Inga Markovits

*Justice in Lüritz: Experiencing Socialist Law in East Germany*
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This book is an outstanding achievement that broadens our understanding of East German judicial practice and, in addition, is extremely well written. Inga Markovits uncovered a well-preserved archive from a district court in Mecklenburg in the northwest of the former German Democratic Republic (GDR) and—with the help of those files, the use of other archives, and interviews with judges, officials, and citizens who had been involved in the matters of this court—was able to reconstruct the story of the “Lüritz” court.

This name is, of course, a pseudonym, which is made clear at the very start of the book: “There is no Lüritz.” The author intends to preserve the anonymity of the place and of the actors. This is an understandable choice in light of the legal implications of this work and, also, of German rules and regulations concerning the use of court files. Without a doubt, the archive is a treasure trove since, to the best of my knowledge, nothing comparable has yet been found by anyone else. It contains not only official documents but, also, registers and ledgers, letters, search and arrest warrants, personnel files, desk diaries, judges’ notebooks, etc. In that context, the author was able to conduct research for an excellent case study relevant not only for the legal but, also, the social history of East Germany. She also was able convincingly to reconstruct the changes taking place, over time, in different fields of justice.

The strong point of the work is, undoubtedly, its exploration of the human level in these cases, their contradictions and aspirations, their dilemmas, and sometimes their hypocrisy. The various examples of ‘law in action’ are extremely enlightening. By getting into the details of a local case study and analyzing them, the reader is able to learn more about the broader picture. Of course, there remains the basic question: how representative was Lüritz?
The present reviewer suggests, in regard to the strangely unifying tendencies of socialism, that Lüritz is a valid example for the whole of the GDR.

There are only several minor flaws in the work under review. First, Markovits uses only a few references (51 endnotes on two pages) and chooses not to discuss the historiography. Of course, she herself is obviously the leading researcher in the field. The reader thus is left alone, with no guidance for further research. No reference is given to archival sources at all, not even in an anonymized way, which means other researchers are completely left in the dark about where to find them. Basic information on the interviews conducted—such as the dates of the interviews and the gender, age, or occupation of the interviewee—is left out, and we are not able to learn anything about the interview method which was used. The reader has to trust the author nearly completely. The point is not that I have any doubt about the quality of the monograph; rather, the necessary endnotes, bibliography, historiography, etc. would have improved the outcome.

Second, the author’s claim that her case study might be an example of “justice under Socialism” (p.3) needs to be taken with a grain of salt. The Eastern bloc may have seemed to be homogeneous when looking in from the outside, and the Soviet Union definitely served as the main model; but the reality was much more complex. Each country in the Eastern bloc built socialism with its own local peculiarities and traditions, including in the legal sphere. As in the GDR, with its strong German tradition of law, prewar legislation needed to be changed or made to fit to the new circumstances. Markovits provides us with an example of the German Civil Code from 1900, which remained valid in East Germany until 1975. This means we have to expect many similarities but, also, many differences in the field of justice in the Eastern bloc.

Markovits uses a mix of chronological and thematic order to organize her text. First, she deals with the presentation of court files, the post-war years, and the actors involved. Then she covers different legal fields such as property, labor, and family law. After this, she discusses punishments and the role of the Party. Finally, she explores the final years of socialism, the hopes and the lies inherent in the system, and the end of the GDR. This organization of the material is logical and easy to follow.

The initial discussion of the archival material used is satisfying and meticulous. However, the lack of historiography and references might disturb the reader. After the war, the judicial system in the Soviet occupation zone/GDR was not built from scratch. Despite the turmoil of the postwar years and the vast number of refugees and expellees from the East, the law still could use parts of the pre-communist era legislation, and judges remained in office who had not compromised themselves during the period of National Socialism;