportation are racist."⁷¹ The embassy in Mumbai was pessimistic that the campaign would have any effect because "almost nobody here can believe that a tent city in Helmstedt can be worse than a slum in Bombay" and suggested that the Foreign Ministry should try to fill the deportee plane with "as many volunteers as possible," hoping that they would be more persuasive.⁷²

Finally, the Foreign Ministry decided to negotiate directly with the GDR. In order to underline the idea that the GDR's international reputation was at stake, the FRG first called

⁶⁷ LAB B Rep 004/3286, letter from Bayerische Minister für Arbeit und Sozialordnung to Berlin Senator für Inneres, January 25, 1985, and LAB B Rep 004/3344, Ministerpräsident des B-W to Bundeskanzler, September 5, 1985.

⁶⁸ PAAA B 82/1462, January 10, 1985, 510-511.13/1 FRA, "Vermerk. Betr.: Arbeitsgruppe AUFenthaltsrecht und Sichtvermerksfragen, hier: Gesprächsrunde am 8/9 Januar 1985."

⁶⁹ PAAA B 38/132703, May 23, 1985, 210-501.40, "Betr.: Illegale Einreise von Ausländern nach Berlin (West) über den Flughafen Schönefeld (DDR); hier: Asylproblematik von Familien aus Sri Lanka."

⁷⁰ PAAA B 38/139254, July 15, 1986, 514-516.80 Ergebnisvermerk "Betr.: Asylanntenproblematik, hier: Gespräch bei StS Ruhfus am 15.07.1986"; PAAA B 38/139254, July 17, 1986, telegram AA to the countries in question, "Betr.: Einschränkung der illegalen Einreise über den Flughafen Berlin-Schönefeld (DDR)."

⁷¹ PAAA B 38/139254, August 14, 1986, Lagos to Bonn AA, "Betr.: PöA Ausland, hier: Aufklärungsarbeit in Herkunftsländern von Asylbewerbern (Abschreckung von mißbräuchlicher Inanspruchnahme des Asylrechts)."

⁷² AAA B 38/139254, August 18, 1986, Bombay to Bonn AA, August 14, 1986, "Betr.: PöA Ausland, hier: Aufklärungsarbeit in Herkunftsländern von Asylbewerbern (Abschreckung von mißbräuchlicher Inanspruchnahme des Asylrechts)."

on other countries to join them in putting pressure on the GDR.⁷³ In March 1985, the FRG raised the problem at a European Political Cooperation meeting, asking that every country in attendance issue a diplomatic communication to the GDR, explaining that its actions were not in harmony with international custom. Several agreed to cooperate.⁷⁴ Two of the other attendees were already negotiating with the GDR independently. Sweden and Denmark had been two of the first Western countries to officially recognize the GDR in December 1972 and January 1973, respectively.⁷⁵ Each also shared a maritime border with East Germany, as ferries from the GDR sailed to the Swedish port of Trelleborg and the Danish port of Gedser. Both countries recognized this ferry journey as having crossed an international border, meaning that they could check the papers of arrivals. Because both countries were committed to the principle of *non-refoulement*, however, they could not stop unauthorized arrivals from declaring their intention to apply for asylum. Both countries had secured an agreement that the GDR ferry captain would secure the passports of travelers during the journey so that would-be asylum seekers would not discard their passports overboard, making it impossible to determine where they came from upon arrival.⁷⁶ However, the GDR had consistently resisted the Swedish and Danish demand to stop issuing transit visas to travelers without valid travel documents for their countries.

The FRG appears to have first approached the GDR about the possibility of no longer issuing transit visas to travelers without valid visas for the FRG in March 1985. This step came a full fifteen years after the FRG first registered the existence of the “Berlin Gap,” but only three months after it had received threats of noncompliance from Bavaria and France. The Foreign Ministry of the GDR had drawn up its first memorandum about the predicted impact of closing the “gap” already in January 1984, when Senator Lummer had begun to propose this solution in the press. The memo anticipated that enforcing FRG migration law would reduce the GDR’s foreign currency reserves from the sale of transit visas and airline tickets by an estimated 15 million Valutamarks per year—a serious proposition for a country more than 25 billion VM in debt. It also anticipated new costs above and beyond the currency losses. Schönefeld Airport would need to create more space for holding people who had to be deported, as “*de facto* the West Berlin detention center (*Abschiebehaft*) would be moved to the GDR.”⁷⁷ Airport employees would need new training to enforce the migration law of other countries, and Interflug and other airlines would have to hire more male flight attendants to overpower people who might resist deportation.⁷⁸

The GDR also accused the FRG of hypocrisy. The GDR objected to asylum as defined by the West—it did not guarantee asylum in its law and had not signed the UN Convention on Refugees.⁷⁹ Its leaders nevertheless opposed the idea that the FRG would continue to claim that it defended the

⁷³ *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland*, 1986, ed. Matthias Peter and Daniela Taschler (Berlin: Walter de Gruyter, 2017), Dokument 220, 28.07, Aufzeichnung des Ministerialdirigenten Hellbeck, 1169–77; Dokument 228, 29.08, Aufzeichnung des Ministerialdirigenten Hellbeck, 1217–22; Dokument 323, 11.11, Vortragender Legationsrat I. Klasse Schilling an die Botschaften in den EG-Mitgliedstaaten, 1658–62; and Dokument 332, 19.11, Deutsch-spanisches Regierungsgespräch in Madrid, 1701–10.

⁷⁴ PAAA B 82/1463, April 2, 1985, “Betr.: Illegale Einreisen von Ausländern über den Flughafen Schönefeld, hier: Erörterung in der EPZ-Arbeitsgruppe ‘Konsularische Angelegenheiten’ am 29.3.85.”

⁷⁵ Michael F. Scholz, “East Germany’s North European Policy Prior to International Recognition of the German Democratic Republic,” *Contemporary European History* 15, no. 4 (2006): 553–71.

⁷⁶ PAAA B 82/1463, April 30, 1985, Leiter Arbeitsstab Deutschlandpolitik to BKA, “Betr.: Verabredung Schweden/DDR zur Eindämmung des Zustroms von Asylbewerbern aus außereuropäischen Staaten über die DDR nach Schweden.”

⁷⁷ PAAA M 53 ZR 4705/93, January 12, 1984, Abt. Westberlin “Zu jüngsten Forderungen von Politikern der BRD und Westberlins nach Regelungen mit der DDR zur Eindämmung ‘illegaler Einreisen von Ausländern’ nach Westberlin.”

⁷⁸ BSTU MfS SdM Nr. 430, July 27, 1986, draft, “Transit von sogenannten Asylanten über den Flughafen Berlin-Schönefeld nach Westberlin.”

⁷⁹ The GDR did recognize “Polit-Emigranten” as political exiles who were carefully vetted before arrival. See Patrice G. Poutrus, *Umkämpftes Asyl. Vom Nachkriegsdeutschland bis in die Gegenwart* (Berlin: Ch. Links Verlag, 2019).

“human right to asylum” while using the GDR to keep asylum seekers away on its behalf. As one memorandum prepared by the Ministry for State Security explained, “West Germany will continue to boast about its liberal constitutional guarantee to asylum (for example, at the human rights commission of the United Nations) while we do the ‘dirty work (*Dreckarbeit*)’ for it.”⁸⁰ At one negotiation, the GDR diplomat suggested that the FRG had other options: “The FRG apparently can think in only one direction, how can we change our transit regime. But it is their task to think about their own options. They should not ignore the fact that the asylum law of Western European countries, including the FRG, draws asylum seekers.”⁸¹ The FRG negotiator replied that while they were considering their own options, they hoped to secure more cooperation.

The GDR had no interest in making it easier for the FRG to deal with the consequences of having a liberal asylum law, but over the previous decade the GDR had become dependent on loans from the FRG to service its foreign debt.⁸² After initially being rebuffed, FRG negotiators used this fact to their advantage. They suggested that they would not extend the “Swing,” a form of interest-free credit for West German goods, without cooperation on this point. The GDR initially agreed to stop issuing transit visas for people with passports from Sri Lanka—at the time, Tamils were the largest group of asylum seekers using the “Berlin Gap.” The GDR announced the policy change on July 5, 1985, to go into effect a mere ten days later, on July 15.⁸³

Sri Lanka had in fact previously asked the GDR to make it more difficult for their people to emigrate. Prime Minister Ranasinghe Premadasa first raised the issue before a planned state visit to the GDR in July 1981, as he feared that Tamils living in West Berlin might create a disturbance during his state visit.⁸⁴ The number of Tamils leaving Sri Lanka increased sharply after the 1983 riots in Colombo, which also marked the beginning of formal hostility between Tamil separatists and the Sri Lankan state.⁸⁵ Sri Lankan diplomats responded by asking the GDR to stop selling transit visas to its nationals once again in September 1984. According to Sri Lanka, France, Switzerland, and the FRG were all putting pressure on Sri Lanka to curtail emigration, enough so that the continued existence of a transit route through East Berlin was creating a “blemish on the relationship.”⁸⁶ The preexisting pressure from both sides of the route may have made the GDR particularly willing to enforce FRG migration law for Sri Lankans specifically.

Five months later, in December 1985, the GDR agreed to Danish and Swedish demands to stop selling transit visas to foreigners without a valid travel document for those two destinations. The GDR agreed to these conditions so long as the press release made it clear that the GDR was not actually preventing anybody from seeking asylum in Denmark and Sweden—asylum seekers who wanted to go there could always apply for asylum at the closest Danish and Swedish consulates, which happened to be located in West

⁸⁰ BSTU MfS SdM Nr. 430, July 28, 1986 draft, “Transit von sogenannten Asylanten über den Flughafen Berlin-Schönefeld nach Westberlin.”

⁸¹ PAAA M 53 ZR 4705/93, December 4, 1985, HA Konsularische Angelegenheiten, “Vermerk über ein Gespräch in der HA Konsularische Angelegenheiten am 3. Dezember 1985, 15.00 bis 16.30 Uhr.”

⁸² Maximilian Graf, “Before Strauß: The East German Struggle to Avoid Bankruptcy During the Debt Crisis Revisited,” *The International History Review* 42, no. 4 (2020): 737–54.

⁸³ The Dutch greeted the announcement with a telegram to the GDR explaining that they would give any GDR citizen with a layover at Schiphol airport a visa good for up to three days of travel in the Netherlands. PAAA M 53 ZR 4701/93, July 4, 1985, The Hague to Minister Oskar Fischer.

⁸⁴ PAAA M 53 ZR 4701/93, July 31, 1981, Ministerium für AA, “Information Nr. 188/VII Blatt vom 31.7.1981. Besuch des Premierministers Sri Lankas, R. Premadasa, in der DDR (22–24 Juli 1981),” and PAAA M 35 ZR 3062/86, n.d., Auszug aus der stenografischen Niederschrift der offiziellen Gespräche des Gen. Willi Stoph mit dem Premierminister Sri Lankas am 23. Juli 1981 in Berlin zur Frage der Durchreisen von Tamilen nach Westberlin (Berlin-Schönefeld nach Westberlin).”

⁸⁵ L. Michael Ratnapalan, “Before and After 1983: The Impact of Theorizing Sri Lankan Tamil Migration History around the 1983 Colombo Riots,” *South Asia: Journal of South Asian Studies* 37, no. 2 (2014): 281–91; PAAA M 53 ZR 4701/93, October 10, 1983, Telegramm Colombo to Genosse Vogl HA Konsular.

⁸⁶ PAAA M 53 ZR 4701/93, September 27, 1984, Telegramm Colombo to Genosse Vogl HA Konsular.

Berlin.⁸⁷ Expecting this announcement to channel more asylum seekers its way, the FRG Interior Ministry began to ask asylum seekers about whether they had had different initial travel plans. Although the vast majority of people from Bangladesh, India, and Turkey had always had West Berlin as their destination, roughly 10 percent of asylum seekers from Iran and 17 percent of “Arabs” reported that they had initially planned to go to Scandinavia.⁸⁸

Throughout 1986, the CDU/CSU, then in power, and the SPD, in opposition, tried to negotiate with the GDR behind the scenes. Negotiators no longer had the “Swing” available as a bargaining chip, but they still had something that the GDR prized: recognition of its sovereignty and its own citizenship separate from FRG citizenship.⁸⁹ In one decisive conversation in September 1986, Egon Bahr of the SPD placed asylum seekers in a longer history of migration, explaining “people came to terms with the Greek, Italian, and Yugoslavian guest workers. Conflicts began already with the Turks. But now even ‘Blacks’ are coming”—a formulation that once again reveals anti-Black racism. Bahr went on to explain that “75 percent of the voters are afraid of over-foreignization (*Überfremdung*)” and suggested that if his party, the SPD, were to win the upcoming elections, they would consider recognizing GDR citizenship. Erich Honecker repeated that asylum was fundamentally a problem for the FRG to solve, but the idea of helping the SPD win the election was clearly attractive.⁹⁰ Honecker authorized the policy change and arranged for the SPD candidate for chancellor, Johannes Rau, to be the first person to announce the new policy. Beginning in October 1986, foreign travelers would no longer be able to obtain a transit visa through the GDR unless they also had a valid travel document for the FRG.⁹¹

Although the GDR had intended for the SPD to claim primary credit for the decision to boost their electoral chances, other politicians immediately jostled to claim credit. Wolfgang Schäuble of the CDU, at the time Helmut Kohl’s minister for Special Affairs, sought to associate the announcement with himself when he described it as a kind of “birthday present” that the GDR had made to him on the day that he turned forty-four.⁹² The announcement also sparked panic when a telegram from the German consulate in Istanbul stating that there were no buses to rent in the entire city produced a rumor that 27,000 asylum seekers had rented all of the buses in order to race to East Berlin before the “gap” closed. Officials were planning to turn the Olympic stadium in Berlin into a refugee camp when it emerged that the buses had in fact been rented by a convention in Istanbul.⁹³

The GDR’s plan to influence the January 1987 national election failed to meet its objectives. Both the CDU/CSU and SPD lost seats while the FDP and Green Party gained, allowing Chancellor Kohl to continue to lead in coalition with the FDP. The SPD was never called to make good on its promise to recognize GDR citizenship. When the affair came to light once

⁸⁷ PAAA M 43 ZR 5783/90, December 19, 1985, Abt. Nordeuropa/Großbritannien, “Vermerk über das Gespräch des Genossen Mitdank mit dem dänischen Botschafter, Herrn Haxthausen, am 19. Dezember 1985 im MFAA.”

⁸⁸ PAAA B 38/139254, December 27, 1985, Senator für Inneres Berlin to Polizeipräsident in Berlin, “Betr.: Illegale Einreise von Ausländern über die DDR und Ost-Berlin nach Berlin (West) und weiter in das übrige Bundesgebiet,” 5. Februar 1986, Polizeipräsident in Berlin to Senator für Inneres, “Betrifft: Illegale Einreise von Ausländern über die DDR nach Berlin (West) und weiter in das übrige Bundesgebiet.”

⁸⁹ Sebastian Gehrig, “Cold War Identities: Citizenship, Constitutional Reform, and International Law between East and West Germany, 1967–75,” *Journal of Contemporary History* 49, no. 4 (October 2014): 794–814.

⁹⁰ “Vermerk über ein Gespräch des Generalsekretärs des ZK der SED und Vorsitzenden des Staatsrates der DDR, Genossen Erich Honecker, mit dem Mitglied des Präsidiums des Parteivorstandes der SPD, E. Bahr (5.9.1986),” printed in *Materialien der Enquete-Kommission “Aufarbeitung von Geschichte und Folgen der SED-Diktatur in Deutschland” (12. Wahlperiode des Deutschen Bundestages) Herausgegeben vom Deutschen Bundestag*, Band V. *Deutschlandpolitik, innerdeutsche Beziehungen und internationale Rahmenbedingungen* (Baden-Baden: Nomos Verlag, 1995), 2540.

⁹¹ The most detailed account is in Korte, *Deutschlandpolitik in Helmut Kohls Kanzlerschaft*, 229–41 and 286–302.

⁹² BArch B 137/10677, September 19, 1986, Ekkehard Kohrs, “Der Knüller stand erst auf Seite zwei der Pressemitteilung,” *General-Anzeiger*.

⁹³ BSTU MfS ZAIG 27835, September 30, 1986, Die Welt “Türkei läßt Asylanten durch. Ankara verweigert sich der Kooperation mit Bonn. 600 Busse vor Bulgarien ein ‘Phantom.’”

again in unified Germany, Egon Bahr stated that he would make the same deal again, claiming that he had not actually made any promises to Honecker because the FRG already “respected” the citizenship of the GDR.⁹⁴

By getting the GDR to agree to enforce FRG migration law in their sale of transit visas, the FRG effectively moved the work of border control away from what it considered an unrecognizable Berlin-Berlin border. West Berlin and the FRG kept their own sovereign space free of coercion, maintaining both their liberal guarantee to asylum and their promise of *non-refoulement* of asylum seekers to unsafe countries. Border externalization meant outsourcing the possibility of human rights violations to the dictatorship next door.

The German Democratic Republic as Reluctant “Buffer Zone”

The September 1986 order specified that border authorities should still issue foreigners transit visas if not doing so would imperil the security interests of the GDR.⁹⁵ This loophole allowed the GDR to continue to use the “gap” for its own purposes, such as keeping the door open for “the secret service of the PLO and other organizations engaged in national liberation struggles.”⁹⁶ It also gave border guards a second option when the “dirty work” of enforcing FRG migration law proved difficult.

On the first day that Schönefeld Airport employed the new regulations, it allowed at least three groups of would-be asylum seekers through the “gap” as border guards made humanitarian decisions on the spot. A group of fifteen travelers from Ghana included eight women and one child, and the women claimed that their husbands were already in the FRG. They were let through.⁹⁷ A group of men from India refused to eat any of the food provided for them “and explained that as long as their mind was full of troubles, they would be unable to eat. They would rather choose death than be unable to live,” while a group of men from Bangladesh produced a document that appeared to substantiate their claims to being refugees. Both groups were let through.⁹⁸ The authorities did opt for deportation in at least one case when they used seventeen air marshals in order to deport fifty-five Iranian men back to Iran, at the time engaged in a deadly war with Iraq.⁹⁹

In order to avoid carrying out laborious deportations, the GDR mostly externalized its border so that pressure on one border rippled outward. The number of people arriving without the appropriate papers for the FRG plummeted because would-be passengers were now being turned back at other borders. Hundreds of passengers were turned back at the airport in Moscow, while dozens were prevented from embarking at airports in Prague and Lagos.¹⁰⁰ When the GDR had first stopped issuing transit visas to Sri Lankans in July 1985, Poland was angry that it had not been given more advance notice to prepare, by which it meant more time to stop issuing transit visas through Poland for Sri Lankans. In January 1986, a group of thirty-two Sri Lankans, including three children and several women, were stuck in Slubice, a town on the Poland-GDR border, where the GDR was refusing to let them through. One of the

⁹⁴ “Interview mit Egon Bahr am 26. Januar 1994,” 2550–53.

⁹⁵ BSTU MfS-BdI 8293, September 24, 1986, Minister für Staatssicherheit [Mielke] to Dienstseinheiten Leiter.

⁹⁶ PAAA M 53 ZR 4705/93, January 25, 1985, “Hinweise und Bemerkungen zur Einschätzung des Problems der ‘Asylanten und Arbeitssuchenden’ in nord- und westeuropäischen Staaten,”

⁹⁷ BSTU MfS Sekr Neiber 272.

⁹⁸ BSTU MfS Sekr Neiber 272, October 3, 1986, “Hinweis (2) zu den bisherigen Ergebnissen der Durchsetzung der zentralen Entscheidung bezüglich der Transitgewährung durch das Staatsgebiet der DDR ab 1. Oktober 1986” [BSTU 174–78].

⁹⁹ BSTU MfS Sekr Neiber 272, MfS Nr. 462/86, “Information über die bisherigen Ergebnisse der Durchsetzung der zentralen Entscheidung bezüglich der Transitgewährung durch das Staatsgebiet der DDR ab 1. Oktober 1986” [BSTU 165–69].

¹⁰⁰ BSTU MfS HA XIX 2159, July 17, 1985, Hauptabteilung XIX Nr. 314/85, “Information Versuche der Einreise durch Bürger Sri Lankas ohne gültiges Transitvisum für die DDR”; BSTU MfS Sekr Neiber 272, October 3, 1986, “Hinweis (2) zu den bisherigen Ergebnissen der Durchsetzung der zentralen Entscheidung bezüglich der Transitgewährung durch das Staatsgebiet der DDR ab 1. Oktober 1986” [BSTU 174–78].

women's husbands was already in West Berlin, where he reached out to the International Red Cross, which subsequently pressured Poland to pressure the GDR to let the women through.¹⁰¹

Pressure on the border in Berlin created a global chain reaction, reaching borders tens of thousands of miles away. Diplomats from Ghana sent the GDR a message greeting the closure of the "gap," as they had previously asked East Berlin to close the route in order to make it more difficult for citizens of Ghana to emigrate.¹⁰² Nigerian diplomats expressed disappointment at the same decision. The Nigerian state had issued an expulsion order for so-called "illegal aliens" from Ghana in January 1983 and again in April 1985, but undocumented migrants from Ghana continued to return to the country.¹⁰³ The Nigerian state had hoped that many would eventually buy an airplane ticket from Lagos to East Berlin so that they could enter West Berlin. The "gap" was a kind of resource for the Nigerian state's own project of migration control. Increased policing of the border in Berlin meant that they were going to have to fortify their own border with Ghana.¹⁰⁴

Amid this change, migration brokers continued to facilitate migration, including by selling falsified GDR transit visas to would-be migrants.¹⁰⁵ Another common strategy was to apply for a tourist visa to visit the GDR, but then to use that visa in order to leave for West Berlin.¹⁰⁶ Although the number of people going through the "gap" never reached its prior heights, it appears that the border was never completely sealed.

There is scattered evidence that the GDR border guards continued to see the "gap" as a resource that could be used for unwanted travelers. In March 1989, a man arrived at Schönefeld Airport on a flight from Singapore with documents that the border guards identified as fraudulent. He claimed that he was an Iranian communist and that he wished to apply for asylum in the GDR. The border police decided to send him back to Singapore on a flight that would leave in two days. He was expected to stay in the transit room until then. At night the man managed to escape the transit room to the runway, then to escape the airport, then to walk to an S-Bahn station, then to board a long-distance train. Seized on the train in Frankfurt an der Oder, all the way on the Polish border, the man was told that he had violated East German law and had two alternatives: return to Singapore or go to West Berlin. He refused both. Over the next month, he was interrogated at least three times, but the Ministry for State Security could not verify his identity and noted that he appeared to possess only very general information about the revolutionary organization to which he claimed to belong. His interrogators did not believe that he was really a communist and tried to "influence him ... to independently decide to go to West Berlin." He insisted every time that he would never again set foot in a capitalist country.

¹⁰¹ PAAA MfAA ZR 4701/93, February 3, 1986, "Vermerk über ein Gespräch des Stellvertreters des Ministers mit dem Botschafter der VR Polen am 31.1.1986 um 16.30 Uhr."

¹⁰² PAAA B 38/139254, April 9, 1986, Botschaft Accra to AA, "Betr.: Einreisen ghanaischer Asylbewerber in die Bundesrepublik Deutschland über Berlin-Schönefeld." The military junta had a tense relationship to its emigrants, who would come to be seen as a potential resource for remittances only after the country returned to democratic rule in the 1990s. Boris Nieswand, "Development and Diaspora: Ghana and Its Migrants," *Sociologus* 59, no. 1 (2009): 17–31.

¹⁰³ Olajide Aluko, "The Expulsion of Illegal Aliens from Nigeria: A Study in Nigeria's Decision-Making," *African Affairs* 84, no. 337 (1985): 539–60; Yaa Frempomaa Yeboah, "The Crisis of International Migration in an Integrating West Africa: A Case Study of Nigeria and Ghana," *Africa Development* 11, no. 4 (1986): 217–56; Roger Gravil, "The Nigerian Aliens Expulsion Order of 1983," *African Affairs* 84, no. 337 (October 1985): 523–37.

¹⁰⁴ BSTU MfS Sekr Neiber 272, October 1986, "Hinweis zu den bisherigen Ergebnissen der Durchsetzung der zentralen Entscheidung bezüglich der Transitgewährung durch das Staatsgebiet der DDR ab 1. Oktober 1986" [BSTU 181–84].

¹⁰⁵ BSTU MfS HA XIX 2856, October 10, 1986, "Angebliche illegale Einreise von iranischen Staatsbürgern über den Flughafen-Schönefeld nach Westberlin mittels ge- und verfälschter Pässe. Information A/35652/09/10/86/09."

¹⁰⁶ BSTU MfS Sekr Neiber 272, March 1, 1988, "Auszug aus einem Gespräch des Genossen Seidel mit dem Leiter der BRD-Vertretung, Bräutigam, am 24.2.1988" [BSTU 59] and BSTU MfS HA XXII 1031, 24.10.1989 "Information Nr. 5478/89."



Figure 3. Political Cartoon by Greek artist John Antono, Creative Commons license <https://creativecommons.org/licenses/by-nc-nd/3.0/gr/deed.en>, comic accessed at <http://johnantono.blogspot.com/2015/11/mauerfall.html>.

After a month, they placed a Polish visa in his passport, put him on a train to Poland, and placed him on a blacklist so that he would be unable to return.¹⁰⁷

Ministry of State Security statistics show that in the last full month that the Berlin Wall stood—October 9, 1989, to November 8, 1989—a total of 294 people arrived in Schönefeld Airport without the appropriate papers and were able to cross into West Berlin anyway. Almost half of them were unaccompanied minors, mostly from Lebanon and India, but also from Tanzania, Turkey, and the Democratic Republic of the Congo. The last report in the file states that two men from Lebanon crossed the “gap” at noon on November 8, 1989.¹⁰⁸ The next day the “Berlin Wall” fell and the “Berlin Gap” along with it.

Conclusion: The Federal Republic and the Non-Entry Regime

The externalization of Europe’s borders is not a post-Cold War development, but one that occurred at the heart of the Cold War. West Berlin and the Allies were unwilling to control the border between East and West Berlin because they were unwilling to relinquish their position that Berlin was a single city under Allied authority. The FRG believed that it needed to enforce its border against would-be asylum seekers to protect itself from being overwhelmed, but because it could not jeopardize this most fundamental Cold War imperative, it could not construct a visible border of its own. It had to find more invisible ways to police its borders, to create walls away from *the* Wall.

The first such wall was racial. The West Berlin police used racial profiling despite the fact that it was spectacularly ineffective for addressing the purported problem of “too many asylum seekers.” Nobody used the term *racial profiling* at the time. Even those people who protested the measure did not use the language of race. Crossing an officially nonexistent

¹⁰⁷ BSTU MfS HA XXII 18394 Bd. 3.

¹⁰⁸ Based on the contents of BSTU MfS Sekr. Neiber 142.

border, people who purportedly did not “look like” Germans—a category that included Germans, visiting foreigners, and long-term foreign residents—carried the border with them. This form of “targeted foreigner surveillance” reproduced the false and racist assumption that Germans are recognizable on sight.

The second such wall was an externalized wall, one that placed the regime of entry controls outside of the contested borders of Berlin. The FRG reached out to countries that bordered on the GDR through air travel to ask them to keep people off of flights to East Berlin. It also asked the GDR to enforce its own migration law by checking transit passengers’ papers to see whether they had a valid travel document for the FRG—something the GDR was willing to do, first for money, later for perceived political influence.

After German unification, the expanded FRG quickly put the lessons that it had learned about externalization into practice. After Article 16 of the Basic Law was revised in 1993 to deny asylum to anyone who had been through a “safe third country,” the FRG immediately moved to make its post-communist neighbors “safe” according to the law. Poland agreed to accept people who had crossed through its territory en route to Germany in exchange for 120 million DM in 1992, and the Czech Republic made a similar deal in 1993. At the time neither had the infrastructure to hear asylum claims.¹⁰⁹

Today the European Union cooperates extensively with countries in Africa to perform “anticipatory border enforcement” by tying development aid to African countries’ willingness to further fortify their own border infrastructure through technologies including biometric documents and surveillance helicopters. Two journalists have dubbed this the strategy of using “dictators as gatekeepers for Europe,”¹¹⁰ a form of border externalization that has a much longer history. West Germany, Sweden, and Denmark—under pressure from their neighbors farther west—all actively sought the cooperation of the East German regime in the 1980s.

In the twenty-first century, antiborder activists sometimes invoke the Berlin Wall as a tragic example of a deadly border regime, arguing that individuals should be just as concerned today about policies that criminalize people trying to enter Europe across the Mediterranean, as well as those who try to help them. This European border regime was developed by states looking for ways to create effective borders without building visible walls. The construction of “Fortress Europe” was one response to the Berlin Wall.

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¹⁰⁹ Maryellen Fullerton, “Failing the Test: Germany Leads Europe in Dismantling Refugee Protection,” *Texas International Law Journal* 36 (2001): 231–75.

¹¹⁰ Christian Jakob and Simone Schlindwein, *Dictators as Gatekeepers for Europe: Outsourcing EU Border Controls to Africa* (Quebec: Daraja Press, 2019 [2017]).

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