

# **Multicultural Context, Crime, and Policing in Germany: Challenges After Unification**

Uwe Ewald<sup>1\*</sup> and Thomas Feltes<sup>2\*\*</sup>

**\*Max Planck Institute for Foreign and International  
Criminal Law, Germany**

**\*\* Ruhr-University, Germany**

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Incidents of right-wing violence and reports of Xenophobia in Germany create a negative international image. Crimes against foreigners increased over the past few years, although Germany is a country with a low percentage of foreigners (only 9 % of the population are registered as foreigners). The article tries to analyse the different reasons for multicultural conflicts by showing the situation prior and after unification in both German countries. As the former German Democratic Republic was rather an emigrant- than in immigrant-country, multicultural conflicts did not take place. In the Federal Republic of Germany the number of foreigners increased since World War II from 500.000 to 7.4 Mio. In 1999, The article focuses on crimes committed by and against foreigners, the police reaction towards this evolution, policing in Europe and on the consequences for police training.

**Key Words:** Germany, xenophobia, right-wing-movements, unification, immigration, asylum, crimes of and against foreigners, police training.

## Introduction

Germany's international image regarding openness to people of other nationalities is quite negative, which is due to incidents of right-wing violence and reports of xenophobia. The cause of such incidents may be found in a social reality characterized by ongoing foreigner-related conflicts often accompanied by violence and hatred. Because of their violent nature, these conflicts have become the object of police activities. Although Germany is not one of the countries with a high percentage of foreigners and therefore is not endangered by dissolution of its national identity (some 9 percent of all people living in Germany are registered as foreigners), it seems to be part of German "national grammar" that, particularly in times of general social insecurity, foreigners serve as scapegoats. Illegal immigration after 1993, often perceived as connected to organized crime, has become an important matter of policing in general and border policing in particular. In addition, the influx of foreigners has been accompanied by an increase in certain crimes.

In the context of increasing globalization, Germany's situation can be seen as a combination of both the conditions of social transition and insecurity and a latent xenophobic mentality that manifests itself in outbursts of violent acts by specific groups, namely young men. This has become especially apparent after the decay of the Eastern bloc, which was followed by an increase in migration and refugee movements. Right-wing extremist violence against foreigners and members of subcultures, such as homeless people, has increased dramatically. Such activities can create feelings of fear, not only for foreigners but also for the majority of the German population. In general, foreigners and native Germans are united by a strong faith that the state and local police will guarantee their security. On an even more general level, multicultural conflicts in Germany, as in other countries, are seen as issues of internal security and therefore as a major challenge to social control and, eventually, policing. In 2000, the Minister of Internal Affairs created an expert commission named "Zuwanderungskommission" (commission on immigration) to develop proposals and suggestions on how to cope with foreigner issues and immigration.

Although presenting major concern, multicultural conflicts can be viewed as part of a systematic transformation of social control and policing within a unified Germany and within a unified Europe. This transformation represents major social trends providing the framework in which the multicultural issue will be interpreted.

To explain Germany's complex situation and the police role, we first consider the historical background of the foreigner issue before and after unification. Next, we

discuss the issue of crimes committed by foreigners and how police perceive this phenomenon. In the third section, we focus on the problem of crimes against foreigners. In the fourth section, we present some aspects of policing in Europe after the disintegration of the Eastern bloc. In the last section, we examine the consequences of recent developments in social and criminal matters for police training.

## **Germany: A Multicultural Society?**

### **The Situation Prior to Unification**

**German Democratic Republic (GDR):** The heritage from the socialist GDR concerning the attitudes of its population toward foreigners is quite complicated. To understand the current situation in the new federal states (former GDR), we need to mention at least three aspects of this heritage.

First, there was an ideologically prescribed socialist internationalism that proclaimed friendship to all “class brothers” around the world. On the other hand, there were feelings of hostility and hate toward the “class enemy,” who was historically connected with a simplified “anti-fascism.” Although this was part of the socialist rhetoric, it was more than an abstract and artificial relationship. There were also friendly personal attitudes (Elsner and Elsner 1992) toward foreigners. Naturally, it is difficult to measure the impact of this rhetoric, but it seems obvious that this ambivalent “love-and-hate” education and socialization in an authoritarian society helped develop an inclination to see foreigners according to a “good and evil pattern” that is still prevalent even after unification. Different historical backgrounds require different concepts to describe the hostility against foreigners and xenophobia in East and West Germany.

Second, the GDR was a country of emigrants rather than immigrants. In the GDR, immigration was state-controlled and the state did not allow immigrants, as “open” Western states did; therefore, personal conflicts related to foreigners could not become a common issue on a social and public level. For example, on a social level foreigners did not pose a great threat with regard to social security and health problems (e.g., AIDS) or as a visible phenomenon in residential areas because their life was state controlled and took place mostly in exclusive areas. Because of these strict controls, foreigners could not become a metaphor for *evil* for people in the GDR.

As shown in table 1, those who did immigrate to the GDR can be divided into several distinct groups (Elsner and Elsner 1992):

- In 1951, 11 individuals from Nigeria arrived as students to attend East German universities and colleges. Between 1951 and 1988, about 42,000 foreigners came to study. In 1989, the proportion of foreign students was 5 percent of all foreigners.
- During the 40 years of existence of the GDR, many foreigners came to serve an apprenticeship. Although no figures are available for the entire period, in 1989 the number of apprenticeships was approximately 29,000. A majority of these came from Vietnam. These Vietnamese individuals lost their workplaces after unification and started their own businesses, often illegal. Today, some of the remaining members of this group are considered as part of the “Vietnamese Mafia” controlling the illegal cigarette trade.
- A third group of foreigners was made up of political refugees. Political asylum was legally based on article 23 of the GDR constitution. No information is available about the number of those foreigners in the GDR, yet it is known that in 1973, after the forces of General Pinochet took power by means of a military coup in Chile, thousands of refugees from Chile were granted asylum in the GDR.
- The largest group of foreigners was made up of workers who came on the basis of bilateral treaties between the GDR and other states. In 1989, more than 100,000 foreign workers were in 891 East German factories.

Table no. 1: **Foreigners in the GDR, 1989**  
(In thousands)

	<b>All</b>	<b>Males</b>	<b>Females</b>
<b>Workers</b>	106.095	82.430	23.665
<b>Students</b>	10.225	7.983	2.242
<b>Apprentices</b>	28.898	20.638	8.260
<b>Others</b>	45.972	23.153	22.819
<b>Total</b>	191.190	134.204	56.986

**Note:** Tourists and Soviet troops not included.

Two more groups of foreigners were also important in defining the relationship between native East Germans and foreigners and with respect to internal security. These were Soviet troops in the GDR and foreign visitors and tourists. Individuals in these two groups committed both minor crimes and violent crimes.

Third, in terms of policing in the GDR when compared to the current situation, crimes by or against foreigners were more or less marginal issues. If the behavior of foreigners became the object of policing and the criminal justice system, this usually involved ordinary crimes. Therefore, crime by non-GDR individuals usually was not reported as a separate issue (Freiburg 1981, Adler 1983, Wolfe 1992).

Overall, crimes committed by foreigners were restricted to individual conflicts: the Cuban student who assaulted his male German rival, the Soviet soldier who tried to escape to Western countries, the Polish smuggler who tried to trade commodities (Kaiser, Moc, and Zierholz 1997). Issues like organized crime and trafficking of drugs and humans were widely unknown. Crimes committed by non-GDR citizens were not characterized by the specific cultural characteristics of their former country; therefore, no direct suggestion of a conflict between different cultures was made. Locked in by the Iron Curtain, cultural conflicts were more akin to conflicts of political systems and to issues of international security. In the perspective of internal security, the individual behavior of foreigners was a simple result of personal conflicts. The GDR, having absolute control of the immigration system at all times, precluded any risk to the existing social order; therefore, foreigners were never perceived as a personal threat to native Germans.

Where xenophobia as an expression of right-wing movements became an issue of internal security and policing in the GDR, it appeared in the form of youth provocation toward the omnipotent state. Different youth cultures developed throughout GDR history. They can be seen as protests against the adult generation in general and a stagnating authoritarian system that restricted personal freedom in particular. Since it was known that right-wing symbols were considered as an utmost provocation to the socialist nature of the GDR state, they were used in protest and to express differences of opinions. Thus, these phenomena can be explained more by internal contradictions within the GDR than as a conflict between different cultures.

Seen as an object of internal security and police work, the situation we find in the GDR of a limited presence of foreigners and a fledging right-wing movement displaying xenophobic elements had nothing in common with multicultural conflicts today. The nature of a closed society did not allow multicultural developments. When socialism as a system broke down, society as a whole and the police in particular found themselves completely unprepared in the face of virtually

unchecked migration from other (mainly Eastern) countries. Thus, to East Germany the breakdown of the Berlin Wall meant the rapid change from policing a homogeneous society to policing a multicultural society.

***Federal Republic of Germany (FRG):*** After World War II, the total number of foreigners in West Germany (Federal Republic of Germany) increased from some 500,000 (or 10 per 1,000 inhabitants) in 1950 to 7.4 million (or 90 per 1,000) in 1999 (see table 2). There were two main periods of growth. First, beginning in the mid-1960s up until the early 1970s, a first group of “guest-workers” (Gastarbeiter) mainly from Italy, Greece, Portugal, Yugoslavia, Spain, and Turkey came to Germany to occupy open positions in lower rank jobs in the booming industries. Owing to the age structure of the German population after World War II, it was difficult to find Germans for these positions. As a result of this, the number of foreigners per 1,000 inhabitants rose from 12 in 1961 to 66 in 1975 (or in total numbers from 690,000 to 4 million). Second, between 1989 and 1997 people from former Socialist or Eastern European countries moved to Germany as a result of the fall of the Iron Curtain. The total number of aliens or foreigners registered in Germany went from 4.2 million in 1987 to 7.4 million in 1997. These figures do not include emigrants from Russia, Poland, Rumania, Kasakhstan, or other Eastern European countries who can claim German ancestors and are therefore identified by statistics as German citizens.

Between 1970 and 2000, the social structure of non-Germans or aliens changed significantly. In 1969, 57.5 percent of all foreigners in Germany were registered as dependent employees who had to pay into the social security system, but the percentage went down to 27.7 in 1998. This decline was due in part to the overall increase of the unemployment rate during the preceding few years in Germany. The main reason is that today foreigners in Germany are living together with their families and children, while in the 1960s and 1970s more single men lived in Germany. The latter came as guest-workers to earn money for their families still living in their home country. Eventually, the families were united in Germany. As recently as 1997, 51 percent of all non-German workers were lower class laborers (in 1984, the number was 70 percent) compared with 10 percent of all German workers. For the second-generation non-Germans (children of guest-workers born in Germany), the percentage is 22.

Table no. 2: **Inhabitants (German and non-German) and Foreigners in Germany, 1871–1999**<sup>3</sup>

Year	Inhabitants (in millions)	Foreigners (in thousands)	Foreigners (in %)	per 1,000
1871	41,058.8	206.8	0.5	5
1900	56,367.2	778.7	1.4	14
1910	64,926.0	1,259.9	1.9	19
1933	65,218.5	756.8	1.2	12
1951	50,808.9	506.0	1.0	10
1961	56,174.8	686.2	1.2	12
1970	60,650.6	2,600.6	4.9	43
1975	61,746.0	4,089.6	6.6	66
1985	61,020.5	4,378.9	7.2	72
1989 <sup>4</sup>	62,679.0	4,845.9	7.7	77
1992	80,974.6	6,495.8	8.0	80
1999	82,163.5	7,343.6	8.9	89

**Note:** Tourists and alien troops not included.

#### **Go West: Immigration After 1989:**

Before the erection of the Berlin Wall (1950–1961), a total of 2,609,321 East Germans asked for permission to settle in the West. Between 1961 and 1990, a total of 1,198,259 East Germans crossed into West Germany, both legally and illegally (Schumann et al. 1996). Particularly since the beginning of the 1980s the number of East Germans who came to the West increased, reaching 40,000 per year on a legal basis. The number of refugees decreased from 51,624 in 1961 to 2,487 in 1983 and increased again from 9,705 in 1988 to 65,426 in 1989. Although this influx of East Germans was an issue of integrating millions of people into West German society, it was not a cultural problem and therefore did not entail specific difficulties with respect to internal security in West Germany. At any rate, the tolerance and acceptance of different people by the West German population has to be taken into account. Most of the people who moved to Germany came from other European States. If we compare the data of 1988 with those of 1997, the results are as follows.

Table no. 3: **Official Immigration to Germany by Country of Origin and Nationality, 1988 and 1997**<sup>5</sup>

Place of Origin	Total Number		% with German Citizenship		Change in %
	1988	1997	1988	1997	
Europe	766,568	553,772	29.8	20.7	- 27.8
EU Countries	142,137	180,432	14.4	15.9	+ 26.9
Poland	313,792	85,615	33.8	16.8	- 72.7
Soviet Union	54,725	67,178	75.7	63.1	+ 22.8
Africa	24,415	36,767	17.9	11.5	+ 50.6
United States	42,653	46,578	36.5	35.2	+ 9.2
Asia	64,452	183,068	6.7	43.7	+ 184
Kazakhstan	-	83,242	-	82.4	n.a.
<b>Overall</b>	<b>903,892</b>	<b>840,633</b>	<b>28.2</b>	<b>26.8</b>	<b>- 7.0</b>

The data show a decrease of 27.8 percent between 1988 and 1997 for people coming to Germany from European countries. But this decrease is caused by the fact that fewer people from Poland came to Germany. The number of other foreigners from Europe, Africa, the United States, or Asia increased up to 50 percent. In the same period, the percentage of European immigrants with German citizenship decreased from 29.8 percent to 20.7 percent. The increase for Asian people (+184 percent) is caused by the huge number of people coming from Kazakhstan claiming German ancestry and accepted as Germans afterward.

If we look at the statistics for naturalization, some different figures appear. That is because only a small fraction of immigrants were naturalized and could therefore assert legitimate grounds for living in Germany. Between 1968 and 1988, within a period of 20 years, fewer than 100,000 people from the former Soviet Union were naturalized in Germany, counting for less than 10 percent of all naturalizations. But in 1989, this figure was reached in just one year, followed by a 50-percent increase in the next year. In 1995, more than 200,000 people from the former Soviet Union were naturalized in Germany, accounting for more than two-thirds of all naturalizations. After that year, the number decreased again to about 100,000 in 1999.

The majority of the people claiming German ancestry came in two- to four-generation families, but often only the older generations were able to speak the German language.<sup>6</sup> As a result of financial help by the German government, their readiness to work hard, and the fact that they lived together in “clans,” these families were able to buy or build new houses very soon, triggering jealousy and rejection by some of the German people. The youngsters, told to come to a country where “milk

and honey,” fast cars, and modern entertainment are readily available, became frustrated very quickly and struggled with the German language, which was not their first language. As a result of this, groups of Russian-German juveniles banded together, fighting against the lower-class groups of Turkish juveniles who had been dominant until then. The violent habits and unusually extensive use of alcohol of these Russian groups have been reported (especially their sexual offences against female juveniles). It has become common to see cars with posters and bumperstickers “CCCP” (for the former Soviet Union), and “Russian-only” pubs and discos or music halls, where the Russian language is necessary to get in. Such places, where more than 2,000 young people come together every night, are not unusual in some parts of West Germany.

Police increasingly complain about the aggressive habits, heavy alcohol and drug consumption, and violent activities within these groups of Russian-Germans, most especially against police officers. In 2001, police officers were attacked when they intervened in the fighting between groups of hundreds of Russian-German youngsters, arranged in advance at isolated, rural locations. After such fights, although many youngsters were seriously hurt by their ethnic counterparts using knives and baseball bats (even hand grenades and Kalashnikov machine guns were carried, although not used), no referrals were made to medical doctors or hospitals. Police officers explain that such violent disputes between regional clans seem to be part of the “Russian culture.” The youngsters look at the police as the enemy rather than as an independent institution or conflict resolution agency. They avoid contacting police, even after very violent incidents, and their families support these habits. Of course, one can easily explain these facts by the experiences with police activities in their home countries; but for the police, it is very difficult to cope with such situations and to understand what is really going on between different groups of Russian-Germans of any age. There are suggestions that organized crime and drug-trafficking may be the background for such fights, but so far nobody really knows what is going on and how the situation will develop over the next few years. Police reports indicated that more and more Russian-Germans were registered as drug addicts in 2000, and the number of drug-related deaths among Russian-Germans strongly increased. The reason is not quite clear, but some experts suggest that more “clean” heroin was available that year and more inexperienced youngsters and family members of drug addicts came into contact with that heroin. It is also suggested that family ties to Russia and especially Kazakhstan support drug trafficking and drug dealing.

Whether the crime rates of these Russian-German or other Eastern European immigrant juveniles are really higher than the crime rates of comparable “foreign” (e.g., Turkish) or German-born juveniles is still under discussion and has yet to be

settled. A recent study by the police of Bavaria could not provide any evidence for the suggestion that “Aussiedler” (emigrants allowed to come to Germany because of their German descent) are more delinquent or violent than other juveniles (Luft 2000). The methodological problem is that official statistics register these juveniles as “Germans,” without any special information about their country of origin or heritage.

### **Asylum Seekers: The Unknown Danger?**

The numbers of asylum seekers in Germany peaked in 1992, when 438,000 people were officially registered. That year, more than 310,000 came from European countries (mainly from the former Yugoslavia, Albania, or Rumania). Nevertheless, it is the non-Europeans and nonblacks who make the greatest impression on public opinion, and the black African male is still the prototype of the dangerous criminal alien. This stereotype exists mainly because the illegal drug street market in bigger cities was in the hands of African people until the mid-1990s, although today Asians, Russians, or groups from the former Yugoslavia are also in that business. The accumulation of young, alien, and ethnically diverse asylum seekers, forced to live close together (usually outside towns or cities) caused public fear and feelings of insecurity. Since they are not allowed to work, their resorting to illegal activities as a means for earning income is understandable.

After the introduction of new legislation on asylum, the number of officially registered asylum seekers went down to less than 100,000 annually from 1997 on.<sup>7</sup> Thousands of foreigners currently live in uncertainty with respect to their chances of a permanent stay in Germany (and thus their social integration and stability, based on employment and housing) because they have no “green card” and do not know whether they will receive residential status within due time.

Besides the groups of foreigners in Germany who are officially registered, many other groups remain unregistered. According to the estimates of police and human rights activists, the number of illegal foreigners living in Germany (mostly in bigger cities like Berlin, Hamburg, and Frankfurt) amounts to tens of thousands. In bigger cities, medical doctors and lawyers offer free services for such people, who tend to live underground and fear public institutions.

### **Real Threat or the Fabrication of Evil? Crimes by Non-Germans: The Good, the Bad, and the Ugly**

Since 1990, approximately 10 million people have left the former Soviet Republics, or about 15 percent of all inhabitants of Eastern European countries. They moved mainly to Western European countries and also (e.g., Jewish people) to Israel. One result of this migration is the movement of crime and an increase in reported crimes. One can imagine that the “capitalist challenge” was a burden too heavy for some of the people coming to Germany. This challenge resulted in crimes like shoplifting, theft, and burglary so that these individuals could take part in and have their share of capitalist society. Some (mainly Rumanian) nomadic gangs, living partly in tents in wooded areas, increased the fear of crime with breaking-and-entering offences and were depicted in the media as a visible sign of the danger coming from the East. Groups of juveniles unable to speak the German language and sticking together frighten ordinary people just by their existence and by committing mostly minor crimes.

In Germany during the same time period, the public’s sense of security has decreased and fear of crime has increased. These feelings may be the result of increased numbers of asylum seekers and foreigners from Eastern Europe or feelings of personal insecurity due to higher unemployment, greater pressure on the social security system from dramatic changes in the age structure of the German population, or fears concerning the idea of more foreigners coming to Germany.

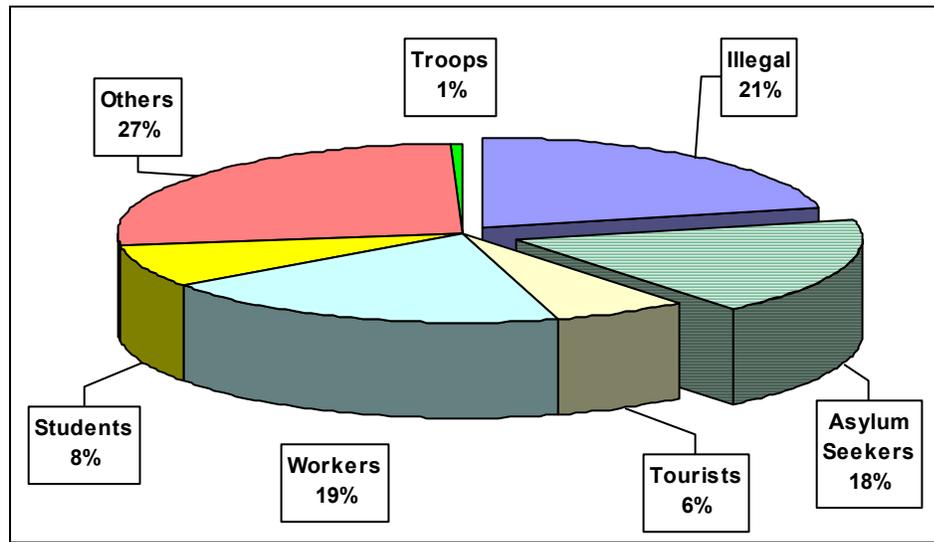
In 1999, 26.6 percent of all suspects registered with the police were non-Germans, and the percentage of foreigners in Germany was less than 9 percent. But it must be taken into consideration that for statistical and sociological reasons<sup>8</sup> it is not possible to compare the number of registered non-Germans with the number of registered Germans. Scientists have discussed the “real” relationship between German and non-German offenders for years, and some estimate that there is no real difference at all if one considers the effects that might result in an overcalculation and overregistration of non-Germans in the police statistics. The distribution by country for non-German suspects registered with the police in 1999 was as follows: Turkey 20.4 percent, Yugoslavia 16.0 percent, Poland 7.5 percent, Italy 4.5 percent, Ukraine 2.0 percent, Bosnia-Herzegovina 2.0 percent, and Russian Federation 1.9 percent. “Other” accounts for 45.7 percent (including 14 other countries listed offenders whose native country was listed as unknown, and those who had no listing). For some crimes, the percentage of non-German suspects is higher than the average. These include dealing with and smuggling cocaine (62.2 percent) and pickpocketing (60.6 percent).

Table no. 4: **Total Number of Offences Registered by the Police and Non-German Suspects, Germany 1984– 1999**<sup>9</sup>

<b>Year</b>	<b>Suspects</b>	<b>Non-Germans</b>	<b>In %</b>
<b>1984</b>	1.254.213	207.612	16.6%
<b>1990</b>	1.437.923	383.583	26.7%
<b>1994</b>	2.037.729	612.988	30.1%
<b>1999</b>	2.263.140	601.221	26.6%

In 1999, 21.3 percent of all registered suspects were staying illegally in Germany, and 17.9 percent were asylum seekers.

Chart no. 1: **Non-German Suspects by Status, 1999**<sup>10</sup>



Especially in the fields of organized crime, illegal trafficking of people, and prostitution, dramatic changes occurred in the 1990s, not only in Germany but also in most Western European countries. For example, in 2000, about 50,000 prostitutes (of approximately 200,000 estimated in Germany) from Eastern Europe were living and working both legally and illegally. Since prostitution, illegal trafficking of refugees, drug dealing, and the weapons trade are all interrelated, one realizes the problems police face here. The general public sentiment is these problems were brought into Germany by foreigners and aliens coming to Germany over the past few years. To distinguish between legal and illegal immigrants on the one hand and criminal and noncriminal immigrants on the other hand was, and still is, a very difficult and critical task for the media, politicians, and police.

## **Controlling Illegal Immigrants**

### **A New Issue for Policing in Germany After Opening the Eastern Borders**

Besides controlling crime caused by some foreigners in Germany, controlling illegal immigration through border policing became a major issue, especially in a 30-km border zone with Poland, the Czech Republic, and Austria (see Kattau 1993). According to the annual report of the German border patrol or Bundesgrenzschutz (BGS), 37,789 illegal immigrants were detained by border guards or police in 1999. Although this was a decline of 6 percent compared with 1998, a significant number of people became the object of policing. The number of unnoticed illegal immigrants is estimated to be about three- to fivefold the number of registered immigrants. These illegal immigrants are mostly seen not as suffering refugees and migrants who should get assistance but, rather, as a “criminal threat.” After a new “wall around the West” (Andreas and Snyder 2000) has been built, illegal migration has made human trafficking a business. As Koslowski describes for the European Union, “although states may be enhancing their capacity to control ‘unwanted’ migration, whether on an individual basis or through cooperation with other states, so has the marketization of illegal migration by organized traffickers increased the capacities of the ‘unwanted’ to migrate” (Koslowski 2000, 203). This perspective of criminalizing illegal migration became a guideline in conceptualizing and organizing police work in the European Union. As corroborated by leading authorities of police, security, and intelligence services at a Berlin conference in 2001,<sup>11</sup> immigration and refugee flows are seen and treated as threats to the internal security of the European Union or “Schengen-Country”<sup>12</sup> and firmly connected to organized crime. According to these authorities, illegal immigration combined with human trafficking are two of the top threats and dangers in Europe to be monitored and repelled by security forces. Therefore, police work must focus on these new “threat scenarios.”

The legal basis for border policing by the BGS authorizes the border guards to act like police. Thus, every individual can be stopped and controlled at the border and within a 30-km zone. Investigation of persons at or near the border often leads to the arrest of suspects. During the last decade, customs agents and police forces have partnered and have been sharing a computerized information system that was developed to help deter illegal immigration (Kattlau 1993, Dietrich 1999). In addition, the BGS maintains good cooperation with Polish and Czech police and security forces (CILIP 1998). Meanwhile, the eastern border of Germany has the highest density of control in activities and staff. An average of 2.4 officers are on patrol at every kilometer of the border. The success of their work is measured in numbers of detained and refused migrants. A side effect of the widening border control is a large number of registered suspects that are not related to border security. In 1996, more than 164,000 seizures were registered as a consequence of identity checks not related to border control (Dietrich 1999). Human rights organizations criticize violations of human rights of refugees and migrants by police and security forces at the border (Basso-Sekretariat 1995, FFM 1998). A human rights organization (Antirassistische Initiative 2000) reported a total of 89 dead and 114 injured migrants at the eastern border between 1993 and 2000. Answering a request to present figures on migrant and refugee deaths at this border, the German government explained that no such statistical information was available (Deutscher Bundestag 2001). All cases of dead migrants known to the government were related to drowning or suicide. With respect to injuries between 1999 and 2000, 53 cases were registered where migrants suffered injuries through action of police or security forces. Most of the injuries were bites of police dogs. In this context, 28 police officers became subjects of criminal investigations. While two of these cases are still pending, another two were dismissed on the basis of insufficient guilt; the rest were dismissed on the basis of no evidence.

### **Crimes Against Foreigners and Xenophobia in Germany**

Over the past few years, crimes against foreigners or “hate crimes” and xenophobia have increasingly become the subject of public discussions and media reporting. The following report gives an example of crimes or offences with a xenophobic background within one month in 2000.

**Some days in Germany in September 2000:<sup>13</sup>**

**Sept. 1:** Juveniles are arrested after shouting “Sieg-Heil” in Oranienburg (East Germany, EG).

**Sept. 2–3:** Four hundred right-wing extremists demonstrate and march in Neumünster (West Germany, WG). A dozen right-wing extremist juveniles vandalize a pub, known as a meeting point for gay and lesbian people in Zwickau (EG). A 17-year-old black juvenile is heavily assaulted by skinheads in Saarbrücken (WG). Two 14- and 16-year-old juveniles are heavily mistreated and kicked with heavy boots by skinheads in Geringswalde (EG). A 50-year-old German with Chinese heritage is heavily injured and assaulted by juveniles, shouting “Ausländerschwein” (foreign pig) in Munich (WG).

**Sept. 4:** A 23-year-old German with Tunisian parents is heavily injured after an attack by a right-wing extremist, shouting slogans against foreigners and showing the “Hitler Gruss” (Hitler’s salutation: left hand up) in Kassel (WG).

**Sept. 5:** The police confiscate 6,400 CDs with right-wing extremist music in Halle and Weimar (EG).

**Sept. 7:** A student from Kenya is heavily injured by three juveniles, ages 16, 17, and 18, in Burg (EG); about an hour later, the same offenders beat up a man from Ethiopia. Three men attack a man from Kenya in Dortmund (WG) by kicking with their feet.

**Sept. 8:** A 27-year-old Indian man is beaten up by two skinheads, shouting “Heil Hitler” in Darmstadt (WG).

**Sept. 9–10:** Nine right-wing extremists threaten asylum seekers in Bergkamen (WG) with baseball bats, shouting rightist slogans. Four police officers are injured in a fight with about 40 right-wing extremists in Wittenberg (EG). A 16-year-old Turk is beaten up, injured, and assaulted by two skinheads. A fast-food shop of a Vietnamese is destroyed by juveniles, leaving runes and swastikas on the walls.

**Sept. 13:** Two 23-year-old skinheads kill a 45-year-old homeless man in Schleswig (WG) by kicking and beating.

**Sept. 14:** Two Vietnamese people, 24 and 28 years old, are robbed and beaten by two German juveniles, resulting in heavy injuries and treatment in hospital.

**Sept. 16–17:** A 31-year-old Tunisian and a 24-year-old Libyan are injured in a fight between asylum seekers and German juveniles in Stollberg (EG). A group of juveniles under the influence of alcohol attack Sinti and Roma (gypsies) camping near a lake (EG). More than 10 right-wing extremists attack 2 Turkish and Iraq families in a subway. Six people are injured. Ten extremists are arrested in Rostock (EG). A Turkish fast-food store is damaged by arson; swastikas and “NSDAP” is left on the walls in Frankfurt/Oder (EG).

**Sept. 21:** Three police officers are suspended because they were shouting slogans against foreigners and assaulting a Tunisian taxi driver in Cologne (WG). A police officer is suspended because he showed the “Hitler Gruss” in Gotha (EG). A house for asylum seekers is the aim of an arson in Torgau (EG). Two asylum seekers from Togo are assaulted and injured by right-wing extremists (EG). A woman from Afghanistan and her two children are attacked by two 17-year-old juveniles in Prenzlau (EG); the juveniles beat the children and throw one of them against a wall. A Turkish döner-shop is destroyed by arson (Stahnsdorf EG).

**Sept. 22:** A Turkish fast-food store owner is assaulted and threatened by right-wing extremists, the youngest aged 15, in Klosterfelde (EG). Four right-wing extremists are arrested because of arson against an asylum seeker in Wuppertal (WG). Another arson occurs in Ellwangen (WG) against a house where foreigners are living.

**Sept. 24:** Police break up a skinhead rock concert with 500 participants. A total of 46 police officers and 15 participants are injured; 12 are arrested in Lüneburg (WG).

**Sept. 30:** Some 3,000 people try to avoid right-wing demonstrations in Munich and Lübeck (WG).

Official data concerning the development of xenophobic crimes in Germany are collected in reports by the police and by the “Verfassungsschutz,” the Federal Agency for the Protection of the Constitution, which is independent of the police and controlled by a special committee of members of the state parliament. The police data have to be questioned for quality and validity for the following reasons. First, only the criminal and violent xenophobic acts reported and registered with the police are included. The number of crimes that are not reported to and registered by the police is unknown. From public surveys, we have learned that the number of unreported incidents is quite high (about 1:3 on average), even for more severe crimes. Second, the criteria according to which criminal and violent acts are categorised by the police as xenophobic are by no means unequivocal; the definition and categorisation are different for each individual precinct. In some cases, all crimes in which foreigners, refugees, or even other victims (gays, handicapped) are harmed are included in the statistics—even if it is not clear whether right-wing, racist, or other xenophobic motives actually were the underlying cause. Third, because police statistics are crime statistics, molestation, insult, and discrimination are not included in these figures—although the difference between a criminal act or a noncriminal, but discriminating or insulting, act is very often unclear and depends on the personal view and the subjective perception of the victims or bystanders. The same is true for police officers responsible for taking (and accepting) the information and opening a file.<sup>14</sup> As a result of this, the actual number of xenophobic crimes and acts of violence is higher than the figure obtainable from police statistics. A dramatic rise in the overall number of acts officially reported as xenophobic crimes first occurred in 1991. From an average of about 250 reported acts per year until 1990, the number went up to 2,426 crimes in 1991. The majority of these acts involved distribution of propaganda, disturbance of the peace, vandalism, and other offenses. But a dramatic increase took place also in violent offenses like attacks against individuals or arson. Registered xenophobic crimes increased in 1992 to 6,336 and again in 1993 to 6,721.

The quantitative escalation and dramatic increase in xenophobic events are not continuous but, rather, erratic. Dramatic individual occurrences trigger waves of escalation and mobilisation, as Helmut Willems (1995) pointed out. The wave of violence reached its first peak after the attacks on homes for foreigners and refugees at the end of September 1991 in Hoyerswerda, a small town in East Germany, which ended in the evacuation of all refugees from the affected houses. As reported by Willems:

This success of the perpetrators in Hoyerswerda represents a central mobilisation factor in the further development of the violence: directly thereafter, imitation throughout the entire Federal Republic caused the number of xenophobic crimes and violent offences to peak and, at the same time, bring about a diffusion of the violence, in particular through the activation of violently

disposed groups elsewhere. The same mobilisation and recruitment effect can also be observed after the successful riots in Rostock at the end of August 1992 and even after the Solingen murder (June 1993) where five Turkish women died after their house had been set afire.

(Willems 1995, 166)

For the first waves of xenophobic crimes from mid-1991 to mid-1993, there are few indications of planned, organized, or directed actions. The actions are usually preceded by spontaneous decisions under strong influence of alcohol. The increase in crimes registered by police and multiple crimes by the same person does, however, indicate that xenophobic activities have become routine for certain groups. Following the events in Mölln (a city in West Germany) in November 1992 and particularly after the protest demonstrations and candlelight marches against racism and violence, a reduction in violent crimes and in the tolerance of and propensity to violence is discernible in the population. As reasons for the decrease, Willems mentions the following points:

The arson in Mölln, with two people killed, shocked sections of violent youth groups and cliques; for many, the events in Mölln went too far. Some realised only afterwards what they had been involved in. By means of the demonstrations the “silent majority” made its voice heard. The right-wing, racist, and xenophobic groups had to realise that they were a minority not supported by a large section of the population and in future could no longer count on the same tolerance in the population as was partially the case in 1991–92. The changes in the mood of the population as well as proceedings by the state against right-wing groups and criminals have changed the perpetrator’s expectations of success and the risks involved.

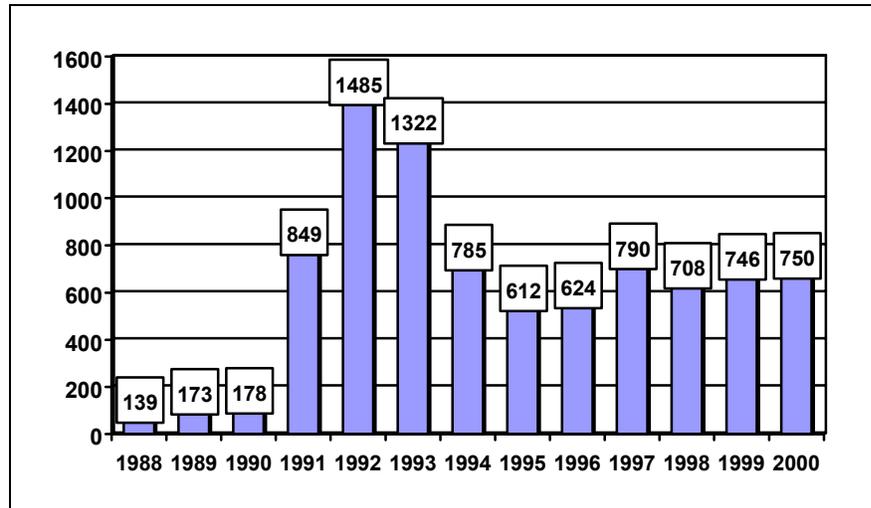
(Willems 1995, 167)

Table no. 5: **Right-Wing Extremist Members and Groups in Germany, 1997–1999**<sup>15</sup>

<b>Group</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>
Skinheads, other violent right-wing extremists	7,600	8,200	9,000
Neonazis	2,400	2,400	2,200
Right-Wing Parties (DVU, REP, NPD)	34,800	39,000	37,000
DVU	15,000	18,000	17,000
REP	15,500	15,000	14,000
NPD	4,300	6,000	6,000
Other extremist organizations	4,300	4,300	4,200
<b>Total</b>	<b>49,100</b>	<b>53,900</b>	<b>52,400</b>

In 1999, there were 10,037 officially registered offences with right-wing extremist influences; of those offences, 2,283 were registered as xenophobic offences and 746 were registered as violent offences.

Chart no. 2: **Violent Offences, Officially Registered With Police as Having Xenophobic or Right-Wing Extremist Background, 1988–2000**<sup>16</sup>



The 746 violent offences in 1999, broken down into type of offence, are as follows: 1 murder, 14 attempted murders, 35 arsons, 65 breaches of the public peace, 630 assaults, and 2 explosions. These data were questioned by a member of the PDS Party (official successor of the former Socialist Party in the GDR) in September 2000, who pointed out that between 1989 and 1996, a total of 3,953 violent offences “disappeared” from the annual official publications by the German FAPC. No reason was given for this discrepancy, nor was the difference explained to the public, as the Ministry of Interior did not respond to the article<sup>17</sup> dealing with this topic.

Official sources reveal that 20 people were killed by right-wing extremist groups within the last 10 years. But calculations of some newspapers, published in

September 2000, gave a figure of 93 people with right-wing backgrounds killed in Germany since 1990. The comparison between East and West Germany shows that nearly the same number of crimes are registered in West as in East Germany, although West Germany has three times as many inhabitants as East Germany. According to the analysis of police records, over 95 percent of xenophobic crimes and violence are committed by men, by young men in particular. More than 42 percent of the suspects investigated are 20 years old or younger. Only 3 percent of the suspects are more than 30 years old. In a study published in 1995, Willems found that the propensity to xenophobic violence and violence itself seems to correlate more strongly with lower levels of education (grades 9 to 10) and with apprentices and skilled manual workers. He also found indications of a dominance of deficient family structures, special social problems (high unemployment and lack of school certificates), and suspects from predominantly lower class backgrounds. The most recent report by the FAPC questioned these results. The unemployment rate for known right-wing extremists is not higher than average, and many offenders or sympathisers have a well-off background and are either employed or in school. For Willems, xenophobic crimes and violence are group offences, although we know this is changing, as indicated by the bombing in Oklahoma in 1995 and incidents in 1999 in Sweden, where two police officers, a journalist, and a member of a trade union were killed by right-wing extremists. But in Germany, this is still true for over 90 percent of the cases (Willems 1995), where the offences are committed by groups. About 15 to 20 percent of the suspects classify themselves, or could be classified according to prior police information, as members of a xenophobic right-wing group. Particularly evident is involvement and membership in the skinhead subculture (in about 30 percent of all cases) and in other xenophobic youth groups.

Willems summarizes his study on xenophobic crimes and right-wing extremism as follows:

**Thesis 1:** The German asylum procedure has promoted interaction processes and experiences between refugees and the native population that are perceived by many as conflicts and burdens and that became the crystallisation points for the development of corresponding attitudes and a disposition to violence.

**Thesis 2:** The conflict over asylum and the inability of political leaders to present quick decisions and better concepts have changed the political opportunity structures for right-wing and violently disposed groups.

**Thesis 3:** The weakness of state authority, particularly in the new Eastern states, made possible successes for the violent perpetrators and contributed to the change in the cost-risk structures of violence.

**Thesis 4:** The change in public opinion, particularly the increase of xenophobic attitudes in sections of the population in recent years, opens new possibilities of self-definition and the feeling of collective importance for stigmatised and violent groups of youth.

(Willems 1995, 178)

The development and expansion of xenophobic attitudes and violence cannot be traced back solely to personality deficits and socialisation problems of individual perpetrators or to social, economic, and cultural crises of the society as a whole. Some researchers comment on the fact that xenophobic crimes and activities are more widespread in East Germany than in West Germany; they also see connections to the stricter Kindergarten-system and the formal education in the former GDR. To understand this phenomenon, we must take into account the manner in which the immigration and integration of foreigners are currently organised in Germany. All political parties, except the "Green Party" and the Party of the Democratic Socialists (PDS), stated in recent years that there are too many foreigners coming to Germany and that Germany is not an immigration country (contrary to the fact that, in reality, Germany is a country with a high rate of immigration and needs this immigration because of the age structure of its society). Slogans like "Das Boot ist voll" ("The boat is overcrowded", used by the Federal Minister of the Interior, a member of the Social Democrat Party, in 2000) or "Kinder statt Inder" ("Children instead of Indians"), used by members of the conservative party to fight plans for a Green Card for computer specialists—mostly coming from India—in 1999) gave certain political signals to the people and made the right-wing extremists believe there might be widespread support for their actions. What we have observed in Germany, as well as in other European countries, is the emergence of new ethnic conflicts and the rise of xenophobic nationalist movements that reach far beyond the right-wing political margin into the centre of society as a whole.

The conflict about asylum is only the prelude to a new fundamental conflict: the conflict over immigration and by extension over the future definition of our society as a multicultural and multiethnic society. Youth violence gains political importance in these conflicts and is, under certain conditions, an efficient means of promoting change, as can be judged from the political processes brought about by the violence. Where right-wing or racist movements develop from here depends on (a) whether we are in a position to allow and control immigration, namely, to set quotas; (b) whether we are ready and willing to guarantee integration not only economically and socially but also legally; (c) whether we are capable of furthering and facilitating the necessary learning processes which are a prerequisite both to overcoming ethnocentric perspectives as well as to developing tolerance and solidarity beyond cultural borders; and (d) whether confidence in the social market economy can be restored to all those who see themselves (or others close to them) as threatened by unemployment, rent increases and erosion of social aid.

(Willems 1995, 180 f.)

## **Unification, Foreigners, and the Police: Perceptions of and Consequences for the Police**

After the fall of the Berlin Wall and the process of unification had begun, it was obvious that these events had as much of an impact on the police as did the increase in numbers of foreigners settling within Germany. The greatest challenge was the question how to cope with the situation in 1989–90, when police forces in East Germany were literally taken over by West Germans. In fact, in most of the East German police force headquarters the middle and higher management left their places right after the opening of the border. To keep the police running, the West German States asked their police officers to “go east” and support the East German forces. In a rapid reshuffle, abandoned posts were filled either with young, inexperienced (i.e., those with no previous record) officers or western staff. Police officers who went from West to East Germany were promoted two or three ranks, a career jump that would have taken them some 10 years in their home department. They also got better salaries than their eastern colleagues and a special bonus called “Buschzulage” (extra money for working “in the bush,” i.e., the wilderness). The elimination of “rotten apples” that had served the old communist regime was a major task like in all former communist states, but some people doubt that this was done with great success. As a result, for some years in East Germany the old powerful and negative image of an oppressive force remained unchanged, combined with the idea of an incompetent, ill-equipped, and fragmented police force plagued by bureaucracy and lack of professionalism.

Another important aspect is the replacement of the planned economy (i.e., socialism) with the free market economy (i.e., capitalism), fracturing tight social bindings and communication between people. This change resulted in feelings of lack of safety, lack of trust in each other, and generally higher rates of aggressiveness. People got lost in the middle of their new freedom. For example, under the old system, everybody had “enough” money, but besides everyday necessities there was not too much to be bought; after unification, unemployment increased up to 50 percent in some parts of East Germany. (Unemployment was unknown under the socialist system because everybody had a place to work, regardless of whether or not this work was productive.) As a result of this, there was (and still is) not enough money to buy all the new “tools and toys” of capitalism (cars, television sets, stereo, computers), and while prices for everyday necessities like bread and milk increased to western standards, salaries remained lower than in West Germany.

Under such conditions, the police as an institution and police officers as individuals became involved in critical situations. The police had to decide whether they were on the side of the public or the government (as previously in the GDR). Officers

were confused as to what their new role consisted of and whether they could rely on the public to accept this role. The change in values thus affected the whole of society, including the police and the criminal justice system. The police had to cope with manifold changes, and an empirical field study on the effect of the unification on everyday policing and the attitudes of police officers (Behr 1993) showed that there was great uncertainty among those who remained in the police service, resulting in frustration, aversion against organizational changes, and withdrawal from the public.

Having to cope with the increasing problems of xenophobia (especially in East Germany), the influx of asylum seekers (mainly in West Germany), and people from Eastern Europe claiming German heritage was a new and challenging situation for nearly all police officers, both east and west. But the situation was also a challenge for police leaders and political leaders because nobody had any experience with such situations. The result was more a “muddling through” than a planned and structured strategy. Looking back, one can say that the police were not central actors in events after 1989, although they had to cope with the effects of the unification. They just tried to handle the problems in the best way they could or thought possible. There was no central or local philosophy of policing this new situation, only “business as usual.”

The breakdown of the Berlin Wall on November 9, 1989, meant the end of the Iron Curtain. Beginning with the opening of the Hungarian border a few months earlier, the borderline between the two antagonist systems, protected with guns and barbed wire, slowly became permeable. Following the relaxation of border control between the Eastern bloc countries and the West, a flood of people traveled from the East to the West. If it was not a “Clash of Cultures,” it was definitely the end of the homogeneous society of the socialist GDR and the beginning of an internationalization that led to what we now call a “multicultural society.”

In her book *Policing a Socialist Society. The German Democratic Republic*, Nancy Wolfe sums up the situation in 1990:

Relaxation of border control permitted a drastic increase in the number of foreigners coming into the GDR, and this fostered two types of crime: crimes committed by the foreigners and acts of violent xenophobia by GDR citizens. East Berlin was especially affected as streams of Rumanians, Poles, and Turks arrived by train. Since the GDR had not previously experienced such an influx, a social network for supporting them simply did not exist. The result was that hundreds of immigrants were camping out in the train stations, particularly in Lichtenberg and the central train station.

(Wolfe 1992, 201)

In terms of internal security and policing in the eastern part of Germany, there were now two foreigner-related problems: first, the tensions caused by the unexpected influx of people mostly from Central and Eastern Europe, and second, the tens of thousands of foreigners already living in the GDR who found themselves in a rather fragile situation after the old structures of keeping them apart in fairly controlled places broke down. There was no real integration and no real assistance in solving their problems; therefore, they experienced a hostile, threatening German environment.

Furthermore, there was a counter-reaction to the new situation by East Germans. Nancy Wolfe states:

Extremism on both ends of the political spectrum, though never acknowledged by the Honecker government, had been growing since the early 1980s. Cessation of the prosecution of dissenters, opening of the border, and the volatile political situation in the postrevolutionary period provided fertile ground for antisocial activity by a variety of groups. Among them were punks, skinheads, soccer rowdies, fascists (Faschos), and neo-Nazis, exposing a mixture of xenophobia, anti-Semitism, racism, rightist totalitarianism, antiestablishmentism, antihomosexuality, and so on. Their tactics ranged from insult and graffiti to vandalism and violence. Most threatening were the neo-Nazis. Paraphernalia of the National Socialist period, outlawed in the GDR during hegemony of the SED, were again openly displayed for sale, and Nazi slogans peppered the rash of graffiti sprayed across the state.

(Wolfe 1992, 200)

Nancy Wolfe's description is both comprehensive and subtle. It shows the relationship between a specific German aloofness toward strangers and its most radical expression in the use of Nazi and antisemitic symbols, actions that reflect the German historic background. Radical, social, and political conflicts between different cultural and foreign groups were labeled as threats to the native German people.

From a police view, a specific category of crimes was related to foreigners. Interviews with policemen conducted in 1993 (Korfes 1997) presented a picture of this category that existed during the unification process, called the *Wende*. Two fields of concern were noted: unlawful activities committed by foreigners who were already living in the GDR and crimes committed by foreigners who came to Germany after the opening of the border. Regarding the first group, police experts report two major problems. There was the phenomenon which was described by the rather vague term of "Russian Mafia." The dissolving Red Army and Russian civilians who lived and worked in the GDR were said to be responsible for organized crime and for killings. A similarly dangerous area of crimes was related to the so-called "Vietnamese Mafia." Their members were recruited from the former Vietnamese workers and apprentices in the GDR, now dealing with illegal cigarette trade, and the trafficking of drugs and humans. Crimes committed by immigrants

from Poland, Rumania, and Turkey were described mostly as property crimes like break-ins, car theft, pickpocketing, shoplifting, and also violation of the asylum laws. Drug crimes were reported but were the exception. A police expert estimated the portion of foreigner-related crimes to be one-third of all reported crimes. The interviewed policemen in Leipzig expressed great concern about the new situation and about the restrictions in fighting these crimes imposed by new laws.

### **Police Work and Police Training: Policing a Multicultural Society**

Migration brings people of different races, cultures, and languages into closer contact with each other, making enormous demands on their tolerance. Increasing numbers of immigrants are moving to cities that already harbor the majority of that country's population along with most of its problems. They are also moving to rural areas, where the people are not used to living together and next door to "aliens." (It is even difficult to move from one district to another within Germany because of the different dialects, different philosophies of living, and different cultures; even after 10, 20, or more years, individuals still are treated as "foreigners" even though they are German-born.) Furthermore, since the early 1990s, Germany has been experiencing economic problems that are due in part to the effects of unification. The beginning of the 21st century is challenging the German population with overburdening of public services, increasing unemployment, debating over the social security system, and declining individual incomes. There are widening class divisions (the rich are getting richer), more broken families, more children living below the poverty line, and growing anger among the disadvantaged. It seems that this anger results in xenophobia and aversion to anyone who is or who looks like a foreigner. In many empirical studies conducted during recent years, we found a common aspect causing public fear: strangers. When asked about the reason for their fear of crime or feelings of insecurity, more than three out of four people interviewed responded with "strangers" as the number one reason, followed by "darkness/dark places" (like public garages, train stations, etc.), and "incivilities." The places that people find frightening are train stations and other public places where strangers (especially juveniles) are hanging around, behaving in a disorderly manner, and sometimes fighting. We also found that those who know people claiming to have been victimized have higher rates of fear than those who were victimized themselves or who were not victimized at all.

Police today are more highly trained than ever before, and the quality of the training has probably never been higher. This is true for Germany and most of the other (Western) European states. The positive relationship between training and practice

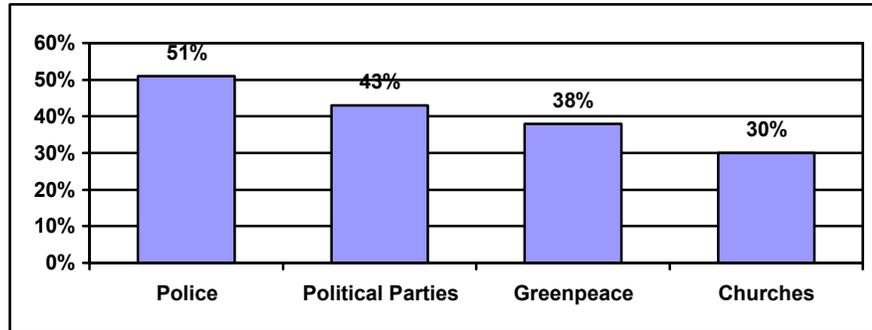
seems to be evident, but this effect is not studied enough. The benefits of the training for institutions are generally more assumed. They serve as an important legitimizing function for headquarters, rather than being empirically demonstrated (Scott and Meyer 1994). Empirical studies have focused on officers' attitudes rather than actual behavior (Mastrofski 1990). A study by Mastrofski and Ritti (1996) showed that the impact of training depends on organization-level considerations. Training has a significant positive effect in agencies that provide a supportive environment but fails to have an effect in agencies that otherwise are indifferent or hostile to the idea of officer training. The effect of the training, therefore, depends on the opportunities afforded by the institution to apply it, on supervisors who encourage the trained person and their intention, and on its relevance to the prospects for career advancement.<sup>18</sup> The supervisor philosophy "Go out there and don't get into trouble" is not a good way to encourage highly trained officers and, for that matter, to train anyone. Because of the changing nature of society, as well as the increased amount of crime and/or public fear, a police reform is desirable, even necessary. Within today's fast-paced world, it is necessary for police executives to cope with a barrage of changes. The police must develop strategies to plan, direct, and control change and to build change into their own philosophy. Problem-oriented policing, team policing, and community policing are terms reflecting the changing philosophy of policing during recent years. Although this change might be too slow, internally for the police it is a tremendous challenge because the main structures of leadership, the structure and the form of the organization, have to be changed. This includes attitudinal, organizational, and subcultural changes.

Since the complexity of the workload is not only increasing but also changing with time, police training must be constantly evolving. Contents and targets have to be changed and adopted to new circumstances. The police have to cope with an increase in volume, gravity, and complexity of crimes, aggravated by the expanding international dimension requiring new resources, connections, and information exchange. The development of new technologies and a greater mobility due to the abolition of borders affords criminal organizations access to larger markets with easier escape routes and the availability of effective communication systems. Furthermore, the unstable economic and social situation, massive unemployment, and further migration waves from Third World countries may cause massive problems for the police in the near future.

Policing in Germany is both difficult and different (Feltes 1995). Germany has not only 16 different states with 16 different police forces and training systems but also the federal border police and customs. Policing is difficult because of the "closed circuit" system of police training, in which training is organized from the beginning until the end in and by internal police training institutions under the responsibility

and supervision of the state ministries of interior. In order to broaden police officers' minds, a new strategy of more external training in "open" institutions seems to be necessary. Until this is possible, it is necessary to include as many people, topics, and methods as possible from outside in the police training system. The employees are at the core of any service-oriented institution. They produce the products, perform, communicate with customers, and may spoil the image of the corporation. New philosophies in policing (Feltes 1994) like community policing do not solve these problems per se. But a community-oriented strategy broadens the definition of an agency's function. It includes order maintenance, conflict resolution, problem solving, and provision of services as well as other activities. There are many tasks police might fulfill that are not yet discussed or accepted by both the rank and file and management. Police already tackle concerns about local crime and disorder problems (Feltes 1998), but they also have to discuss the problems of a multicultural society among themselves and with the public. In partnership with other agencies, police are responsible for maintaining peace, order, and security in the community. The police can, to a large extent, serve as "detectors" of problems through their daily contact with many parts of the population. However, police officers very often have the feeling that their work is currently not very effective or efficient but highly wasteful and bureaucratic.<sup>19</sup> This feeling is often shared by politicians, resulting in mistrust and a steady call for strict regulation of the police. This mistrust is not based on concern that the police might abuse their powers; it is mainly based on lack of knowledge about what they do. In reality, while at least the German population is very satisfied with the police, police officers lack self-confidence. They think that the public does not trust the police and that the public believes that police are not doing their job very well. In Germany, the police always occupy top positions in public rankings, and more than 50 percent of all people surveyed by "EMNID" and "Der Spiegel" at the end of 1997 found that the police (and not schools, politicians, churches, or families) should teach or bring "values" to the people. Usually, community surveys show a high degree of general satisfaction with the police service.

Chart no. 3: **Survey Results: Who should teach or bring values in our society (Germany)?**



Source: EMNID (1997). EMNID conducted a “public survey”; these results are reported for 2,000 people.

The police rank fifth among institutions young people trust; citizen groups, environmentalists, human-rights activists, and courts rank one through four; political parties<sup>20</sup> and churches rank near the bottom. Police are often placed in a position of having to defend themselves and to arrange intellectual retreat areas. Because of being placed in this defensive position, an officer may not be able to act positively, proactively, and in a future-oriented way. Communication and conflict resolution skills are as important as the knowledge of different cultures and cultural peculiarities. And finally: “A fool with a tool is still a fool.” Training that provides just tools without delivering the philosophy and understanding of one’s own role as a police officer as an integral part of the community is not only useless but also extremely dangerous for society. Training programs must provide communication skills and teach the philosophy of the role of the police. Without these components, the training may be useless and possibly dangerous for society.

There is a risk of increase in both crimes by foreigners and xenophobic crimes or hate crimes by natives in Germany. The establishment of special departments, task forces, or bias units for fighting hate crimes seems to be necessary, and experience in some German states shows it can be successful.<sup>21</sup> For Eastern European countries, there is a risk of re-emergence of socialism as a way to reduce crime. Every possible effort has to be undertaken to support these countries in transition and to cooperate with the governments that really want to fight crime. If we do not provide financial and intellectual support to fight crime in these countries, there is a risk that their

problems will spill over into Western European countries. The European police forces also have to reshape their approach to crime fighting to attack organised crime that supports illegal smuggling of human beings, drugs, and weapons, endangering both Eastern and Western European societies. A powerful, independent organisation on the European level, able to investigate political structures and institutions, seems to be necessary. Too often, police complain about obstructions of investigations by politicians on different levels and in different countries. Finally, international cooperation in police training is obviously necessary to provide mutual understanding and mutual support in the everyday business of the police. A European standard for police training (requirements, curricula) has to be discussed, and a functioning infrastructure for communication and cooperation has to be established. On the European level, police matters must be seen as equally important to economic matters, and cooperative initiatives on fighting crime and xenophobia must be permanently on the agenda of European institutions like the Council of Europe, the European Parliament, or the European Union.

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## Notes

- <sup>1</sup> Uwe Ewald is Senior researcher at the Max Planck Institute for Foreign and International Criminal Law, Freiburg, Germany. He is currently employed as an intelligence analyst at the Appeals Unit of the Office of the Prosecutor, the International Tribunal for the former Yugoslavia, The Hague, Netherlands. Ewald focused his attention to the study of crime and victimization as well as state crime in the context of transitional former state socialist countries.
- <sup>2</sup> Thomas Feltes is University Professor for Criminology, Criminal Policy and Police Science at the Law Faculty of the Ruhr-University in Bochum, Germany. From 1992 to 2002 he was Director of the University of Applied Police Sciences in Villingen-Schwenningen, and before 1992 assistant professor at the Universities of Bielefeld, Hamburg, Heidelberg and Berlin. His fields of research are police, juvenile justice and penal law policy.
- <sup>3</sup> 1951–1989: Federal Republic of Germany (West Germany); 1992–1999 Germany (former GDR included).
- <sup>4</sup> Year of the breakdown of the Berlin Wall.
- <sup>5</sup> Source: Statistisches Bundesamt, Statistisches Jahrbuch, Stuttgart, 1990: 73, and 1999: 80.
- <sup>6</sup> In the late 1990s, a language test was mandatory for those who wanted to come to Germany.
- <sup>7</sup> For recent data, see [www.bmi.bund.de/aktuelles](http://www.bmi.bund.de/aktuelles).
- <sup>8</sup> The reasons being the problem of the “dark figure”; i.e., the estimated number of unknown cases (more crimes committed by foreigners than those committed by Germans are likely to be reported to the police), the particular social structure among non-Germans (more young, lower class men, living in bigger cities), and the inclusion of crimes that can be committed by non-Germans only.

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- <sup>9</sup> Until 1990: West Germany only.
- <sup>10</sup> Source: Polizeiliche Kriminalstatistik, Bundeskriminalamt Wiesbaden, 1999: 116. "Others" refers to unemployed, not accepted, but officially tolerated asylum seekers, refugees, (private) visitors (no tourists).
- <sup>11</sup> "Intelligence Services and Security Forces in the Age of Globalization," conference of the Friedrich-Ebert-Foundation, Berlin, May 21–22, 2001.
- <sup>12</sup> In the Schengen treaty, European states agreed to abolish border controls and work together on controlling illegal immigration.
- <sup>13</sup> Source: Stuttgarter Zeitung, October 5, 2000. (Translation by the authors.) See also the following homepages for further information: [www.netzgegenrechts.de](http://www.netzgegenrechts.de); [www.infolinks.de/dir-ml/index.htm](http://www.infolinks.de/dir-ml/index.htm); [www.kamalatta.de](http://www.kamalatta.de); [www.zett.de](http://www.zett.de).
- <sup>14</sup> Although Germany has the "principle of legality" (Legalitätsprinzip), which means that every crime coming to the notice of a police officer has to be reported and investigated and only the public prosecutor has the right to dismiss a case at his or her discretion, we know from empirical field research that, nevertheless, the police have means and ways not to accept relevant information or not to define an act as a crime.
- <sup>15</sup> Source: Verfassungsschutzbericht Baden-Württemberg, hrsg. vom Innenministerium Baden-Württemberg, Stuttgart 2000, p. 20.
- <sup>16</sup> Source: Verfassungsschutzbericht Baden-Württemberg, Stuttgart 2000; data for 2000 are projections, based on the first 9 months.
- <sup>17</sup> Taz (German Newspaper) Sept. 20, 2000.
- <sup>18</sup> Mastrofski/Ritti, 1996: 296, 304.
- <sup>19</sup> Loveday, 1999: 139: "A combination of extended hierarchies, organizational culture and the lack of effective management had resulted in the police service taking on all the fine characteristics of a beached whale."
- <sup>20</sup> Public opinion about political parties is indeed very negative. In 1998, 83 percent of all Germans found that politicians play the hypocrite "very much." In second place, we find representatives of unions (47%) and journalists (41%). Scientists (12%) and professors (7%) were at the end of this listing.
- <sup>21</sup> E.g., in Saxony, where the task force "Soko Rex" for repressive and preventive actions against right-wing extremist activities has been up and running for years; see [www.lka.sachsen.de/Infos/SokoREX/sokorex.htm](http://www.lka.sachsen.de/Infos/SokoREX/sokorex.htm).

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