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**Towards Surveillance and Education:
Shifting Paradigms in Policing Early GDR Society**

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1 The “case” of the German People’s Police (*Deutsche Volkspolizei*)

The work of the regular police (as opposed to the secret police) is particularly suitable to yield insights in the state-citizenry relationships in everyday life also in a communist dictatorship. Every socio-historical formation practicing some degree of differentiation between the public and the personal/private has to settle everyday problems of *public security and order*, and so did the early GDR, an industrial country facing the double task of post-war reconstruction and Soviet type “construction of socialism”. The everyday interactions of the police and citizens took place in a broad range of different settings and contexts: on the countryside and in urban agglomerations, in industrial and agricultural communities, during the routine of work days and week end leisure, at mass demonstrations staged by the new order but also at traditional fairs, in pubs and on streets, involving men and women, kids and adults, proletarians and middle class, etc. I am stressing this multiplicity of social determinations relevant to police-citizen interactions for two reasons:

1. to preclude abstract notions of “the” society and “the” police as starting points for general assumptions about state-citizenry relations under communist rule,
2. to identify generic problems of policing in modern societies which render state socialist policing to some degree comparable to policing in other “cases”. As for

the GDR police such comparisons offers themselves into three directions: the German legal state tradition embodied both by the Prussian-German precedence until 1933 and by the Federal Republic; the ultimate perversion of this modern state craft during Nazism; and the alternative model of state building and policing represented by the USSR. For the purposes of this paper, I will limit comparative aspects to the German legal state tradition and USSR influences.¹

The focus on two specific and particularly “critical” realms of policing, namely the countryside during and after the SED’s campaign pressing for collectivization, and the handling of juvenile “rowdiness”, will show that “society” is a highly disparate category when applied to the GDR. I will show that “policing society” had some chance to “work” where the police dealt with locally restricted settings of economic and social relations as they were imposed by the power lines of state socialist rule (i. e. state property and central planning). By contrast, it failed, where the police were confronted with supra-individual factors of behavior which the Socialist State could barely influence, such as the GDR wide generation specific *public* represented by the youth culture of early rockn’rollers and beat fans.

Since modern policing is not just about maintaining public order, but in the same vein representing and executing the legal system of a given society including its penal system, the paradigms informing the latter are a further pivotal point of reference to understand the development of policing. Public policing as an institutionalized practice can duly be considered as an offspring of the pervasive *surveillance and punishment* strategies described in Michel Foucault’s study of the 19th century prison system (FOUCAULT 1975). In the realm of public order, this strategy is designed to define and produce punishable *offenders* in order to foster the individuals’ senses of responsibility for their personal conduct. Establishing actual police control of a given society therefore required first its penetration by a professional infrastructure of observation posts manned with professional functionaries ready to execute the differentiation between conformist and deviant

¹ This paper is part of larger project on „Policing GDR Society“ during the 1950s and 60s carried

behavior on the spot. In the long run, all modern police systems looked out for a refinement of this paradigm allowing for systematic *prevention* of law transgressions and public dis-order. One option to do this is crime management and policing through permanent *education*, an approach acquiring particular relevance in the SED-dictatorship. The intertwining of “surveillance and punishment” and “surveillance and education” strategies therefore became a particular feature of its governmentality, which should be discussed as a candidate for generic features of communist rule.

2 Bourgeois inheritance and Soviet model

One of the utterly striking features of regular police work in the early GDR is its contradictory embeddedness in the German legal state tradition. After several purging waves the police force of approximately 60,000 officers in 1949 was made up to four fifths by workers, almost cleaned from both former Nazis and former Weimar police officers and therefore representing a corps of non-professionals to be trained on the job. This undoubtedly constituted a singular break within traditions of modern police personnel recruitment. On the other side, the legal and institutional framework in which this police force had to operate, was determined to a large part by the formal re-inauguration of the relevant Weimar republic codifications (i. p. the Prussian Police code from 1931, but also the penal code and the criminal procedure). This resulted initially from joint decisions of the four Allied powers in order to ensure some coherence in occupation policies. Of course, within this legal framework, the Allies pursued different and - with the Cold War setting in - contradictory courses according their ideological tenets and political goals. In the GDR, maintaining larger parts of the “bourgeois” codification while establishing “the dictatorship of the proletariat” was underpinned by a legal theory apparently borrowed from Stalinist legal

theory: Thereby, the social and political contents of legal institutions and procedures could be reversed without altering its form. The laws and criminal procedures which the capitalist state had used to suppress the proletariat could now be used by the proletariat to suppress the capitalists.

This approach allowed for a very pragmatic mixture of embracing German legal state tradition and introducing Soviet model inspired modifications. New property structures were protected by a wave of new single issue related criminal laws and a new criminal procedure while the penal code as such remained enact. Also police structures mixed dictatorial requirements and well-tried divisions of labor: As in the Nazi dictatorship they became highly centralized, the Soviet Military Administration and the SED dissolving any middle level responsibility for policing. On the other hand, regular policing was *not* put under the control of the secret police but remained a separate institution within a separate ministry. In the end, the primacy of the regimes interests over civil liberties was ensured without having to disband with the formal and technological knowledge inherited by liberal state precursors altogether. This was of particular relevance for the SED leadership's claims on representing the true, legitimate inheritance of the progressive aspects of the German legal state tradition. Therefore, the young legal science of the GDR of the fifties saw it as their main task to denounce their West German counterparts as continuators of the reactionary legacy of bourgeois legalism.

Within the police structure itself, two innovations introduced in 1952 fairly represent this ambiguity. "Voluntary assistants" (*Freiwillige Helfer*) and "precinct inspectors" (*Abschnittsbevollmächtigte, ABV*) apparently were both derived from Soviet models (cf. Hagenloh 1999). Their particular task in 1952/53, during the harsh course of socio-economic transformation, was to intensify the SED's grip on society also in remote areas of small towns and villages. But the original militancy of the "Voluntary Assistants" was mitigated already in 1953. They were put under the command of the ABVs and denied any discretionary police power – typical for the state minded conservatism of the scheme makers in the police main

administration (s. LINDENBERGER 2000b). By contrast, introducing the ABV system, although it was sold as a Soviet model, was facilitated by long standing traditions of local policing (the Prussian “*Sektions-Wachtmeister*”) and it is thus by no accident that it became the revered hallmark of the *Deutsche Volkspolizei* as such in the decades to come (at least in their self-perception).

3 Policing the GDR’s rural society

In the year of its introduction, however, the primary function of the ABV system was above all to secure the collectivization of the agriculture through establishing a “close connection with the population”. ABVs were posted in rural areas either amidst the private peasants still predominant in East German agriculture or in one of the few “strongholds” of socialist agriculture such as State owned model farms (*Volkseigene Güter*, similar to sovkhos), machine-tractor-stations (*Maschinen-Traktoren-Stationen*) or some of the very young cooperatives (*LPG*, equivalent to kolkhos). The ABV had to “intensify” the class struggle in the countryside by aggressively protecting socialist agricultural institutions against enemy attacks, by protecting private peasants considering founding or joining a cooperative against pressure from their neighbors opposing collectivization, and by assisting the prosecutor and the local administration in finding pretexts to criminalize large farmers with the ultimate goal to expel them from their property. But they had to do all this by means of traditional policing, meaning safe guarding public order, accepting denunciations, carrying out orders from superior branches concerning registration and passport matters, surveillance of former criminals, regulating traffic, and of course by a lot of patrolling and systematic information gathering. Only step by step, these ABV were accorded the competence to investigate minor crimes too, and only within strict limits defined by the superior CID branch.

As long as the SED waged the class struggle against the majority of the rural population, the record of the ABV system was a zero game at best. To establish a close connection to the population and in the same moment practice preferential policing for the socialist minority proved to be an unsolvable dilemma. As superior instructors found out during extensive fact finding missions ABV either integrated themselves smoothly into the village networks of private peasants and their local representatives, actually keeping up “good” order, but doing next to nothing to promote socialist transformation. Or they behaved as committed militants, sticking together with the progressive minority in their precinct, but remaining isolated from the class enemy camp of private peasants. If it came to prosecute crimes against socialist institutions of agriculture, both variants of ABVs had the tendency to focus on crime factors from within these institutions rather than from outside, where the class enemy supposedly plotted against socialism. Those ABV well integrated in their communities simply shared the observations of their clientele concerning the bad management, lack of equipment and qualification of the socialist competitors. Those more familiar with socialist agricultural institutions continuously reported incidences of embezzlement, fraud, theft and other irregularities which if thoroughly prosecuted would have criminalized the socialist sector as such.

The ill-conceived attempt of the SED leadership consisted in establishing local public order through implementing representatives of a state authority which at the same time had just started to undermine the socio-economic order of these local societies. Among others this resulted in a high turnover of country side ABVs, because again and again, village communities not only were able to resist to pressure for collectivisation but also to integrate and to assimilate “their” ABV to the extent that – in the eyes of his superiors - they were “spoiled” ideologically and politically.

The strategy to instrumentalize local police officers for the collectivization policy was therefore altered: During the final campaign of collectivization from 1958 to 1960, the ABVs’ part was no longer to participate directly in the brainwashing

and terrorizing his clientele, but to provide the party agitators coming from outside the village with the necessary *information* to do this job. During these years the ABVs' tasks were fundamentally redesigned according to the new ideological tenets concerning the "economic principle task" (*ökonomische Hauptaufgabe*). This GDR wide effort consisted mainly in increasing the output of national economy to the West German level within the next seven years. As every other GDR citizen and party or state functionaries in particular, police officers had to contribute to solving this utopian task. The ABV's modest contribution consisted in a considerable higher effort of gathering and reporting information concerning all aspects of agricultural activity in his precinct. Every decade he had to report on the state of plan fulfillment in all positions of the village plan, both for all varieties of crops and for cattle production.

The better he was integrated in his village and its economy² the more he knew about every of its remaining private peasants, in particular the "big shots" with a strong social and economic standing in the local network. The eventual declaration of the latter in favor of a cooperative following night long "discussions" with brigades of party instructors often induced the resignation of rest of private peasants. In spring 1960, due to thousands of farmers giving up their farms altogether by fleeing to West Germany, in a sudden rush collectivization was completed in the whole GDR. District by district could triumphantly be declared "fully cooperative" (*vollgenossenschaftlich*) by the party, meaning that all remaining peasants now had joined a cooperative.

The completion of collectivization affected the socio-political organization of the rural community as well as the economic and property foundations of agricultural activity. Now, *everyone* gainfully employed in agriculture was somehow and somewhere integrated in the state controlled hierarchy of economic planning, distribution of goods and political administration. Although in the beginning a lot of the collectivized peasants tried to make the best of their predicament by

² Actually, quite a lot of ABVs and/or their wives and relatives were engaged in agricultural activities themselves by cultivating small lots of land, raising small animals, or improving their poor salaries by helping out private farmers in their free time.

practicing “collective work” only formally, they had nevertheless to pay tribute to some institutional requirements. LPGs not only had to be registered, conform to standardized statutes, elect presidents and bookkeepers etc, they had also to cooperate closely with the other local authorities of the socialist state: the mayor, the community council, the party secretary, and of course, the police. Since ABVs following their superiors’ demands often stood candidate for the local community council, a lot of them now had immediate access to an infrastructure encompassing the complete local population. This enabled them to intensify their information gathering, to coordinate public order related issues, to sit in all relevant committees be it of the LPG, the SED or the community council.

It is not by accident that during the same years while the SED hit the final blow to private peasantry, also new criminal policies were designed and step by step implemented. Already in 1957, an amendment to the penal code (*Strafrechtsergänzungsgesetz*, 23 Dec. 1957) had combined higher punishments for political offenses with more leniency towards offenses of so-called “minor dangerousness to society”. (The very concept of “dangerousness to society” to measure the gravity of a crime had been introduced in GDR legal science in 1952 as derived from Soviet model.) In the following years, new forms of “social courts” (*gesellschaftliche Gerichte*) in charge of trying such minor offenses and based on the company or neighborhood level were tried out and eventually formalized in 1961. This course toward decriminalization and depenalization was officially introduced following several declarations and decrees of the formally supreme State organ of the GDR, the State Council (*Staatsrat*). Between 1961 and 1963, he proclaimed the principles of the administration of justice (*Rechtspflege*) in a socialist society starting from the following assumption: With socialist relations of production prevailing in all realms of society, the objective causes of criminality inherent to capitalist society were now considered abolished. The remaining criminality could be treated as the outcomes of subjective retardedness if they did not belong to the minority of counterrevolutionary crimes. Subjective retardedness of workers, cooperative peasants and socialist intelligentsia of course had not to be punished the same way as in the old days of open class warfare,

when the enemy was still operating inside the own territory. Now, education by society (“*gesellschaftliche Erziehung*”) had to be organized in every company, agricultural cooperative, neighborhood, school or college class etc. The “societal” quality of these schemes consisted in the cooperation of the representatives of the different party, state and mass organizations on the local levels, including again – local police officers such as the ABV.

In consequence, the policies of crime prevention became the duty of more or less every party or state authority much in the same way as the fulfillment of the plan. Correcting citizen’s behavior through education became an immediate state function non-regarding its specialty. Colleagues, brigadiers and superiors; class mates and teachers; social and cultural workers, functionaries of the party, the state and the numerous mass organizations were all formally interconnected in the network of joint committees, “social courts” and other forms of cooperation, where they would sit together with police officers, judges and prosecutors to fight crime by far reaching prevention, in particular by societal education. The formal and substantial prerogatives of the police, once a keystone in its self-perception as the legitimate institution of the State monopoly of physical violence/power, were thus eroded in favor of pervasive competences to enforce and execute public security and to prevent crimes. Closer observations of local practice show that in the limited spheres of a village, this idea of policing via a close connection between state authority and the population had some chance to materialize, since the civil “partners” of this relationship quickly learned to uphold some of their local autonomy rather *within* such arrangements than without.

4 Policing “*Rowdys*”

In comparison to the (relative) “success story” of the ABVs’ preventive and educative community policing, handling deviant behavior of youngsters in public

spaces turned out to become one of the structural failures in GDR policing (and in GDR youth policy in general, s. Wierling 1993, 1994, 1997; Poiger 1996, Fenemore 2000).

Until the middle of the fifties, juvenile delinquency was regarded as one of several by-phenomena of the general post war emergency and dearth situation. It was limited to a certain category of minor crimes affecting property and illicit trading, very rarely evolving into spectacular cases of criminal gangsterism. From 1955/56 onwards, however, GDR authorities had to confront a new type of youth specific transgressions: public nuisance caused by groups of young, mostly working class males, who shared their free time in order to consume products of capitalist culture industry s. a. popular music and dancing, rock'n'roll movies, pulp fiction, cowboy wear, Elvis haircuts, and so on.

This first wave of “*Rowdys*” (or “*Halbstarke*”) reaching East Germany with only minimal delay after West Germany coincided with the short “thaw period” from 1955 to 1957 allowing for some relatively open public debating about the new phenomenon. The problem was discussed opposing legitimate needs and rights of the youth on the one side to their seduction and instrumentalization by capitalist decadence on the other side (see f. i. the series of articles and letters to the editor under the heading “*Härter durchgreifen?*” [“more severe crackdown?”] in the daily of the communist youth organization *Junge Welt* from September to December 1957.) In contrast to this relatively open debate in newspapers and radios, internal debates in the higher echelons of the police were rather one-sided. Again we encounter the intellectual and practical borrowing from and combining of two different kinds of antecedent policies: the anti-modernist “*Schund-und-Schmutz*”-discourse of German cultural conservatism, and the legal definition of “rowdiness” (*chuliganstwo*) developed by the Soviet criminal justice.

“*Schund und Schmutz*” (pulp and filth) was the standard expression to horrify products of popular commercial culture as endangering public and private morals. Campaigns to protect youngsters from “*Schund und Schmutz*” in literary, filmic, pictorial or musical forms had been a particular concern of youth and education

policies shared by experts of next to all political camps since the beginning of the century. Such anti-modernist cultural politics in Germany eventually had reached their apogee with the Nazis' popular repression of "degenerate" (*entartete*) art. During the 1950ies, numerous "scientific" essays by supposedly "anti-fascist" GDR educational, legal, and police experts now set out to "prove" the immoral and crime causing effects of pulp fiction, Western movies and Rock'n'Roll music on young people. Doing this they did not at all refrain from using arguments and stereotypes suggestive rather of the right wing anti-degenerate than of more liberal and moderate variants of the inherited "*Schund-und-Schmutz*" discourse. (For this tacit coalition between West and East German anti-modernists see also Poiger 1996.) Making products of Western culture industry accessible to East Germans via radio, television, smuggling of printed matter, and preferential price setting for East German movie goers in West Berlin was therefore considered as part of NATO's systematic propaganda warfare to undermine communist rule. In the eyes of GDR public security experts, consuming such products ostensibly and collectively therefore deserved the harsh measures of counter-insurgent prevention as any other activities undermining the socialist state.

This view was reinforced by criminological evidence describing the groups of young males cultivating Western decadent life styles as "rowdys" in the sense of "hooligans" in Soviet criminal justice literature. The criminological (but in the GDR not yet legally codified – s. b.) definition of "rowdyness" determined it as "criminal action which the offender engages in to express his conscious contempt and defiance of the principles of societal and state discipline and by which he violates public security and order". In the usage of this definition by GDR detectives, prosecutors and judges, "rowdyness" became an offense specific for youth gangs, whereas in the cited Soviet literature it seemed to have a broader significance, including single-acting, usually drunk, male adults as well.

Above all, GDR legal experts considered "rowdyness" as a behavior on the verge to political criminality, as the "most dangerous form of juvenile delinquency", as

the leader of the *Volkspolizei*'s main administration declared in a decree in December 1957. Conscious defiance of principles of discipline of the socialist state perpetrated by groups of young men inspired by Western “*Schund-und-Schmutz*” decadence – such findings gave the ideal pretexts to criminalize rowdy groups as candidates for counterrevolutionary underground activities, which had to be fought with counterinsurgency methods. The police main administration issued specific orders and regulations to fight “rowdiness” in close cooperation with the secret police, the *Stasi*. Particularly stubborn youth groups were to be “reconnoitered” (*aufklären*) and “undermined” (*zersetzen*) by secret informers, before they were “liquidated” (here in the sense of “dissolved”, but the evocation of the larger meaning of liquidation is evident) by applying criminal procedure. Fighting rowdiness became one of the realms of regular policing, in which chekist vocabulary, mind-sets and practices always prevailed over educationist approaches, as they were discussed at length by experts *outside* the arcane spheres of state security policies. Year by year, in every county, special detectives dug up groups of deviant youngsters to criminalize them for listening to Western radio stations, staging “parties” (a synonym for sexual debauchery), molesting adults during fairs and other public events, and – as the most spectacular and serious variant – provoking beer hall brawls with uniformed soldiers of the East German army during week-ends. While SED youth policies outside the realm of policing and criminal justice underwent several radical changes during the decades to come, continuously switching between ideological conservatism and controlled pluralism, secret and regular police firmly held the course of repression. Due to unhindered radio and TV reception, the physical isolation of the GDR youth after 1961 brought no relief for the socialist state: Generation after generation of GDR teenagers had to grow up under the close surveillance of suspicious state authorities sensing ideological defection and political “diversion” wherever they articulated themselves with some degree of autonomy using symbols and behaviors adapted from Western popular culture.

Of course, “rowdiness” and other forms of collective juvenile behavior have always figured among the more complicated objects of policing also in other

political regimes. But so has been rural society during modern nation building, given the traditional social and cultural distance between the central state and local custom. On the country side, the SED by virtue of enforced social homogenization and the adaptive self-interest of the peasants could create relatively stable settings of local communities. Here, collusive and educationist policing could work, since it was not the least based on visions of good “order”, shared by the clientele and “their” village cop, the ABV.³ By contrast, policing “rowdies” was doomed to failure, because in this realm of social relations state socialist governance never was able to create similar sub-settings where the clientele and state authorities would engage in collusive interaction. By their very nature, the futility of youth peer cultures makes them bad objects for such an approach. The attempts of the state youth organization, the FDJ, to discipline their peers by putting up separate guards of public order (*Ordnungsgruppen der FDJ*) were doomed to failure by the same inherent futility of their existence: Almost year by year, the *Ordnungsgruppen* disbanded as quickly as they had been recruited and sworn in - to the utter frustration of the police assisting the FDJ with training and instruction. Only during the immediate aftermath of the construction of the wall in fall 1961, this scheme of close cooperation between police and youth organization gained some importance when it came to intimidate and terrorize citizens, both young and old, who maintained their orientation towards the West by receiving Western TV and radio programs.

The fact that both secret and regular police always kept alive the repressive option for fighting rowdiness by thoroughly observing, registering and categorizing any sign of unofficial socializing of young people did not mean however, that educationist strategies were of less importance outside the sphere of formal police work. The contrary is true: Of course, juvenile delinquency was also fought by a broad range of preventive measures to be discussed and decided upon within the kind of networks of societal cooperation already described earlier. But this did not

³ Cf. Banton 1964 on successful police work being based on the officer acting out shared values of the community rather than any abstract notion of „the law“.

result in a similar practices of local arrangements of maintaining public order, as the were characteristic for basic units of the “settled” adult population.

More generally spoken, the difficulties to police youth behavior is emblematic for the inability of the SED to exploit the dynamics of generation conflict for legitimizing their project of a socialist society. By contrast, exploiting inherent logics of social relations worked to some extent within tightly limited settings of sociability such as the rural community. In the context of our knowledge on GDR social history, the work brigade as the basic unit of industrial production can be regarded as another candidate for such limited realms of the social, where relative stability of the regime could be traded against a minimum of social autonomy and self-determination. However, as soon as lines of communication transcended the sphere of the individual’s personal relationships and gained some autonomy as a set of shared distinctive values and behaviors *in public* – and after all this is what the manifestations of modern youth cultures are about – the SED state had to draw back on traditional “surveillance and punishment” methods. It is no accident, I think, that ABV as *the* symbol of the GDR regular police is often remembered as a respected person by mature adults, but always the object of derision and/or hate by the younger among former GDR citizens.

5 A society in transition

For GDR citizens regular policing did not constitute a particular source of legitimacy of the political system, rather on the contrary. Depending on different contexts, it could gain practical relevance for stabilizing gainful arrangements on the local level under the real powerholder, the SED and the Stasi; under such circumstances interaction, integration and respect would prevail over alienation and isolation. These, however, dominated behaviours of less stable objects of policing s. a. juvenile subcultures. Here, punishment would always supersede

education if deemed necessary by the party. In the end, “society” thus remained an uneven formation in the GDR, fragmented both through state pressure (surveillance, education, punishments) and everyday tactics of self-reclusion/distanciation on the parts of collectives and individuals (s. LINDENBERGER 1999d).

Coming back to the problematic of situating the GDR in the spectrum of 20th century criminal justice and policing systems, a final look at some details of the 1968 legislation of both the penal code and the police code may yield some interesting insights to conclude with. Both codifications remained enact until the dissolution of the GDR in 1990. The 1968 police code strikes by its syncretistic mixture of educationist rhetoric and the re-affirmation of formal police prerogatives reminding the century old definitions of bourgeois governance always privileging state interests over citizen rights. The penal code, too, was designed to further decriminalization and depenalization and to enhance education instead of punishment – to the extent that the pre-existing separate youth penal code was abolished altogether. Both, youth and adults, had to be corrected by education anyway – why then bother with an extra code for juvenile delinquents? Combining “care and coercion” (Jarausch 1999), the socialist State took all GDR citizens under his tutelage, young or old. But the same penal code finally also introduced a new crime with severe punishments - “*Rowdytum*”. The criminological working definition quoted above was promoted to a legal definition (the same was happening to the definition of “a-sociality”), thus exposing a particular way of behavior characteristic for a very small and ephemeral section of the population to harsh punishment (including among others short terms in work camps) – a “surveillance and punishment” classic.

It is in this sense of blending old style Prusso-German authoritarianism and new educationist governmentality, that - to quote the famous writer Volker Braun - even the developed GDR state socialism always remained a “society in transition”, an *Übergangsgesellschaft*.

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