

# A New Life For Fritz Mosinger

T. K. BROWN

AT 9:30 on the morning of December 2, 1952, Fritz Mosinger, the district attorney of Frankfurt an der Oder, in the Soviet Zone of Germany, found out that he was in serious trouble. The warden of the city prison was on the wire to tell him that the chief of police had ordered a cell to be prepared for a "prominent person" who would be arrested in the course of the day. Fritz Mosinger knew, from various events of the past several days, that this cell was intended for himself and that he would have to flee. During the next hour he was a very busy man.

Mosinger went first by taxi to a friend in the poultry-and-egg business who made frequent trips to Berlin, fifty miles away. He told his friend that it was quite important for him to get to Berlin immediately, and was pleased to learn that a truck full of chickens would be leaving that morning at eleven. It was arranged that the truck would stop at his office to pick him up.

His problem now was to keep the chief of police so busy that he would not have time to call the attorney general's office in Potsdam and arrange for the arrest warrant to be issued. On the principle that the best defense is attack, he hurried back to his office, telephoned the chief of police, and ordered him to come to his office at once with the political commissar. When the two arrived, he launched an impassioned, even perhaps somewhat hysterical, criticism of the efficiency of the police.

"Why do police investigations take

so long?" he asked. "Why can't your men give coherent testimony in court? Why do they carry the red-colored arrest warrant in their hands when they go through the streets, so the culprits see what's coming and get away? Why aren't they able to serve half the warrants they go out with?"

"Perhaps, Herr Mosinger," the chief of police said, "because the people have been warned that an arrest is about to be made." There was a grim smile on his face, and Mosinger suddenly got the feeling that the chief of police already had the warrant for his arrest in his pocket. But he did not lose his nerve; he continued with his accusations, pulled documents from the files to substantiate them, and kept looking out the window for the truck.

Shortly after eleven it came. With dismay Mosinger saw the driver get out and enter the building, obviously with the intention of announc-

ing his readiness to take Herr Mosinger to Berlin. "Excuse me a moment," he said to the chief of police. "I want to get a colleague from the next office. He has a very interesting case to report."

He caught the driver in the hall. A minute later he was in the truck and it pulled away. To the background of clucking and squawking chickens, he left his life behind him on the hegira to Berlin, while the chief of police and the political commissar waited in his office and wondered what was taking him so long.

Fritz Mosinger left the truck in the Soviet Sector of Berlin. At the Alexanderplatz he boarded the subway; a few minutes later he had become one of the 15,787 men, women, and children who during the month of December fled from the Eastern Zone of Germany—the so-called German Democratic Republic—to the insecurity and hardships of life as a refugee in west Berlin.

## Stamps, Signatures, Notations

It was while I was looking into the refugee problem that I made the acquaintance of Mosinger, who was recommended to me as a "typical case." I met him on the third day after his flight to west Berlin. He was living in a cheap hotel in a devastated area south of the Kurfürstendamm. He was dressed in the shabby clothes that mark the inhabitant of Soviet Germany. I found him to be a man of about fifty, tall and awkward, with large hands and Adam's apple, and unruly hair that fell con-



tinually into his pale eyes. His face was lean, with a scar across the chin, and there was nothing heroic about his appearance whatsoever.

Mosinger apologized for his modest accommodations and explained that after he had exchanged his eastmarks for westmarks, at the free-market rate of about five to one, he hadn't had much choice. He estimated that he could hold out for another couple of days; if by then his processing as a refugee hadn't reached the point where he could enter a refugee camp—"Well," he said, smiling, "I'll just get on a train and go back to Frankfurt."

I asked him to tell me something about the procedure that a refugee must go through, and in reply he took a document from his wallet and handed it to me. It was the form, he explained, that all refugees get, and its sections are filled in consecutively as the refugee proceeds through his processing. Mosinger's document was decorated with stamps, signatures, and notations in its first few boxes—"Registration," "Physical Examination," "X-ray," "Allied Control Agency," and "Eligibility." The rest was blank—"Assignment," "Preliminary Hearing," "Main Hearing" (here the curt German term *Bundesnotaufnahmeverfahren*), and so on. I asked Herr Mosinger about "Eligibility" and "Assignment."

"Eligibility I did yesterday," he said. "That was very easy. While you have been visiting the doctor and the hospital and so on, the authorities have been finding out whether there is any reason for not wanting to accept you as a refugee. Maybe you are a known agent of the Eastern Zone secret service or have already gone through the whole refugee process and been turned down—then you flunk out right here. 'Assignment' comes up tomorrow—they told me to get there early and bring my lunch, so I suppose it's another one of those all-day affairs, like yesterday and the day before. Why don't you come along and keep me company?"

I got to Kuno Fischerstrasse at about ten o'clock the next morning. It is a short street, only one block long, in the British Sector, and it was full of people. The day was cold and most of the refugees in the

street were not dressed adequately. Many of the women wore shabby cotton dresses; many of the men were in shirtsleeves. There were a good many children, some in baby carriages (along with the family possessions), some in their mothers' arms, some running about in the street. Everyone looked poor, bored, and unhappy.

Inside the building it was almost impossible to move. The aisles were packed with masses of people waiting in line. Mosinger did not appear to be among them. I made my way down the hall and finally found him at the head of the line outside Room 8. We had just enough time to shake hands when a man stuck his head out of the door of Room 8 and hollered, "Number 67!" "That's me," Mosinger said. "Lucky today—been waiting only three hours." I followed him into the room, which was bare and ugly, like all German governmental offices; four desks occupied the four corners, and at all but one an official was interrogating a refugee. Mosinger's official led him to his desk, indicated the chair in which he should sit, sat down also, took a form from a drawer, ceremoniously inspected the point of his pen, and dipped it in the inkwell. "Name?" he asked.

I watched for a while as the official extracted from Mosinger the necessary personalia and started closing in on the reasons why he had absented himself from his previous place of domicile and employ. When it was all over, we fought our way out of the building.

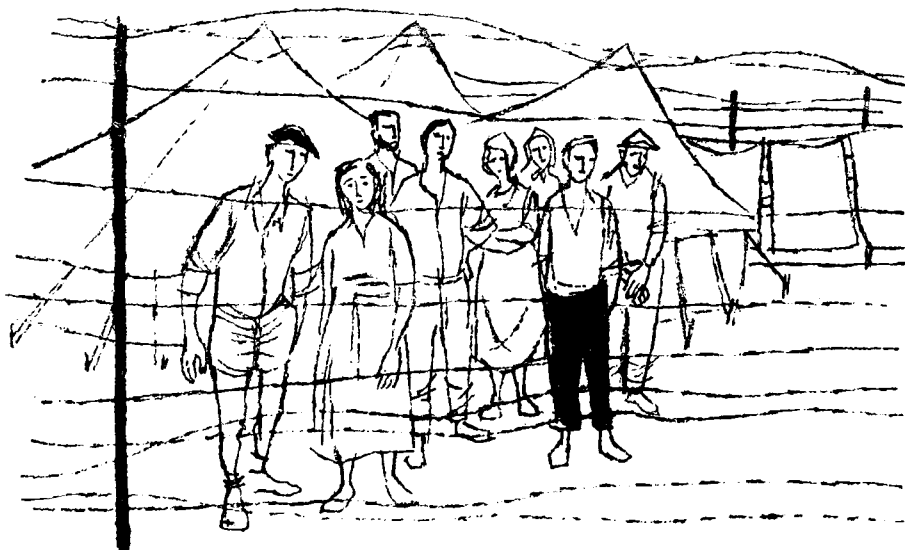
"Well, that's that," he said, when we were out on the street. "I told them all they wanted to know, and they have invited me to join the happy family." He showed me the assignment to a refugee camp that he had received. Then he explained that his case was going to take some time; the district attorney of a major city was not a run-of-the-mill refugee, and a lot of papers and affidavits were going to be necessary.

"I have the feeling that they don't quite know whether to welcome me as a hero or throw me in jail," Mosinger said. "Well, it will be interesting to find out what decision they reach."

#### Four Hours, Fifty Pfennigs

A lot of other matters got in the way, and it was not until two weeks later that I saw Fritz Mosinger again, when I visited him in his refugee camp. This "camp," like most in west Berlin, was not a camp at all but a building in the center of the city. It stood almost alone on its street, in a badly damaged part of town, amidst empty lots and huge piles of bricks that had been chipped clean of plaster and stacked neatly against the day when the buildings they had composed could be rebuilt.

The camp building itself had by no means escaped the violence that had brought its fellows low. One wing was a skeleton, and the top two floors of six were windowless, lightless, and doorless. Nevertheless, as I later discovered, they were inhabited by several hundred people. The building had originally contained offices, but there was only one in it



now, a wholesale hardware firm on the ground floor, with an angry sign on the door: "Refugees! No Information Here! Do Not Enter!" Before the entrance to the camp, across the street, and in the vacant lots to either side there were many people: men and women standing in loose groups or sitting on the curb, children clambering over the bricks or playing hopscotch but mostly just standing around too.

I found Mosinger—after proving to the satisfaction of the camp administration that I was harmless—in the courtyard of the building, where he was shoveling garbage into cans for disposal. "Fifty pfennigs for four hours," he said cheerfully, after we had shaken hands. "That's what we get for helping out around the house. And don't think we do it just for the exercise," he added energetically. "This is important money. We get five marks a month handout—after we've had our hearing, which I haven't yet. Until then, not a pfennig, except by the sweat of our brow. Well, let me show you around."

ON OUR WAY back into the building we passed several people gathered around a large pile of straw in the bombed-out wing, stuffing it into sacks. "Making beds," Mosinger explained.

We climbed the stairs to the third floor, and now went along the corridor to the left until we reached a huge dormitory at the end. "My quarters," Mosinger said. There were about a hundred beds in the room, some of them double-decker cots, some of them mattresses lying on the stone floor, most of them the straw-filled sacks we had seen in the courtyard. On and around these beds were men, women, and children, sitting or reclining, sewing or reading or pottering about, or just doing nothing. Around each bed there was a pathetic little clutter of personal effects: a sagging knapsack, a battered suitcase, a shabby suit hung on a hook, a line of tattered laundry strung from bedpost to wall.

### The Question

I asked Mosinger how many people he had saved from imprisonment or worse, and he estimated that it had been in the neighborhood of a hun-

dred. Then I asked the question that had been puzzling me ever since I had met him, and which I thought would be a crucial issue at his hearing.

"Herr Mosinger," I said, "when you get to your hearing it's going to feel to you like a trial, where you



are not the prosecuting attorney but the defendant. A man behind a desk is going to fix you with a cold eye and say, 'For seven years you have been a prominent, responsible, and presumably trusted official in the Eastern Zone system of justice. If what you say is true, how did you get away with it?' Now what is your answer going to be?"

"Well," Mosinger said, "my answer will consist mainly of the couple of dozen affidavits I'll have from people I helped to escape. Also five or six witnesses to testify in person. Then, if they keep on asking how it was possible, I'll tell them the truth: You save the innocent by punishing the guilty. Let me give you an example. There was an old man in my district, nearly eighty years old. His sole means of support was an old-age pension of sixty eastmarks a month. Since no one can live on that, he helped himself out by collecting eggs from the farmers in his neighborhood and taking them to his daughter in west Berlin, who gave him westmarks for them, which he changed at the free-market rate; and

this gave him barely enough to stay alive. But they have a law over there called the Law for the Protection of the Domestic Economy, and the old man was breaking this law, so they threw him in jail. Minimum sentence, five years. The prison doctor found him to be suffering from senile dementia, but no matter, they were going to put him on trial. Now, I don't regard such a poor unfortunate creature as a criminal, and I don't believe any system but a tyrannical system would insist on prosecuting him as a criminal.

"Well, as it happened, a similar case turned up a few days later, but with a difference. We caught a rich farmer who for more than a year had been smuggling two hundred pounds of meat a week into west Berlin. Now that fellow is a real criminal, depriving the hungry people of the Eastern Zone of food while at the same time he undersells the struggling shopkeepers in west Berlin, thus doing wrong in both directions, so to speak. Well, I see to it that this case is first on the calendar, and he gets the works—I ask for a heavy sentence, and he gets it. Then, while everybody is feeling righteous about this victory of 'democratic justice' over 'reactionary-capitalist criminal elements in our progressive society,' I let the case of the old man come up, and it seems so trivial that they turn him loose. If I have any other innocent people in my jail on such occasions, I try to get them turned loose too."

WE HAD reached the head of a food line in the course of this conversation, which was interrupted while Mosinger presented his pan and had it filled with thick soup from a twenty-gallon kettle. A hatchet-faced Red Cross nurse was standing next to it, keeping the line moving, snarling back at those who complained of the food, and seeing to it that no one took more than two slices of the unbuttered black bread stacked beside her. Mosinger and I went back upstairs to the dormitory, where we sat on his pallet, leaning against the cold stone wall, while he ate.

"There were lots of other ways to save the innocent, of course. One of the easiest was simply to warn them

of their impending arrest. There were a couple of very decent fellows in the police force, whom I would send to arrest somebody when I knew he wasn't at home. When his wife opened the door they would say, 'Where's your husband? We've come to arrest him.' When she said he wasn't there they told her they would be coming back at the same time the next day. Of course, when they returned the house was empty.

"Or you could make an anonymous phone call, disguise your voice. Another thing I often did was simply to throw away the papers on a case. Then, if any inquiry was made, I produced a document to show that I had forwarded them to Berlin, to the Office for the Supervision of Commerce. This was always perfectly safe, because that office is in such a state of confusion that all the papers it receives are immediately and hopelessly lost. Or, if the man was already in jail, I could get him released on bail, and he could quietly fade away."

### The Witnesses

I made several efforts to visit Mosinger in the days that followed, but each time I went to the refugee camp I found that he was out. Christmas came and went, and it was the third week of the new year before we re-established contact, when he wrote me a letter to say that his hearing was on the docket for three o'clock the next afternoon. It gave me a shock to realize that he had had to work for nearly an hour to pay for the stamp on the envelope. He suggested that I might wish to witness this event.

The hearings, in which it is decided whether a refugee will be accepted or rejected, are held in a building on the Kaiserdamm, a broad avenue in the British Sector. When I reached it, I went up to the fourth floor, where Mosinger and his five witnesses were waiting in the hall. He introduced me to them, and we shook hands all around; then Mosinger and I sat down on a bench on the other side of the hall and he told me a little bit about each.

"The first one, Frau Glaser," he said, "had a small drugstore in Frankfurt. Our planned economy over there kept her hopelessly over-



stocked in clinical thermometers and hopelessly in need of drugs like streptomycin and penicillin, so she took the thermometers to west Berlin, where they were scarce, and came back with the drugs, with which undoubtedly a number of lives were saved. This useful activity, however, constituted an offense against the Law for the Protection of the Domestic Economy, and I was told to have her arrested. I warned her instead.

"The man next to her, Herr Schneider, was a baker in a small town near Frankfurt where Russian troops were stationed. His case came up nearly five years ago. In those days bread was very scarce. Russian soldiers would come in with their girl friends, wave their pistols under his nose, and require him to give them bread without getting the necessary ration coupons in return. After this had been going on for a couple of years an inspection showed him to be short two tons of flour—obviously sabotage. I saw to it that he got out in time.

"The fellow next to him was a rich man a year ago, owned a model farm with eighty purebred pigs and four hundred chickens. Naturally, the Communists wanted to steal this farm. So they gave him a quota of so many eggs a week but cut off his feed supply. That gave him two choices: Either he could fail to deliver his quota, in which case he would be arrested as a saboteur, or he could buy chicken feed on the black market, in which case he would also be arrested as a saboteur. Well, he tried the latter course and was caught, and I got orders to take him into custody for trial as a political criminal.

"I sent those two policemen for him that I told you about. They

stopped in at the village inn on the way, and were overheard talking about how they were going to arrest the man. When they got to the farm, somehow he wasn't there. Incidentally, that young chap on the other bench is one of those two policemen. It got to be too much for him over there too."

### The Hearing

Mosinger did not finish what he had to say about his witnesses, because at this point the door opened and he was asked to come in for the hearing. "Well, this is it," he said. He looked worried.

I was permitted to enter the room with Mosinger, and sat in a corner during the brief proceedings. The three judges occupied three sides of a plain wooden table in the center of the room, before which Mosinger was asked to be seated. A stenographer sat at a smaller table to one side, a clerk at another. The room was bare and uncarpeted; the dirty windows were uncurtained. The chief commissioner, facing Mosinger, shuffled about in the pile of papers before him for what seemed a very long time, with that studied unhurriedness which has been the despair of the German citizenry throughout the long history of its dealings with German officialdom. Finally he spoke.

"Herr Mosinger," he said, "I must tell you that this court is by no means of one mind regarding the evidence that it has before it in your case. Our decision will probably be determined by the testimony that you and your witnesses give today." His manner became distant and factual, and he asked the question that I had foreseen. "Herr Mosinger, how was it possible for a person in your prominent position to perform for

seven years the good deeds to which you lay claim?"

"I considered it my duty," Mosinger said, "to hold out as long as I could, to help as many people as I was able."

"Fine and good," the chief commissioner said shortly. "It would interest us to know how you managed to do so."

MOSINGER flushed but managed to compose himself and began to outline the various procedures that he had described to me. But he had not spoken more than a few sentences and was citing his first example of an actual case, when one of the other judges interrupted with what struck me as a gross contradiction.

"We don't care so much about these cases out of the past," he said. "The important thing is the day of your actual flight."

"Excuse me," Mosinger said, "but the day of flight can only be understood in its context, and as the culmination of a course of events."

"Well," the judge said, "we have enough material here on that sort of thing. But it will be difficult for the commission to recognize you as a bona fide refugee if it turns out that you might just as well have fled a few days or a week later."

"On that day there was a warrant for my arrest," Mosinger said, striving visibly to keep himself under control, "and the cell was vacated and ready. These facts are contained in the material that you have before you."

"Well, yes, of course we know that," the chairman said.

"Why were you a member of the S.E.D.?" one of the other judges asked, to fill in the pause that followed. (The Socialist Unity Party—S.E.D.—is the Eastern Zone version of the Communist Party.)

"In the district court at Mittenwalde," Mosinger said, "where I was employed in 1946, the judge was in the Liberal Democratic Party and I was in no party. The result of this was that the Russian occupation authorities had no confidence in either of us, and so we were unable to influence them. For this reason the other judge, Dr. Gressner, who is now a political refugee here in west

Berlin and from whom I have an affidavit, persuaded me that I must join the S.E.D. From then on the Russians told us all their plans and we were able to help a great many people."

"How did you pass the political examination that is given to all applicants for S.E.D. membership?"

Mosinger almost smiled. "Only a moron could fail," he said. "All you have to do is read the banners and slogans that are plastered on every building. The examiners deal exclusively in these phrases, and the examination is nothing but a catechism to which you have to give the right answers: 'Anglo-American imperialism,' 'monopoly capitalism,' 'fascist aggression,' 'exploitation of the working class,' and so on. It was all very simple. Moreover, my examination didn't last one or two hours, like most of them, but only twenty minutes."

"So!" the third judge said. "Only twenty minutes. Your ideological orthodoxy must have been beyond cavil."

"No," Mosinger said evenly, "that wasn't the reason. The reason was that I began throwing their questions back at them and asking them to clarify certain phrases for me—the distinction between the 'unjust imperialist-capitalist war' and the 'just socialist-defensive war,' for instance. After a few minutes of this the examiners were eager to get me out of the room."



THE HEARING continued for about another fifteen minutes, during which the hostile and doubting attitude of the commission became less pronounced. I was happy to note that Mosinger's voice no longer conveyed the defensive aggressiveness into which people fall who feel that they are unjustly accused, but which sounds to others like the efforts to bluff through an unsound cause. He was able to present some impressive examples of his activities and to submit several affidavits that he had brought with him. Finally, the chief commissioner stated that he would like to interrogate some of the witnesses, and Mosinger was asked to go out and send in the lady druggist who had traded thermometers for streptomycin.

The examination of the witnesses was almost perfunctory. The chief commissioner read a few passages from the affidavits before him and asked the deponents whether they were true. Without exception they were declared to be true. Usually he nodded his head, thanked the witness, and dismissed him; occasionally he inquired briefly into details. The only exception was the former policeman, who was pressed very particularly on the question whether Mosinger had specifically instructed him to forewarn people of their impending arrest. The policeman was a young man with an unfortunate hesitating manner that made everything he said seem like an evasion, but the commission, with great good sense, read through this manner to the truth beneath. He was the last witness, and he was asked to tell Mosinger to come back in.

### The Verdict

Mosinger re-entered the room with a perfectly expressionless face whose very neutrality betrayed the tension he was under. Later he told me that at that moment he had been absolutely convinced that he was about to be rejected. The witnesses had told him of the casual treatment they had received, and he had been sure that the court had already made up its mind and was just going through a gesture. However, this premonition was wrong. As Mosinger stood before the desk, a startling change came over the chief com-

missioner. He rose to his feet, smiling cordially, and extended his hand. "Herr Mosinger," he said, "it is my pleasure to welcome you as a new citizen of the West German Federal Republic." So far as I had seen, he had not consulted his colleagues before reaching his decision, but they both smiled and nodded, and they both shook hands with Mosinger also.

"Well," Mosinger said.

"I hope you weren't too upset by the way the hearing was conducted," the chief commissioner said. "We were pretty sharp and unpleasant, I know, but that was for tactical reasons. The important thing for us is to find the truth, and sometimes we have to use pretty unfriendly methods before we are sure that we have it. In your case we are quite sure that we have it. Unfortunately, we don't feel that we have absolutely airtight evidence that you were in danger on the actual day of your flight, and so you will receive the classification of Political Refugee, Group B—'flight for compelling reasons.'"

"Thank you," Mosinger said. He was too moved to say any more. The date was January 16, and it had been forty-four days since Mosinger had arrived in west Berlin as a fugitive from injustice.

### Frankfurt to Frankfurt

The last time I saw Mosinger, he was looking up at a murky sky with concern. We were at the Tempelhof Airport, and he was prepared to fly to West Germany on the second lap of his progress into a new life. In the week since his hearing he had paid the two final visits in his clearance process: one to the agency that heard his wishes and made the decision where he would settle in West Germany (he had chosen Frankfurt am Main, where he had some personal connections), and the other to the passport section, where he was photographed and fingerprinted for the various documents he would need in his new country.

"Frankfurt to Frankfurt," he said musingly. "It's a lot longer trip than it looks on the map. It's a trip from one world to another, like waking

up from a nightmare. You know that experience: One minute you're trembling and sweating and calling out in your sleep, and the next minute you're wide awake, back in the real world again; and an hour later you can't even remember what the nightmare was about. I never would have thought it, but that's just about what has happened to me. I've lost touch; already, in these few weeks, I've forgotten what life in Frankfurt was like. I understand a lot better now why people in the West aren't able to react adequately to Communism. They haven't even had the nightmare I speak of."

The public-address system announced that the flight would be delayed for a few minutes but would take off before very long. Even as it spoke, some men could be seen shoving a dolly full of knapsacks and ancient suitcases toward the plane parked under the huge cantilevered eave of the terminal. Fritz Mosinger looked out at the plane and up again at the sky.

"God grant they never have it," he said.

# Philanthropy Uninhibited: The Ford Foundation

HOLMES WELCH

WHEN Andrew Carnegie established the Endowment for International Peace in 1910, along with his gift of ten million dollars he sent the Trustees a letter of instruction, which they have reprinted ever since in their annual reports. When the Trustees, he wrote, had attained "the speedy abolition of international war between so-called civilized nations," they were to turn their attention to the "next most degrading, remaining evil."

No such millennial provisos are to be found in the charter of the latest great fund to enroll in the cause of human welfare in general and peace

in particular. The Ford Foundation has few illusions. It is attempting a highly intangible goal—harmony between men and within man. At most points it will fail; even where it succeeds, it will be unable to measure its success exactly; and in no event will it be able to take credit for it. These very difficulties make it the one agency that can afford the attempt. For others the role of international Don Quixote would be either too expensive or too ridiculous.

The Foundation has had its share of ridicule. Before the recent decision to consolidate its operations in

New York, it was described as a "great lumbering beast with its brains in Pasadena, its vital organs in Detroit, and its legs in New York . . . the vital organs do the thinking, the brains do the traveling, and the legs digest all the information." Allegedly it wears a "financial strait-jacket" because it does not control the operation of the Ford Motor Company, its chief source of income. The industrial connection, however, still provides an opportunity for sly digs. When plans were announced for the quarterly *Perspectives U.S.A.*, a reporter characterized the publication as "the 'Little Magazine's' fra-