

Berlin's New Boundaries

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BERLIN'S NEW BOUNDARIES

The signing of the quadripartite agreement on Berlin of September 3, 1971¹ has been hailed by both East and West as a major step in the relaxation of tension in Central Europe.² What few people realize, however, is that this accord has resulted in a number of substantial changes in the boundaries of « Greater Berlin ». ³ The purpose of this article is to analyze recent changes in the boundary region of West Berlin and to discuss the implications of future territorial exchanges.⁴

¹ The process of negotiation on Berlin went through three distinct phases: First, the ambassadors of the Four Powers — the United States, the Soviet Union, France and Great Britain — worked out a general agreement of principles, signed on September 3, 1971. Second, representatives of East and West Germany and East Germany and West Berlin hammered out the details in two supplementary accords, signed in December 1971. Third, the ambassadors of the Four Powers approved the inner-German agreements which went into effect simultaneously with the quadripartite accord, June 3, 1972.

² Secretary of State William P. Rogers summed up the Western point of view when he applauded the quadripartite agreement as "not only the promise of a better way of life for Berliners" but also an enhancement of "the prospects for greater peace and security in Europe." *The Washington Post*, September 4, 1971.

East German party leader Erich Honecker more or less stated the communist viewpoint when he welcomed the Berlin accord as a contribution "toward making peace more secure." *Neues Deutschland*, September 4, 1971.

³ According to the agreement reached by the European Advisory Commission (EAC) on September 12, 1944, which fixed the post-war occupation zones of Germany and provided for the joint occupation and administration of the "special area of Greater Berlin," the borders of the city were defined as those which had existed on April 27, 1920 when Berlin was incorporated. See HEIDELMEYER, Wolfgang (1963) *Documents on Berlin 1943-1963*, Munich, R. Oldenbourg, Verlag, p. 3.

⁴ The precise delimitation of the boundaries of "Greater Berlin" during the early post-war period caused a great deal of trouble for Allied officials and West Berlin administrators. For one thing, Map "B", attached to the September 12, 1944 Protocol, which partitioned "Greater Berlin" and outlined Western sector boundaries, had been greatly generalized when it was drawn up and presented for the signatures of the British, Soviet and American representatives of the European Advisory Commission in London. In lieu of any definite Allied declaration to the contrary, West Berlin officials were led to believe that the boundaries of the city had remained the same as they had been on the day *Gross-Berlin* was created. But in fact they had been modified several times.

The following changes were made in city boundaries in the early post-war period: (a) On August 30, 1945, at the fourth meeting of the Allied Control Council, post-war Germany's supreme military government agency, a trade was concluded between Great Britain and the Soviet Union involving West Staaken (approximately four kilometers of British Sector territory) and part of the Gatow Airfield area which, although already in British hands, lay in the Russian occupation zone (East Germany); (b) On October 29, 1945, for the purpose of constructing an airfield in the French Sector, the Russians agreed to put the village of Stolpe, which lay in their occupation zone, under French administration. During the Berlin Blockade, however, the Soviets reneged on their agreement and on December 21, 1948 reincorporated the town without French opposition. See CATUDAL, Honoré M. (1971) *Steinstücken: A Study in Cold War Politics*. New York, Vantage Press, pp. 45-46.

I. *Origin of the territorial Provisions of the Quadripartite Agreement on Berlin*

The surprising number of recent territorial adjustments in and around the former *Reichshauptstadt* were not foreseen when talks first began between the Four Powers on March 26, 1970.⁵ In fact, few knowledgeable officials in Western capitals actually believed that anything significant would come of the diplomatic conversations.⁶ So often in the past hopes had been raised only to remain unfulfilled.⁷

The first East-West discussions were informal and were made to take « soundings » of one another's position.⁸ After careful diplomatic probing, it became clear that no agreement was possible on the legal status of East and West Berlin.⁹ The only alternative, therefore, was to try to work toward practical improvements in and around Berlin. But this was not as easy as one might think. For one thing, the most obvious concrete improve-

⁵ The talks only began at all because the Russians wanted to obtain Western approval of the holding of a European Security Conference, and the West — particularly the United States — insisted that Berlin, a flashpoint of tension for years, was the place to begin to reduce friction. See PALMER, Michael (1971) *Prospects for a European Security Conference*. London, Chatham House.

⁶ On August 13, 1969, in a personal interview with former Secretary of State Dean Rusk, who had held many intensive talks with the Russians on Berlin during 1961 and 1962, this writer was told that the forthcoming Four-Power talks could serve no useful purpose because the Soviets were not about to agree on a solution of the Berlin problem.

⁷ Until the erection of the Wall in August 1961, the exodus of refugees through East Berlin prevented the internal consolidation of the German Democratic Republic (GDR), and any East-West discussions were bound to be fruitless. During the second half of the 1960's, however, the East German regime had gained enough stability for contacts to be made on Berlin between the Western Powers and the Soviet Union. The first of these contacts took place during the period of Bonn's Grand Coalition. But negotiations did not get off the ground until after their integration into the general framework of the West's *Ostpolitik* and the Soviet response to it. See WAGNER, Wolfgang (1971) *Das Berlin-Problem als Angelpunkt eines Ausgleichs zwischen West und Ost in Europa*. *Europa-Archiv*, Vol. 11, pp. 375-382.

⁸ For the start and course of the negotiations see *Das Viermächte-Abkommen über Berlin vom 3. September 1971* Bonn, West German Press and Information Office, 1971. Also useful is MAHNCKE, Dieter (1970) *In Search of a Modus Vivendi for Berlin*. *The World Today*, 26 (4) April 1970.

⁹ The main sticking point was that the Soviets refused to recognize the validity of the Four-Power status of Berlin as established by wartime agreements. In accordance with their contention that East Berlin is part of the GDR (the capital), and that there is thus only a West Berlin problem, the Russian negotiators insisted that any talks should center only on the status of West Berlin which was regarded by them as an independent political entity under the supervision of the three Western Powers. Confronted with this uncompromising attitude, the United States, France and Great Britain stuck to their contention that the issue under discussion was the whole of Berlin. See MAHNCKE, Dieter (1971). *The Berlin Agreement: Balance and Prospects*. *The World Today*, 27 (12) December, 1971. 513-514.

ment — the tearing down of the infamous Wall — was out of the question as far as the Soviets were concerned.

When Western officials began casting around for likely areas of improvement that could be easily brought into the Four-Power talks, a suggestion was made by this writer to include the Berlin « exclaves » or « enclaves » (figure 1) — depending on one's point of view.¹⁰ The idea, as



Figure 1 The exclaves of West Berlin.

¹⁰ Technically, an exclave is a portion of one State completely surrounded by another and is seen from the viewpoint of the State to which it belongs. An *enclave*, on the other hand, is the same territory, only it is seen from the point of view of the surrounding State. See CATUDAL, Honoré M. Jr. (1972) The Exclave Problem in International Law. *Revue de Droit International*, 50 (1) January-March, 1972 : p. 21. G.W.S. ROBINSON calls Steinstücken and the other territorial fragments of West Berlin "temporary exclaves" because they were created as a result of the division of what one State "by and avowedly temporary or provisional line." See his article entitled "Exclaves" in *Annals of the Association of American Geographers*, Vol. 49 (September 1959), pp. 283-295.

it was originally conceived, was to propose to the Soviets a trade of some of those uninhabited « exclaves » situated on the perimeter of the old German capital for a Western-owned land corridor to Steinstücken, the only permanently inhabited one.¹¹ This would make it possible for some 190 Steinstücken residents to commute to their jobs in West Berlin without having to pass through East German control points at each coming or going. The suggestion was accepted by the U.S. State Department, according to one high official, as « another card in the deck to test Soviet sincerity. »¹²

II. *The First Inner-German Territorial Agreement*

It was against this background that the ambassadors of the Four Powers initialed their now famous « umbrella » agreement on Berlin last summer, providing — among other things — for a solution of the « problems of the small enclaves, including Steinstücken, and of the other small areas » by « an exchange of territory ». ¹³ But because the Russians refused to make any decisions affecting « the sovereignty of the German Democratic Republic, » detailed arrangements regarding the border territories were left in the hands of Guenter Kohrt, State Secretary in the GDR, and Ulrich Mueller, head of the Chancellery of West Berlin. ¹⁴ A comprehensive agreement on the exchange of territory was hammered out by these two gentlemen in the relatively short period of three months. ¹⁵ It went into effect on

¹¹ The idea to trade some of the uninhabited exclaves for a corridor to Steinstücken had been proposed many times during the cold war by insecure Steinstückeners. But each time the suggestion had not been taken seriously by West Berlin officials. See CATUDAL, Honoré M. Jr (1971) Steinstücken: The Politics of a Berlin Exclave. *World Affairs*, 134 (1) Summer 1971, pp. 51-60.

¹² *Atlantic Standard*, August 31, 1971. Also see *The Washington Post*, January 2, 1972.

¹³ The "umbrella" agreement of September 3, 1971, contains a declaration of four major principles. The first and most important principle refers to the transit traffic of civilian goods and persons across East Germany between West Germany and West Berlin — which is to be unimpeded, facilitated, expedited and to receive preferential treatment. The second principle commits the Western Allies in exercising their rights in West Berlin to maintain and develop the ties between those sectors and West Germany and also to regard West Berlin as not part of the Federal Republic of Germany and not governed by it. The third principle provides for the improved communication between West Berlin and areas of East Berlin and East Germany and includes the solving of the "exclave" problem. Finally, the fourth principle re-affirms the right of the three Western governments to represent abroad the interests of West Berlin and its permanent residents. See *The New York Times*, August 24, 1971.

¹⁴ For the complete English text of the Four-Power accord on Berlin see *The New York Times*, September, 4, 1971. For a German text see *Deutschland Archiv*, September 1971, pp. 982-992.

¹⁵ The agreement on the "exchange of territory" was but one of two inner-German accords signed in East Berlin on December 20, 1971. The other concerned the "Facilitation and Improvement of Travel and Visitors' Traffic".

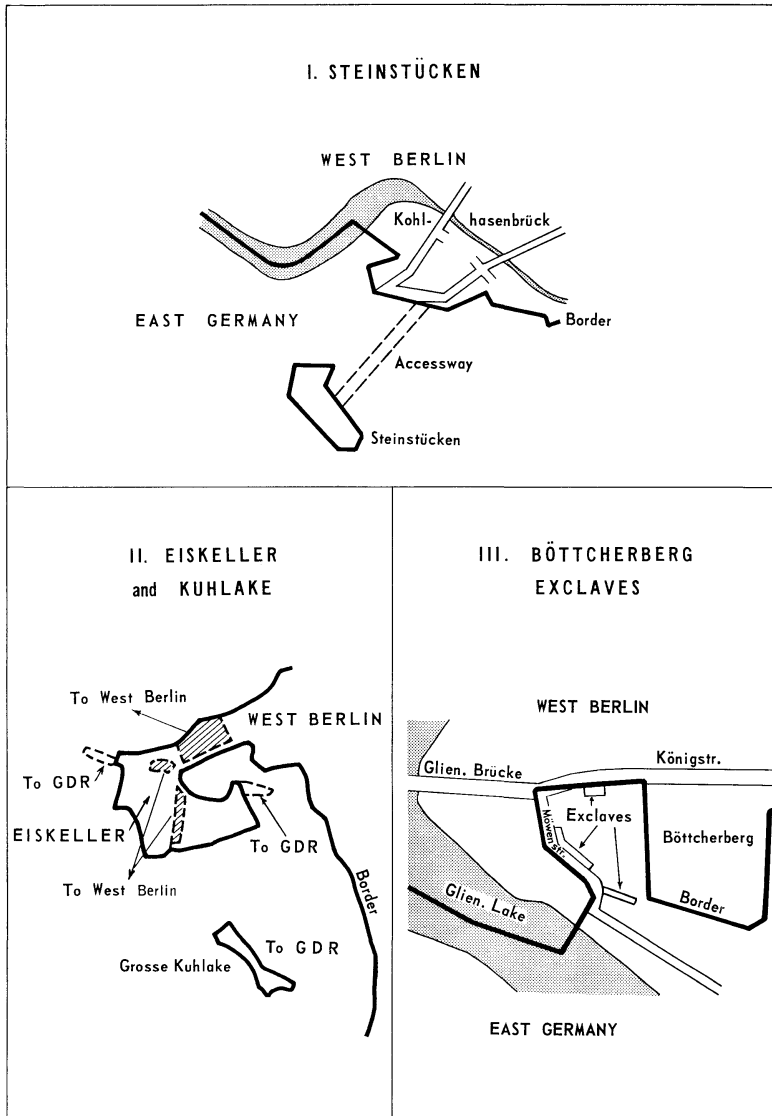
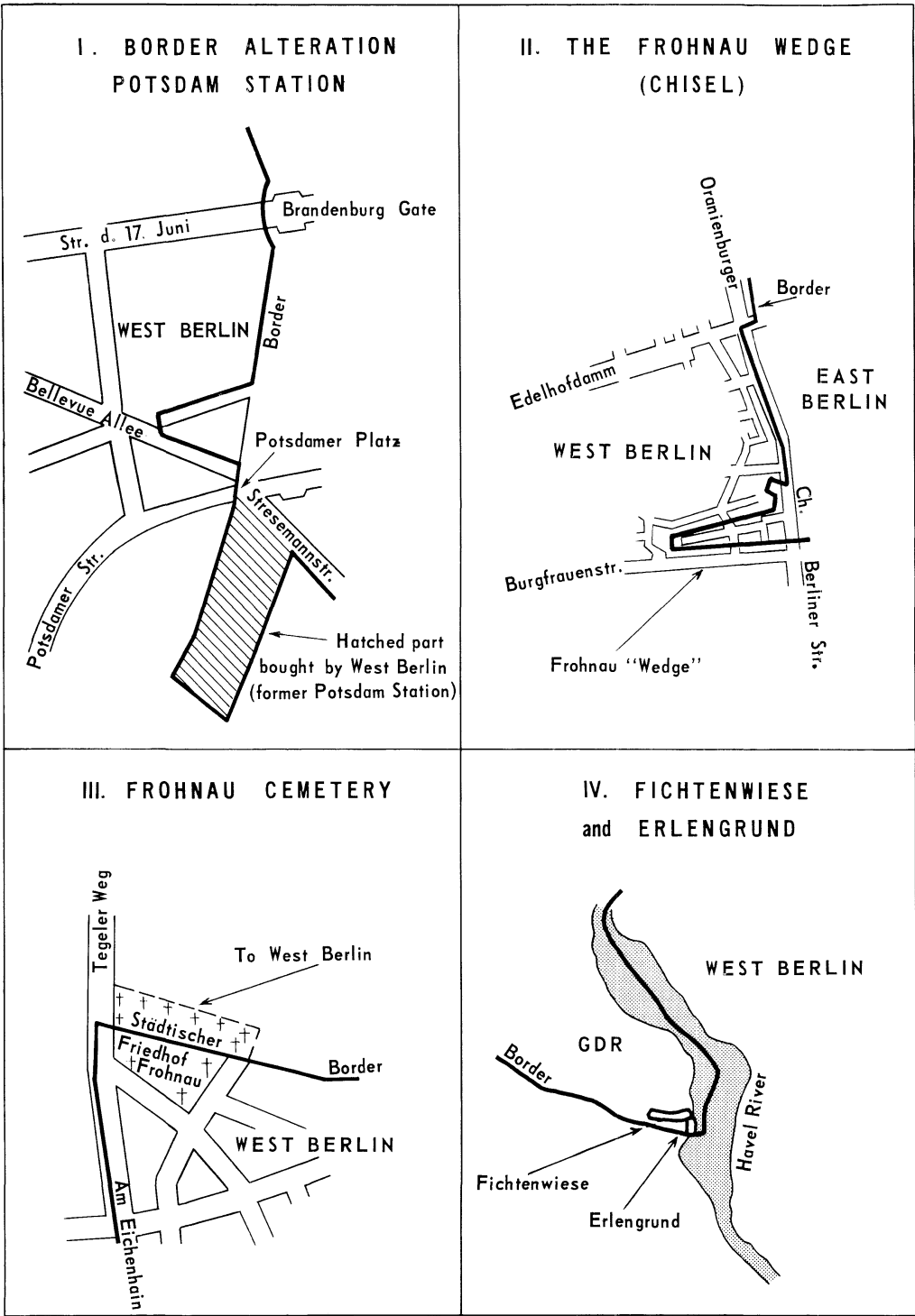


Figure 2

- I A new road to Steinstück. Since September 1, 1972, the 190 inhabitants of Steinstück enjoy free and unimpeded access with the rest of West Berlin via a corridor, one kilometer long and 20 meters wide.
- II Broader access to Eiskeller. As a result of the inner-German accord of June 3, 1972, the 12 residents of Eiskeller will soon have a broader accessway linking them with the main body of West Berlin.
- III A redrawing of boundaries in the Böttcherberg area. Having traded to East Germany the three Böttcherberg exclaves shown in this sketch, the West Berlin Senat is now trying to acquire the entire area around Böttcherberg.

Figure 3



June 3, 1972, together with the entry into force of the quadripartite accord on Berlin.¹⁶

The Agreement between the Senat and the Government of the GDR on the « Settlement of the Question of Enclaves by Exchange of Territory » provided in the main that :

(1) Six exclaves and one adjacent border territory totalling about 15,6 hectares (about 39 acres) were to be given by West Berlin to the GDR in exchange for two enclaves and two adjacent border areas aggregating about 17,1 hectares (approximately 42 acres), the latter including a strip of territory one kilometer long and 20 meters wide (about 0,6 mile by 22 yards) with additional border areas, which was to serve as a land corridor to Steinstücken.

(2) As an exactly equal exchange of territory had not been achieved the Senat would pay the Government of the GDR compensation at the sum of 4 000 000 DM (about \$1,5 million at current exchange rates) within two weeks of the exchange of territory.

(3) Rights of private individuals and corporations to land, buildings and installations in the areas to be exchanged would not be affected by the agreement; claims for compensation would be settled by the side on whose territory the lands, buildings and installations were situated prior to the exchange of territory. Other lands, buildings and installations would be considered as having been transferred to the other side free from any encumbrances and with legally final effect, any compensation claims being regarded as settled by the payment as per (2).

(4) Land registers and other documents relating to the territories in question were to be exchanged within three months of the signing of a protocol which was to be drawn up after a survey of the areas had been carried out and which was to form an integral part of the agreement.

(5) Further discussions with regard to the enclaves and other small areas not included in the agreement would take place at an appropriate time, and corresponding agreements would be reached; in the meantime the existing situation with regard to these territories would remain unchanged.

- I A border alteration in downtown Berlin. *A recent territorial purchase brought the area around the former Potsdam Station to West Berlin. Earlier negotiations had centered on the neighboring territorial triangle.*
- II The Frohnau Wedge (Chisel). *An important object of future East-West territorial exchange is the Frohnau Chisel.*
- III Boundaries around the Frohnau Cemetery redrawn. *A provision of the first inner-German agreement on the exchange of territory enables West Berliners with relatives buried in the northern part of Frohnau Cemetery to visit their grave sites for the first time since the East German border was closed in 1952.*
- IV Erlengrund and Fichtenwiese : the week-end and summer homes of some 400 West Berliners. *East-West negotiations are in progress with regard to these two exclaves in the hope of obtaining a Western-owned corridor to them.*

¹⁶ For the complete English text of the inner-German accord on the "exchange of territory" see *Foreign Affairs Bulletin*, Vol. 11, No. 35 (December 23, 1971), published by the Press and Information Department of the German Democratic Republic. For a German text see *Dokumentation Berlin: Die Vereinbarungen und das Abkommen* (December 1971), published by the West Berlin Senat.



Photo 1 Access to Steinstücken.

The only ground access to the isolated village of Steinstücken is a roadway, 1200 meters long. Before the 1971 Berlin agreement went into effect this accessway was under complete East German control.

The territorial exchange, as outlined here, has probably aroused the least controversy of any of the provisions of the quadripartite agreement carried out by the East and West Germans. No doubt, the little community of Steinstücken has gained the most out of the swap of territory (figure 2-1 and photo 1). For it no longer is completely isolated in the GDR, and it now has utilities administered by the City of West Berlin. The trade also represents a considerable improvement in the daily lives of the twelve permanent inhabitants of Eiskeller, a border territory belonging to the District of Spandau (British Sector) but which previously was almost entirely cut off from the rest of Berlin. Now it enjoys broader access and receives utilities from the city for the first time (figure 2-II and photo 2). Lastly, the agreement brings to the City of West Berlin that part of Frohnau Cemetery which previously lay in East Germany — an important improvement for those West Berliners who have relatives buried there (figure 3-III).



Photo 2 Eiskeller schoolboy with British military Escort.

In a show of the flag following the erection of the Berlin Wall in August 1961, a British «Landrover» was assigned to guard the solitary schoolboy in Eiskeller as he rode his bike back and forth along the narrow Western track connecting his home in East Germany to the District of Spandau. Now, however, area school children are picked up in an official car and returned by a district representative; and the armored personnel carrier, previously on school patrol duty, is on permanent patrol of the British Sector boundary (Landesbildstelle Berlin, August 1961).

The major criticism of the territorial exchange concerns the amount the West Berlin Senat had to pay as monetary compensation in that complete equality of territory was lacking. For 1,5 hectares (about four acres) the city was obliged to pay the East German regime four million DM — about twice what the land was really worth. The East German negotiator supported demands for such a high price with the argument that the trade made the GDR smaller !¹⁷

¹⁷ *Die Welt*, June 13, 1972.

Probably the greatest surprise to the West came early in the inner-German discussions when the East German government agreed to consider an exchange of Eastern territory for land which — no longer inhabited by West Berliners — had been lying since 1945 more or less « abandoned » in the GDR.¹⁸ Most of these « exclaves » consisted of small forest lands, situated in some cases far outside city limits. Until the talks began, these outliers had been mostly forgotten by the West.¹⁹ In fact, for all practical purposes, they were treated by the East Germans as integral parts of the GDR.²⁰

III. *The Second Inner-German Territorial Agreement*

Having solved the problem of Steinstücken and Eiskeller by giving them land joining the two areas to the main body of West Berlin, German negotiators focused their attention next on other borderlands where concrete improvements could be made without much difficulty. The West Berlin government was particularly interested in buying from the East a triangular field situated on the British Sector boundary between the Brandenburg Gate and the West Berlin Philharmonic Hall.²¹ This area, which is cut off from the rest of East Berlin by the Wall, would have made a nice park. Unfortunately, no purchase was made because the East Germans demanded too much money for it.²²

Although negotiators were stymied on this point, an agreement was quickly concluded on another protruding border territory. On July 21, 1972, in East Berlin's House of Ministries, a pact was signed which provided for the sale of a small tract of land around Potsdamer Platz which is intersected by the Wall. About 8,5 hectares (approximately 21 acres) was involved for which the West Berlin government paid 31 million DM (about \$11 million at current exchange rates).²³ Most of the territory was unused land that lay on the western side of the Wall even though it belonged to East Berlin (figure 3-1).

¹⁸ These abandoned territories included the following « exclaves » : (a) In the District of Spandau (British Sector), Grosse Kuh-Lake (traded), Lasszinswiesen north of the Spandau Municipal Forest, Falkenhagener Wiese approximately one mile west of the city boundary and the grounds around Finkenkrug Station between Lilientalstrasse and Ringstrasse (traded); (b) In the District of Zehlendorf (U.S. Sector), Nuthewiesen (traded) and some of the land along Möwenstrasse southwest of Böttcherberg (traded).

¹⁹ Before this writer undertook to write a political history of Steinstücken and the other Berlin « exclaves », the exact number and location of the « exclaves » had never been officially determined. While the most important were known, some obscure territorial fragments were not.

²⁰ In two cases the East Germans had built roads through the « exclaves » ; in one case citizens of the GDR had settled themselves in a West Berlin exclave.

²¹ *Time*, November 29, 1971.

²² Personal interview with U.S. State Department official in Berlin.

²³ *Der Tagesspiegel*, July 22, 1972.

The importance of the purchase to the City of West Berlin stems from a purely practical viewpoint. It allows traffic to move from one point of the city to another without the long detour it had to make before due to the Wall at Potsdamer Platz. For foreigners who use the Friedrichstrasse crossing point to enter East Berlin, the distance from the center of West Berlin to the U.S. Army's « Checkpoint Charlie » is considerably shortened.

Whatever criticism of the sale there was centered on the relatively steep price of the Eastern territory, which, since the sealing of the East Berlin border in 1961, had been turned into a virtual « no-man's land ». In the attempt to meet such criticism, West Berlin officials explained that the East had demanded an even higher price, and the final price represented a compromise.²⁴

The most interesting aspect of the purchase involves an apparent violation by East German officials of their own Marxist principles, which stipulate that the boundaries of Socialist States are to be expanded — not shrunk. For the first time, they sold outright some of their own territory. Previously, the East Germans had maintained steadfastly that it was not possible to « sell one centimeter of the sovereign territory of the German Democratic Republic nor do anything that would make the GDR smaller. »²⁵

IV. *Future Territorial Exchanges*

An important clause of the July agreement between the government of the GDR and the West Berlin Senat envisions more such border corrections. According to it, both sides expressed their willingness to discuss minor border rectifications. This is in line with the Big Four accord to lessen tension and make life more bearable on both sides of the Wall.²⁶ Generally, three types of areas are being seriously considered. These are : (a) certain Eastern territory that protrudes into West Berlin causing communications' problems ; (b) certain West Berlin areas which are mainly accessible through Eastern territory ; and (c) certain West Berlin « exclaves. »²⁷

A. *Certain Protruding Eastern Areas*

Particularly noteworthy in the first category is the area around Böttcherberg, a small hill which forms the south-westernmost point in the territory of West Berlin.²⁸ This part of East Germany juts into the District of

²⁴ *Ibid.*

²⁵ Personal interview with U.S. State Department official in Berlin.

²⁶ *Der Tagesspiegel*, July 20, 1972.

²⁷ Personal interview with U.S. State Department official in Berlin.

²⁸ According to a British official with over 25 years of experience in Berlin, Steinstücken was offered in 1945 to the Russians for the area around Böttcherberg. Soviet occupation officials, however, were not interested at the time. See CATUDAL, Honoré M. Jr. (1971) *Steinstücken: A Study in Cold War Politics*. New York, Vantage Press, pp. 38-39.

Zehlendorf (U.S. Sector) between Griebnitzsee and Glienicker Lake and makes the water boundary here difficult to patrol. In the first inner-German territorial swap the West Berlin Senat traded three small outliers embedded in the area. Now it wants to buy or trade territory to get back the entire Eastern area around Böttcherberg (figure 2-III).

Another territory in this category to be exchanged is the so-called « Frohnau Chisel ». This area is shaped in the form of a chisel and penetrates the District of Frohnau (French Sector) at a point along the border with East Germany in the north-east section of West Berlin (figure 3-II). At present, commuters with downtown Berlin have to make a lengthy detour to circumvent this penetration. The Senat would like to acquire the « chisel » in order to restore a vital thoroughfare through the territory.

A third area of exchange in this category involves Lohmühlenbrücke, an East Berlin automobile bridge bordering on the District of Neukölln (U.S. Sector). This bridge controls access across the Landwehr Canal in the south-east corner of West Berlin and interdicts a major traffic artery. Since the building of the Wall in 1961, local inhabitants have been unable to cross the canal here and have had to make a lengthy detour.²⁹ The Senat would like to gain possession of this bridge in order to facilitate the smooth flow of traffic.

B. Certain Semi-Isolated West Berlin Areas

It is an uncomfortable reality for some West Berlin residents living along the East Berlin border : The Soviet Sector extends further into West Berlin than the Wall often indicates. In some cases, areas of the Western half of Berlin are mainly accessible only via streets which lie on Eastern territory but are not enclosed by either barbed wire or concrete.³⁰ This is the situation of some houses on Heidelberger Strasse and Bouchéstrasse bordering on the District of Neukölln (U.S. Sector) and Sebastianstrasse and Leuschnerdamm bordering on the District of Kreuzberg (U.S. Sector).

These semi-isolated areas (called "pene-exclaves" by G.W.S. Robinson)³¹ pose a number of unusual problems for inhabitants. But most crucial is the right of access. The East German border guards deny transit to the West Berlin police, firemen, gas and electric company officials, etc. Only

²⁹ *Der Tagesspiegel*, December 25, 1971.

³⁰ The barbed-wire barriers were placed around West Berlin in 1952. But it was not until 1961 that a Wall was built through Berlin. Generally, the East Germans were cautious not to seal off any Western territory; whenever there was any doubt barriers were usually placed a few yards inside East Germany or East Berlin.

³¹ According to Robinson, "Pene-exclaves are parts of the territory of one country that can be approached conveniently — in particular by wheeled traffic — only through the territory of another country." See ROBINSON, G.W.S. (1959) Exclaves. *Annals of the Association of American Geographers*, Vol. 40, September 1959, p. 283.



Photo 3 Accessway to Erlengrund and Fichtenwiese.

On April 5, 1964, three British Military Policemen were arrested by East German border guards as they tried to walk to Erlengrund and Fichtenwiese across Communist territory. Following British protest they were released by a Russian Army officer. Since then, warning signs have been posted at the beginning of this accessway (Landesbildstelle May 1967).

tenants may traverse the narrow street leading to the front doors of their buildings. As an emergency solution, a special Western-owned accessway has been laid to the back doors.³² The West Berlin government would like to obtain title to the East German streets so that inhabitants of these areas could live normally.

C. Certain West Berlin « Exclaves »

With respect to those West Berlin "exclaves" not affected by the December 1971 exchange, the Western desire is to trade Falkenhagener Wiese and Lasszinswiesen, two uninhabited « exclaves » belonging to the District of

³² *Der Tagesspiegel*, December 29, 1971.

Spandau (British Sector), for a Western-owned land corridor leading to the « exclaves » of Erlengrund and Fichtenwiese also part of the District of Spandau. These latter lie in a pocket to the north of Berlin between the British and French sectors parallel to the Havel River (figure 3-IV and photo 3). They are the week-end and summer homes for some 400 West Berlin owners and their friends who are only allowed access during certain « visiting hours ». Residents enter from West Berlin via a footpath, 100 meters long and one meter wide, which is fenced in on both sides and is under the complete control of East German border guards.³³

It is not easy to say if and when all the above mentioned « border corrections » will take place. Talks are continuing with the backing of the Western Allies and the Soviet Union who must approve each and every change in the boundaries of « Greater Berlin ». No doubt, the communist side will hold out for the best price since West Berlin has little to offer in the way of interesting territory. Assuming that no substantial unforeseen problems develop, a satisfactory outcome is anticipated.

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³³ See CATUDAL, Honoré M. (1971) *Steinstücken: A Study in Cold War Politics*. New York, Vantage Press, pp. 119-120.