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**State Power and ‘Everyday Criminality’
in the German Democratic Republic, 1961-1989**

Richard Millington

On 13 April 1972, the Attorney General of the German Democratic Republic (GDR) Josef Streit wrote to Erich Honecker, First Secretary and *de facto* leader of the ruling Socialist Unity Party (SED), to recommend that statistics concerning the rate of ‘everyday criminality’ (*Alltagskriminalität*) in the GDR should no longer be made available to citizens.¹ Prior to this, a limited set of figures for crimes not considered to be ‘hostile to the state’ (*staatsfeindlich*), such as burglary, theft, robbery, assault, arson, rape, and murder, had appeared in the regime’s publicly available *Statistisches Jahrbuch der DDR* (*Statistical Yearbook of the GDR*).² These statistics had also occasionally featured in the media.³ Streit, however, was deeply troubled by the fact that publication of the figures for 1971 would show that the overall rate of instances of ‘everyday criminality’ had jumped 18.5% since 1970. He had also expressed to Klaus Sorgenicht, Head of the SED Central Committee’s Division for Executive and Judicial Questions, that publication of the statistics for 1971 would supply the West with ammunition ‘to develop vile propaganda’.⁴

Honecker, determined to emphasise the supposed positive aspects of life in the GDR and thereby bury the negative ones, acquiesced; publication of crime statistics in any form ceased.⁵ This ban lasted only a few years; crime statistics for 1978 appeared in the 1979 edition of the *Statistisches Jahrbuch*. Ironically, the main reason for this was that the West German media had been using the SED’s non-publication of the figures to call into question the credibility of the regime.⁶

This was not how it was meant to be. Friedrich Engels had claimed that communists would ‘take an axe to the root of crime’; the removal of the perceived cause of crime -

capitalism - would automatically lead to its eradication.⁷ Yet in the early 1970s criminality was showing no signs of abating. The phenomenon was a thorn in the side of the SED; every theft, robbery and murder undermined the success of the regime's political project.

The *Statistisches Jahrbuch* shows that the annual rate of instances of 'everyday criminality' in the GDR never fell below 100,000 and that the average number of criminal offences per 100,000 citizens hovered between 700 and 800.⁸ One must be wary not to take these figures at face value. The regime massaged the figures by various means. For example, theft of items worth less than 50 Marks were dealt with as civil, not criminal, cases and thus did not appear in the published crime rate statistics. Post-1990 efforts to establish the actual rate of crime in the GDR estimate that it was three times higher than the official statistics reveal.⁹ This would mean that approximately 1,800 crimes were actually committed annually per 100,000 citizens. Comparison with other Eastern Bloc countries, however, can only be done using the officially published statistics, as little information is available regarding the possible actual crime rates in these countries. The figures reveal that the official crime rate in the GDR was relatively low. For example, Poland officially registered approximately 1440 crimes per 100,000 citizens in 1960. This had dropped to 1400 in 1989. From 1971 to 1989, Czechoslovakia recorded annually approximately 1200 offences per 100,000 citizens. In Hungary the rate increased between 1964 and 1989 from around 1,000 offences to approximately 1,700.¹⁰

This article examines the SED regime's perceptions of the causes of 'everyday criminality' in the GDR and its attempts to convince its citizens to abide by the law. The article analyses annual reports on the 'development of criminality' (*Kriminalitätsentwicklung*) and the 'control of criminality' (*Kriminalitätsbekämpfung*) composed by the state's People's Chamber, Council of Ministers, Ministry of the Interior, Ministry of Justice, Supreme Court, Office of the Attorney General and People's Police. It focusses on the years between 1961 and

1989. In this period, the Party believed that, with the building of the Berlin Wall in 1961, it had created ‘more favourable conditions’ for the eradication of crime than had existed before. Citizens were now physically cut off from ‘negative Western influences’. Moreover, the Wall now prevented Western criminals from entering the country. The SED had blamed them for much of the crime committed in the GDR up to that point.¹¹

Analysis of the Party’s evaluation of the causes of ‘everyday criminality’ in this article shows that regime officials concluded that the phenomenon was a result of citizens’ ideological shortcomings, specifically their lack of a developed *sozialistisches Rechtsbewußtsein* (‘socialist sense of legal right and wrong’). Of course, this was not the real cause of crime, but officials were constrained in their interpretations by state doctrine. That said, some state analysts did, however, hint at the actual causes of crime in the GDR, even if they then glossed over these in their subsequent conclusions. They noted that thefts increased whenever there were supply shortages and intimated that poor living conditions were a contributing factor to high crime rates in the GDR’s ‘big cities’.

Based on the conclusions of its criminologists, the SED determined to eradicate crime by developing citizens’ *sozialistisches Rechtsbewußtsein* and ‘convincing, educating and winning over citizens for our state and for socialism’.¹² To this end, the regime subjected citizens to *Rechtserziehung* (education in the law) and *Rechtspropaganda* (law propaganda), both of which promoted the social and political norms and behavioural standards expected by the Party. Citizens’ *Rechtserziehung* began at school and carried on into adulthood in the workplace. The print and broadcast media also played a key role in communicating *Rechtspropaganda*. To measure the success of its efforts the SED conducted several surveys from the mid-1970s onwards in which it sought citizens’ opinions and attitudes on crime and criminality. Analysis of the results of these questionnaires reveals the limits of the Party’s ability to shape the behaviour of its citizens; many rejected the SED’s ideological efforts to

persuade them to abide by the law.

The conclusion that there were limits to the SED regime's power over its citizens is nothing new. Historians have long recognised the inability of the East German dictatorship to impinge on every single aspect of citizens' lives.¹³ This article shows, however, that the state's exercise of power contributed to the very creation of the limits to that power. The observations made by regime analysts about increased levels of crime during times of scarcity or in cities where living conditions were poor demonstrate that the Party's inability to provide the standard of living expected by its citizens encouraged them to satisfy their needs by illegal means. Thus, the regime's failings led citizens to move without of its control.

Most striking is the fact that regime surveys showed that many citizens apparently felt that it was acceptable to steal from their workplace (and thus from the state), but not from other citizens. Though the SED interpreted such attitudes as a rejection of socialism and the Party's political project, they reveal rather that there existed amongst the population of the GDR a certain sense of duty or obligation to one's fellow citizens that for many trumped any similar feeling toward the state. Not stealing from a neighbour represented a social norm and behavioural expectation in the GDR, just as much as stealing from the state did. Moreover, this constitutes some evidence that a feeling of 'solidarity' and 'community' cited (n)ostalgically by many former citizens of the GDR did actually exist in some form.¹⁴

'The Psychological Heritage of the Past': Criminological Theory in the GDR

State criminologists in the GDR based their conclusions on the causes of 'everyday crime' on Marxist-Leninist theory: the roots of criminality lay in the private ownership of the means of production. This apparently led to the exploitation of workers and antagonism between individuals, classes, and society, resulting in the proliferation of criminal acts.¹⁵ Since the

SED had eliminated the private ownership of the means of production, its criminologists were forced to find other reasons for the persistence of 'everyday crime' in the GDR. They came up with the 'relict theory'. According to this concept, the phenomenon of 'everyday criminality' was a 'birthmark' or 'relict' of the preceding capitalist society.¹⁶ State criminologists theorized that citizens' thought patterns and resultant actions were sometimes still determined by the 'psychological heritage of the past'.¹⁷ The 'relict theory' also enabled officials to conclude that this criminal 'heritage' would eventually disappear.

Although the 'relict theory' formed the foundation of criminological thought in the GDR until the state's demise in 1989, state criminologists did adjust their conclusions on the causes of 'everyday crime' to a certain extent. These adjustments were made necessary by the facts that it became apparent in the 1970s and 1980s that citizens were not shedding the 'psychological heritage of the past' and that many born in the GDR and with no experience of living in capitalist societal conditions were committing criminal offences. State criminologists concluded somewhat euphemistically that certain 'contradictions' were system-immanent in the developing socialist society that the SED had constructed. As one 1978 textbook on socialist criminology put it, crime in socialist societies was caused by 'the things that are not yet socialist enough'.¹⁸

The adoption of this 'contradiction approach' (*Widerspruchsansatz*) in the study of the causes of 'everyday criminality' not only signalled a change of direction in criminological thought in the GDR, but also represented a move away from the idealistic view of socialism that had been prevalent during Walter Ulbricht's term as ruler of the GDR from 1949 to 1971.¹⁹ In fact, the move to the 'contradiction approach' can be regarded as a part of the broader shift in GDR society in the early 1970s to Erich Honecker's more pragmatic form of socialism. Under Honecker's 'actually existing socialism', the regime accepted certain deviations from the Party line – citizens were tacitly permitted to watch Western television,

for example - in order to ensure a more harmonious societal order.

‘Anti-socialist notions’: State Analysis of the Causes of ‘Everyday Criminality’

Analysis of the evaluations of the causes of ‘everyday criminality’ compiled by state officials reveals that they were heavily influenced by the theories of the regime’s criminologists.

Analysts very often echoed the ‘relict theory’ and attributed citizens’ criminal behaviour to the ‘birthmarks of the past’. In line with developments in state criminological theory, the majority of statements referencing the ‘psychological heritage of the past’ appeared in the 1960s and 1970s, but occasional reference to the relict theory did still appear in some reports in the early 1980s. That said, the ‘contradiction approach’ to causes of crime in the GDR was very rarely mentioned. Either officials did not accept this theory, or they were loath to commit to paper anything that might be interpreted as criticism of societal conditions in the GDR.

In tandem with the ‘relict theory’, Party officials consistently cited the West German broadcast media as a main instigator of crime. This exposes one of the great paradoxes of the SED regime: blaming the West for criminality (and other perceived societal ills) meant that the Party effectively admitted that it had lost the war of ideologies. With regard to criminality, officials claimed that the ‘imperialist ideology and decadent morality’²⁰ broadcast into the homes of GDR citizens was leading them to steal, embezzle and defraud.²¹

Analysts routinely identified Western broadcasts as the causes of violent and sexual crimes by promoting ‘brutality and inhumanity’.²² Officials also blamed West German news reports about crime. They wrote that the ‘professional characteristics’ of some robberies (for example, those with evident prior planning) could only have been learned from such reports.²³ In the 1950s and 1960s, the Party attempted to stop citizens from tuning into Western broadcasts. One campaign consisted of roving groups of Free German Youth (FDJ) members

searching for and tearing down aerials pointing westwards.²⁴ In some cases citizens were asked to sign an agreement that they would not access West German television or radio.²⁵ In the early 1970s, however, the SED tacitly accepted letting citizens tune into the West and compensated them for deficiencies in other areas of life in the GDR.²⁶ This, once again, reveals a paradox: though it blamed Western television for leading citizens into a life of crime, it was prepared to tolerate their access to it.

A consistent feature of these reports on the perceived causes of ‘everyday criminality’ in the GDR was the fact that their authors described offenders as ‘asocial’.²⁷ In German law, the term ‘asocial’ dated back to the *Kaiserreich* to denote criminal behaviour.²⁸ The Nazis later used it in their propaganda campaigns targeting ‘undesirable’ people.²⁹ The SED defined the fight against crime as ‘a fight against asocial manners of behaviour’ and consistently applied the term to citizens who did not live according to the stipulated norms of socialist society or who attempted to earn a living in what the Party deemed to be illegal ways.³⁰ Consequently, its descriptions of ‘asocial’ citizens often recall Foucault’s ‘criminological labyrinth’ where criminal offenders are perceived as another form of life or social sub-species.³¹ For the Party, ‘asocial’ citizens were, however, not just a threat in terms of crime, they also represented a ‘reservoir for the counter-revolution’.³²

The main ‘asocial’ characteristic of criminal offenders identified by regime criminologists was their refusal to work. The Party regarded work as key to the production of ‘good socialist citizens’.³³ According to state criminologists, ‘shirking work’ (*Arbeitsbummelei*) took several forms, from not turning up regularly or pulling one’s weight to having a friend break one’s fingers in order to be declared unfit.³⁴ Accusations of shirking work were, however, not just restricted to those who actively avoided or refused to take on a job. They were also levelled at those whom the state regarded as non-conformists. Members of ‘beat groups’ in the 1960s, for example, were often labelled as *Gammler* (loafers) by the

state media.³⁵

Whichever form it took, regime officials believed that *Arbeitsbummelei* would result in ‘criminal deviation’.³⁶ In 1962, for example, Party officials commented that levels of criminality were high amongst groups of young citizens who were ‘shirking work’. Conversely, rates of criminal behaviour were apparently receding amongst young people who were employed.³⁷ Several years later, analysts in Leipzig noted that 50% of all citizens in the city identified as ‘shirkers’ (*Arbeitsbummelanten*) had criminal records.³⁸ In 1981, officials wrote that the ‘parasitic lifestyle’ of those who did not want to work was contributing to higher levels of theft in the country.³⁹ Yet work did not always prove to be a deterrent against ‘asocial’ forms of behaviour. In 1962, SED officials in Magdeburg complained that younger workers who had recently finished their apprenticeships and begun to earn money did not know what to do with their newly-found, albeit modest, wealth. They were choosing to ‘pour it down their throats’ and then committing criminal acts in their inebriated state.⁴⁰

A particular focus of these reports on ‘everyday criminality’ in the GDR was the issue of crime committed by *Jugendliche* - younger citizens between the ages of 14 and 25.⁴¹ Such criminality was a serious issue for the SED. The Party regarded its younger citizens as key to the success of the socialist project.⁴² If we apply the conclusion that GDR crime rates were around three times higher than was published⁴³, then the figures for the years 1960 to 1989 show that the annual number of youths becoming criminal offenders rose more or less consistently from approximately 240 per 100,000 citizens in 1960 to a peak of around 370 in 1978 before steadily decreasing to 150 in 1989.⁴⁴

To set these figures in a broader transnational context is somewhat problematic due to the fact that legal definitions of ‘youth’ vary between states. In West German law, for example, a *Jugendliche(r)* was anyone aged between 14 and 18 years of age, with the category of *Heranwachsende(r)* (adolescent) denoting citizens aged between 18 and 21.

Moreover, studies of youth crime in the Eastern Bloc before and after 1990/91 rarely present figures. Thus, only approximate comparisons can be presented here. They do suggest, however, that rises and falls in youth crime rates are not a transnational phenomenon, but rather specific to each country. West German youth crime figures reveal a contrast with those of the GDR. The West German justice system recorded 2,857 youth offenders per 100,000 citizens in 1960. This had dropped slightly to 2,555 in 1989.⁴⁵ With regard to the Eastern Bloc, the rate of youth crime in Czechoslovakia also contrasts with what took place in the GDR. It rose steadily in the 1960s, before decreasing in the early 1970s and rising again throughout the 1980s.⁴⁶ Conversely, the Soviet Union registered an 80% rise in youth crime in the 1960s and 1970s.⁴⁷

Analyses of the causes of ‘everyday criminality’ perpetrated by *Jugendliche* in the GDR frequently cited the apparent poor quality of the young offenders’ family lives as a contributing factor to their criminal activity. According to one report, the home lives of many young offenders were ‘simply not in order’.⁴⁸ Examples of ‘disorderly’ home relations were, for example, families with four or more children or ‘incomplete families’ in which parents were either divorced or dead.⁴⁹ In some cases, parents were deemed ‘unfit to bring up their children’ (*erziehungsuntüchtig*)⁵⁰ and were criticized for setting a bad example by committing crimes themselves, abusing alcohol, frequently changing their sexual partner.⁵¹ Reports concluded that such family circumstances were leading to the social and political ‘misdevelopment’ (*Fehlentwicklung*) of children⁵² and contributing to their ‘asocial’ criminal behaviour.⁵³ Criticism of the family lives of offenders in these reports reflects state policy on the family. The regime regarded the family unit as the smallest cell of the socialist collective. The family’s duty was to create, in tandem with the state, the optimum conditions for the development of a child into a ‘good socialist citizen’. Its ‘moral and educational’ role in society was enshrined by the 1965 Law on the Unified Socialist Education System.⁵⁴

Significantly, evaluations of youth crime consistently lamented the failure of the regime's institutions to prevent younger citizens from becoming criminals. Officials had been aware of the inefficacy of the Party's youth policy and the perceived effects of this on youth criminality rates since the early 1950s.⁵⁵ In the following decades they continued to report that the state's youth policy was failing to 'immunize' young people against negative influences⁵⁶ and failing to 'organize' their lives sufficiently.⁵⁷ Analysts identified two areas where youth policy was apparently inadequate. The first was at school. For the SED, school and education held the same perceived benefits for pupils that the factory and work held for adults; it taught them the norms and expectations of socialist society and prevented them from developing criminally 'asocial' forms of behaviour.⁵⁸ Consequently, in 1962, officials blamed a portion of crime on the fact that 47% of youth offenders had not completed primary education.⁵⁹

Given that in the GDR 'youths' were defined as citizens aged between 14 and 25 years of age, one could argue that many 'youths' in 1962 might have had their primary education interrupted and significantly disrupted by the Second World War and its aftermath; citizens aged 25 years old in 1962 would have been born in 1937. But the youth offenders in reports from following decades would have been educated exclusively in the GDR. For example, a study of 260 young offenders in 1982 found that 85% of them had not completed secondary education.⁶⁰ School truancy was of great concern for the Party. It perceived the phenomenon as an expression of defiance of its authority, a sign of defective integration into socialist society and the first step on the road to a criminal career.⁶¹

The second area in which officials identified a failure of state youth policy was in the organization of younger citizens' free-time activities. The SED regarded the control and organization of citizens' leisure time as a means of crime prevention.⁶² Various state-run youth groups and clubs attempted to organize the leisure time of young people in the GDR. The largest of these was the FDJ. The FDJ was for young people aged between fourteen and

twenty-five years old. Membership was not compulsory, but anyone with hopes for a serious professional career in the GDR was supposed to show their commitment to the regime by joining it. The FDJ sought not only to provide youth with constructive activities, but also to develop the 'socialist personalities' of its members, educate them in the politics of the Party, and harness their energies to promote campaigns of political or economic importance.⁶³ Statements by young offenders showed, however, that they were less than enthused by what the regime offered them in way of leisure activities. They claimed to have committed their crimes because they were bored, stating 'there's nothing going on here'.⁶⁴ Some crimes resulted from practical jokes (*Dummejungenstreiche*) that had been taken too far as a result of this boredom on the part of young offenders.⁶⁵

Party officials found such statements difficult to understand; there were, after all, 'club houses' where young people could go to amuse themselves and the FDJ was always on hand to offer some form of distraction.⁶⁶ But the brand of organized fun offered by the regime appealed to few.⁶⁷ One Party official in Kleinmachnow lamented the fact that young people preferred to have parties at home rather than in their local club house.⁶⁸ Another official from a potash mine in the southern Harz mountains stated that the young workers for whom he was responsible did not visit their club house because they felt that they were being 'supervised' while they were there. He did, however, find that one of them possessed a key to the club house and was organizing secret illegal viewings of West German television.⁶⁹

This example is indicative of the problem that the SED faced in attempting to organize the leisure time of youth in the GDR: many younger GDR citizens were turned off by what they perceived as the attempted over-organization of their private lives.⁷⁰ In some instances, however, the behaviour of the delegates of the state's youth organizations was blamed for their failure to engage young people. One FDJ factory secretary in 1962 claimed that her predecessor had had no contact with younger workers in her workplace, simply turning up to

collect FDJ subscription fees. According to her, this led the younger workers in the factory to lose interest in the FDJ, which she cited as the reason why the dances that were organized for them often ended in fist fights and confrontations with the village police.⁷¹

Scarcity and *Sauferei*: Other Causes of ‘Everyday Criminality’

Despite the emphasis in these reports on the perceived political-ideological causes of ‘everyday crime’ in the GDR, officials occasionally alluded – albeit briefly - to other contributing factors. In 1971, for example, an analysis cited the standard of living conditions in the GDR as a cause of crime. It noted that the rate of theft increased at times when there were ‘certain supply problems’ in society.⁷² Kelly Hignett’s research has revealed similar circumstances in Czechoslovakia, Poland and Hungary. In fact, in a survey conducted in 1988, only 2 out of 600 Czech citizens questioned stated that they had never illegally acquired goods in order to maintain a relatively decent standard of living.⁷³ This type of acquisitive crime was thus not peculiar to the GDR, nor for that matter was (or is) theft for reasons of ‘economic necessity’ to maintain a particular lifestyle peculiar to countries of the Soviet Bloc.⁷⁴

Nevertheless, the ‘economy of scarcity’ (*Mangelwirtschaft*) was a consistent problem in the GDR. In the years following the lifting of clothing and food rationing in 1958 the SED regime struggled to cope with the immediate demand for products that materialized. It had neither the money to supply the products, nor the logistical system in place to distribute the products in a timely fashion, leading to widespread shortages of products such as meat, dairy produce, coffee, cocoa, tropical fruits, textiles and shoes.⁷⁵ Although supply generally stabilized after the 1950s, the products available were often of poor quality and provision of

some items was consistently precarious. Moreover, sausage shortages in 1963, lack of coffee in 1977 and butter and cheese shortages in 1982 served to remind the population of the deficiencies of their country.⁷⁶ The demand for clothing in the late 1970s and 1980s – boosted by rising wages and a concomitant increase in disposable income – far outstripped what the regime was able to supply. Even Erich Honecker’s grandson could not find a suitable pair of trousers in the winter of 1988, leading the General Secretary of the SED to take a closer look at the problem and comment: ‘I don’t want our citizens to be walking around naked’.⁷⁷

Such supply problems led to the existence of an ‘informal’ or ‘shadow’ economy. Regime officials lamented high levels of theft of materials, spare parts and tools from workplaces, which were then sold on to other citizens. They even concluded that some citizens were taking so much that they could ‘develop a very profitable private repair service’.⁷⁸ Though the value of the items stolen was often below three hundred Marks and rarely above one thousand, the cumulative cost of these thefts damaged the GDR’s economy.⁷⁹ In 1989, analysts estimated that the economy had lost approximately one trillion Marks through this type of crime since the end of the 1970s.⁸⁰ Shadow economies existed across the Eastern Bloc: in 1984, Poles were recorded as spending 13% more than their recorded level of income; in Hungary, approximately 75% of families disposed of some sort of ‘unofficial’ income.⁸¹

Living conditions in the GDR as a facilitator of criminality were also touched upon in the mid-1970s, when regime officials identified a link between rising rates of ‘everyday criminality’ and the growth of ‘big cities’ (*Großstädte*) of more than one hundred thousand inhabitants in the GDR (no specific cities were named in the reports). They described these cities around this time and in the late 1960s as hotbeds of petty crime, particularly theft.⁸² One report stated that, due to the fact that big cities were often the home of factories and building sites, they attracted a high number of people, amongst whom were many more

‘citizens at risk of committing crimes’ than could be found in smaller towns and villages.⁸³

High levels of crime in big cities in the GDR were a consistent phenomenon. The regime’s concerted efforts to construct huge, modern apartment block estates on the edge of many cities led to the neglect of older dwellings in city centres and a concentration of socially underprivileged groups in these areas.⁸⁴ Such factors have been shown to correlate with the phenomenon of crime.⁸⁵ The disparity between the living conditions promised by the Party and the reality of city-centre dwellings – some of which still lacked indoor toilets in the 1980s - also generated unhappiness and dissatisfaction, leading to soaring crime rates.⁸⁶ Moreover, the construction of new satellite estates meant that urban populations were often in a state of flux. Lower rates of criminality are often more common in neighbourhoods where there are friendships, family ties and a concomitant sense of community. The expansion of cities disrupts such relationships and common bonds in neighbourhoods as people move in and out. This results in a lack of social cohesion and leads to lower ‘collective efficacy’ in the neighbourhood, that is, a lower rate of informal social control and trust between neighbours. Consequently, crime rates are usually higher.⁸⁷

The sheer size of these cities also apparently concerned regime officials. In fact, their reports suggest that, despite its best efforts to co-opt citizens into the collective, the size of some cities was preventing the Party from reaching every citizen. In 1975, a report stated that cities were now becoming so big that they permitted people to become ‘anonymous’ and to escape the reach of the authorities, meaning that ‘asocial’ behaviour often went unchecked and was able to spread.⁸⁸

Interestingly, one regime official in 1966 indulged in victim-blaming in his report on sexual crimes in the GDR. He wrote that although the responsibility of the male sex offender and the fact that they had broken the norms of socialist society could not be denied, the ‘provocative and often inviting behaviour of women promotes a range of such offences’.⁸⁹

This underscores the conclusion that, although the SED regime proclaimed the ‘emancipation of women’ in the GDR, the declared ideals of the Party did not necessarily eradicate deeply-ingrained attitudes.⁹⁰

In almost every evaluation of the perceived causes of ‘everyday crime’ in the GDR between 1961 and 1989, regime analysts identified the excessive alcohol consumption of many citizens as a ‘very decisive element when it comes to criminal acts... from traffic offences to assault’.⁹¹ This conclusion was supported not only by statistics, but also by the fact that many offenders apparently admitted that they would not have committed their crime if they had been sober.⁹² The problem of citizens offending while drunk was a major headache for the regime. In the mid-1960s, almost one third of all crime was committed by citizens under the influence.⁹³ By the mid-1970s, this figure had risen to 56%.⁹⁴ Officials in Magdeburg lamented the fact that ‘very orderly and sensible men and women lose control when they have too much to drink’.⁹⁵

Sauferei (constant drinking) posed a consistent problem for the SED regime, who identified it as an aggravating factor in a range of issues, from divorce rates to citizens’ health problems.⁹⁶ By the late 1980s, it was estimated that one in every eight citizens was an alcoholic. This was four times the rate in West Germany. Moreover, the average East German was drinking some twenty-three bottles of spirits annually – double that of their Western counterparts.⁹⁷ In the Eastern Bloc, levels of alcohol consumption were highest in the Soviet Union. In the 1980s, Soviet citizens were drinking an average of 15.6 litres of pure alcohol per year, making them the world’s heaviest drinkers; the average family was spending between 25 and 50% of its monthly income on alcohol.⁹⁸ In the same period, France recorded the highest annual consumption rate per person of any OECD country at 12.7 litres. Citizens of most other countries consumed between 5 and 9 litres annually.⁹⁹

Sozialistisches Rechtsbewußtsein

Despite these brief allusions to other, non-ideological causes of criminality, every report on the causes of crime in the GDR concluded that the main reason why ‘everyday criminality’ existed and persisted was that citizens’ *sozialistisches Rechtsbewußtsein* (‘socialist sense of legal right and wrong’) was inadequate.¹⁰⁰ Analysts blamed this for citizens’ susceptibility to the ‘psychological heritage of the past’ and the Western media; it also apparently caused them to act in an ‘asocial’ manner, leading them to shirk work, to drink to excess, to steal and to do much worse.¹⁰¹

The Party did not, however, measure the development of the *sozialistisches Rechtsbewußtsein* by the extent to which citizens abided by the law. For the SED, a citizen’s *sozialistisches Rechtsbewußtsein* was a part of their ‘class consciousness’.¹⁰² Thus, the extent to which a person accepted, supported and lived according to the political and social expectations, norms and aims of the Party’s socialist project determined the extent to which they were capable of living within the law.¹⁰³ The development of the *sozialistisches Rechtsbewußtsein* of the GDR population was a component of the SED regime’s much broader aim of producing citizens who would possess an overall ‘socialist personality’.¹⁰⁴ The SED regime defined the ‘socialist personality’ as one which was Marxist-Leninist in political outlook, intelligent, disciplined, industrious, morally upstanding and prepared to actively contribute to and shape the socialist community.¹⁰⁵

Developing citizens’ *sozialistisches Rechtsbewußtsein* began with the ‘mobilization’ of the Party’s various organizations and institutions. According to officials, ‘formation of the *sozialistisches Rechtsbewußtsein* happens predominantly in the work collective, schools, educational and societal organizations’.¹⁰⁶ These institutions were to encourage citizens through *Rechtspropaganda* ‘to adhere to the norms of socialist collective life’.¹⁰⁷ This

programme of developing citizens' *sozialistisches Rechtsbewußtsein* was part of the Party's broader campaign to encourage citizens to recognize their responsibility to society and contribute to it for the benefit of all. The Party sought to create a virtuous circle whereby citizens constantly engaged in the socialist project and reaped the benefits.¹⁰⁸

Citizens first encountered *Rechtspropaganda* at primary school. Pupils' 'education in the law' (*Rechtserziehung*), however, did not mean that they learned about legal technicalities. Rather they learned to develop the 'right legal conscience'.¹⁰⁹ In primary schools this entailed learning about 'socialist habits and conduct', as well as how to behave correctly in public and as part of the 'class society'.¹¹⁰ At secondary school, *Rechtserziehung* was an important part of State Citizenship lessons (*Staatsbürgerkunde*).¹¹¹ In this compulsory subject, teachers legitimized the current and past political-ideological strategies of the regime, aiming to produce good socialist citizens who 'in their thoughts, feelings and actions showed commitment and societal engagement in accordance with the politics of the SED'.¹¹² The state attempted further to develop citizens' *sozialistisches Rechtsbewußtsein* in their formative years by staging discussions and FDJ 'Youth Forums' on legal issues. Young people were sometimes also allowed to sit in on court proceedings, while judges and lawyers made clear to them in lectures that 'abiding by the law was their personal responsibility'.¹¹³

Once citizens had left school and entered the world of work, it was the duty of managers, trade union and SED officials in the workplace, and professional conflict and arbitration commissions to ensure the further development and consolidation of citizens' *sozialistisches Rechtsbewußtsein*. They were responsible for the continuing 'societal education' of workers and employees¹¹⁴ and the strengthening of the 'work collective', both of which the Party hoped would ensure that citizens would respect the laws and norms of socialist society.¹¹⁵ The GDR's court authorities also staged public relations events with the aim of developing citizens' *sozialistisches Rechtsbewußtsein* through clear explanation of

criminal proceedings and judgements to the general public.¹¹⁶

The mass media were key to the regime's efforts to develop citizens' *sozialistisches Rechtsbewußtsein*. The media were to ensure that citizens 'formed socialist ways of behaving and respect for the rules of socialist collective life'.¹¹⁷ Consequently, approximately 3,000 to 4,000 reports about criminal matters appeared annually in various media formats.¹¹⁸

Newspapers and popular magazines, such as the *Neue Berliner Illustrierte*, published articles about citizens who had been drawn into criminality through their 'asocial' behaviour. These pieces explained to readers how they could avoid a similar fate by respecting the norms of collective socialist society.¹¹⁹ Television shows, including the hugely popular detective series *Polizeiruf 110*, the true-crime drama series *Pitaval* and the legal docu-drama programme *Der Staatsanwalt hat das Wort*, informed citizens about the perceived causes of criminality¹²⁰ and thus hoped to encourage them to adopt the 'correct behaviour for communal living'.¹²¹

It should be noted, however, that these shows did not delve into the perceived causes of crime in any great depth, ultimately presenting the root cause of criminality as non-adherence to the tenets of the Party.¹²² But the fact that they were genuinely entertaining meant that they appealed to many citizens; audience shares for each episode of *Polizeiruf 110* and *Der Staatsanwalt hat das Wort* were regularly over 50 and 40% respectively.¹²³ The entertainment factor was quite deliberate. Regime officials believed that encouraging citizens to take an interest in the law through entertainment was essential to the development of their *sozialistisches Rechtsbewußtsein*.¹²⁴ Radio dramas and programmes such as *Professor Kaul antwortet* and *Nicht nur eine Akte*, theatre productions, and even cartoons, also had a role to play in promoting 'conscious respect for and strict adherence to the norms of socialist law and morals, as well as support for socialist collective life'.¹²⁵

Some of these media were more appealing to citizens than others. In 1971 over 3,000 workers, apprentices and other factory employees were asked about which sources they felt

had predominantly ‘shaped their opinion of socialist law’. 66.1% of respondents cited the print media, 22.5% referenced their school education and 12.5% mentioned factory or workplace discussions and events. The final report on the results of this survey commented that the problem with this result was that the print media often just reported the details of trials and court proceedings and did not ‘comment systematically on legal issues’.¹²⁶ There were further indications several years later that citizens were turned off by sources of *Rechtspropaganda* that tended toward detailed analyses of socialist law. In 1978, a survey of apprentices found that although the majority of respondents watched *Polizeiruf 110*, few tuned into *Fragen Sie Professor Kaul* or had even heard of *Nicht nur eine Akte*, shows which offered ‘factual accounts of everyday legal matters’.¹²⁷

The conclusion that criminality could only be eradicated by convincing citizens to support and believe in socialism lays bare the fact that the Party’s exercise of power led to the creation of limits to that power. Although the regime’s reports indicated that only an improvement in living standards - not an increase in ideological propaganda – would persuade more citizens to abide by the law, the regime’s *Kriminalitätsbekämpfung*-strategies did not take this into account. Analysts either interpreted the apparent causes of crime ideologically or were reluctant to commit anything in detail to paper that might have challenged state criminological theory. This fostered an approach to tackling crime that was divorced from reality. The fact that state policy did not address the societal issues and citizens’ real motives behind criminal offences meant that those citizens simply carried on breaking the law and remained out of the reach of the Party’s control.

A Citizen-Eye View of ‘Everyday Criminality’

What were citizens’ opinions and attitudes regarding ‘everyday criminality’ in the GDR? In its

attempts to measure the success of its efforts to develop the *sozialistisches Rechtsbewußtsein* of the population, the SED regime conducted a series of surveys about ‘everyday criminality’ with citizens from the mid-1970s onward. The polls targeted citizens aged between 16 and 25 years of age, reflecting the regime’s desire to measure the development of the socialist citizens of the future, for these citizens had been born and raised in the GDR. When considering the results of these public polls one must exercise caution. Even if respondents were told that their responses would remain anonymous and that ‘your answers will not lead to negative consequences for you’¹²⁸, it is important to consider just how many participants would have been prepared to be honest. Citizens were well aware that any hint of criticism of the Party might draw the attention of the regime’s security forces, most notably the *Staatssicherheit (Stasi)*, which by 1989 disposed of approximately 189,000 informers – one for every 90 citizens.¹²⁹ In some cases respondents may have produced answers that they felt their bosses or local Party officials wanted to hear or read, rather than ones that reflected their honest opinion.

Data collection methods in the GDR also often skewed results. Sample sizes were frequently small and selected based on the results that the Party hoped to achieve from the survey, rather than with any regard for objective data collection. The questions posed in regime surveys also tended to be formulated deliberately to elicit positive responses about the SED and its policies.¹³⁰ Despite these caveats, there were citizens – as the following analysis attests - prepared to submit answers to such opinion polls that the regime found unpalatable. In fact, the *Institut für Meinungsforschung* was closed down in the late 1970s because the SED leadership apparently did not like the results that its surveys were producing.¹³¹

The results of the surveys on citizens’ opinions of ‘everyday crime’ in the GDR showed regime officials that some citizens’ did not consider acts of petty crime to be serious transgressions of the law. In fact, they apparently considered such offences to be a part of

everyday experience. Time and again, state analysts lamented the fact that many citizens who completed these surveys trivialized (*bagatellisieren*) minor crimes. One commented that a ‘considerable proportion’ of participants accepted ‘petty offences’ (*Ordnungswidrigkeiten*) as part of normal behaviour.¹³² Survey results revealed tolerance on the part of citizens for ‘small infringements of the law, such as not buying a ticket on public transport, and theft from factories and building sites’.¹³³ In 1983, for example, 25% of 923 survey participants responded that the statement ‘The laws of the GDR are inviolable’ was ‘correct, but with certain exceptions’; 5% disagreed completely.¹³⁴

The same survey offered an explanation as to why many citizens seemingly accepted petty crime as a part of everyday life. It found that one quarter of its participants had been victims of theft in the past 12 months. Based on this finding, the authors of the survey concluded that respondents had simply become accustomed to the occurrence of petty crime and no longer gave the phenomenon much thought.¹³⁵ The notion that citizens regarded crime as a part of everyday life in the GDR was reinforced by a study of 1250 citizens aged 16 to 30 in 1989. 75% of the participants agreed with the statement ‘at some point in a person’s life he or she will break the law’.¹³⁶ These results are striking, given the sheer amount of *Rechtspropaganda* to which citizens were subjected at school, at work and in their free time. They reveal that no matter how much the Party’s propaganda might have saturated society at every level, large portions of the population remained consciously or unconsciously resistant to it right to the very end of the regime’s existence.

Most concerning for officials were the results of two surveys from 1983 and 1989. In 1983, a survey of 923 apprentices, office workers and students showed that only 54% agreed with the statement ‘The laws of the GDR are just (*gerecht*)’.¹³⁷ Six years later, only 29% of 1250 skilled workers and apprentices agreed with the same statement.¹³⁸ These outcomes perturbed officials, for they understood the law to be founded upon ‘fair and just’ socialist

principles. They concluded that the participants of the surveys had either misunderstood the question or were ‘victims of misinterpretations present within the so-called public opinion of their social milieu’.¹³⁹

Yet there were many reasons for citizens to think that the laws of their country were not *gerecht*. They were well aware of the fact that those who expressed openly a negative opinion of the state could reasonably expect to be arrested by the *Stasi*. They knew that travel to the West without permission was illegal and that anyone attempting to do so was liable to be shot at the border. They also knew that they were forbidden from watching many of the films and reading many of the books and magazines that their Western counterparts enjoyed on a daily basis. Thus, responses to this question ought not to be viewed as a reflection of whether citizens felt that they should be permitted to steal or commit assault. It was the restrictions on their freedom that led many of them to disagree with the statement that ‘The laws of the GDR are just’.

One offence that these surveys focussed on particularly was theft. This is not surprising given that this criminal act was the one most often committed by GDR citizens. Significantly, the polls recorded a difference in citizens’ attitudes towards this crime: many considered theft from the workplace to be acceptable, but condemned theft from fellow citizens. In 1974, a survey of 58 apprentices showed that, if participants saw someone stealing cement and bricks from a building site, 38% would do nothing.¹⁴⁰ A year later, 37% of 3,360 apprentices and young workers answered similarly.¹⁴¹ In 1978, 39% of 1400 apprentices commented that they would not report anyone whom they saw stealing materials from their workplace. Conversely, only 2% of them stated they would do nothing if they knew a colleague had stolen a vinyl record from another worker; 75% would convince her or him to give it back.¹⁴² Moreover, in 1989, 22% of 1250 survey participants stated that stealing private property from a locker was a more serious offence than stealing materials from a

factory.¹⁴³

When asked to explain why they were tolerant of theft from the workplace, survey participants offered several responses. Some stated that it was acceptable because ‘everybody does it’.¹⁴⁴ This reflects the widespread nature of this type of crime in the GDR. But it also reveals that in some cases the regime’s influence over citizens only extended so far, before it was supplanted by the influence of peers. Other survey respondents explained that they would not report a colleague for stealing workplace materials because it ‘is nothing to do with them’.¹⁴⁵ Such responses demonstrate not only the failure of state policy to convince citizens of their ‘responsibility to socialist society’, but also that many citizens felt no sense of duty or loyalty to the regime, despite the vast efforts that the Party put into trying to promote this.¹⁴⁶ The fact that many survey participants stated that they would take action if they witnessed someone stealing property from a fellow citizen reveals that there did exist a sense of solidarity or community with others; stealing from a fellow citizen constituted contravention of the behavioural expectations and social norms of this community. Significantly, these respondents said that they would intervene themselves, rather than call upon the authorities to do so, showing that the state played no role in this community.

Conclusion

For the SED regime and its criminologists, the causes of ‘everyday criminality’ were political. On the one hand, offenders were apparently suffering from the long-term effects of having experienced the preceding capitalist society. It was this ‘psychological heritage’ that was leading them to commit criminal acts. On the other hand, those born after the founding of the GDR in 1949 and with no experience of capitalism were not living according to the tenets of the Party’s socialist project, resulting in criminal ‘asocial’ behaviour. State criminal experts

concluded that the only way to eradicate criminality was to develop citizens' *sozialistisches Rechtsbewußtsein*. Officials believed that, if citizens disposed of a 'socialist sense of legal right and wrong', then they would understand the nature of socialist law and society and realise that they had no need to commit crime. Their developed *sozialistisches Rechtsbewußtsein* would also shield them from the 'negative influence' of the West and immunize them against any form of 'asocial' behaviour. For the Party, developing the *sozialistisches Rechtsbewußtsein* was about much more than teaching citizens traditional concepts of legal right and wrong. It meant co-opting citizens into the Party's socialist project. Citizens would only truly be immune from criminal behaviour once they had been 'convinced, educated and won over for socialism'.¹⁴⁷

The Party's ideological tunnel vision regarding criminality meant that its policy on *Kriminalitätsbekämpfung* was doomed to failure from the outset. Although regime officials were apparently aware of some of the actual causes of crime in the GDR – the poor supply of goods and a low living standard – the Party concentrated its efforts on the political education of its citizens, believing that this was the only way to ensure the eradication of criminality. Such an approach was common in the SED regime; ideological concerns often trumped reality when it came to Party policy-making.¹⁴⁸ Thus, the regime's exercise of power contributed to the creation of the limits to that power. The state's strategy on tackling crime did not address the actual causes of the phenomenon, resulting in the fact that citizens continued to commit criminal offences. It was regime policy itself that encouraged citizens to remain without of the control of the Party.

The fact that many citizens felt that theft of state property was acceptable, while condemning theft of private property from other citizens is worthy of further reflection. This attitude cannot be viewed as a statement of political opposition. Such a conclusion would effectively mean accepting the regime's propaganda line that every crime in the GDR was a

political act. Applying the concept of *Eigensinn* is also problematic; theft as a result of poor supply or living conditions cannot be viewed as an act of obstinacy.¹⁴⁹ Rather, such action was motivated by the necessity created by the economy of scarcity that existed in the GDR, particularly in the 1970s and 1980s. This was common across the Eastern Bloc, hence the comment from one Czechoslovak citizen that ‘Whoever doesn’t steal from the state, steals from their own family’.¹⁵⁰

Yet despite living in need, many citizens still regarded theft from fellow citizens as unacceptable. Thus, the societal conditions created by the SED did lead to some sort of sense of community and solidarity amongst citizens, from which the Party was excluded. Citizens’ statements on this matter also mean that we cannot completely apply Emile Durkheim’s concept of anomie – the loss of the legitimacy of norms – to GDR society; societal conditions did not lead to a complete erosion of morality.¹⁵¹

The fact that many survey respondents indicated that they felt it was acceptable to steal from the state – despite the huge amounts of propaganda against this – does, however, show that by the late 1970s (when these surveys were conducted) the Party’s values and norms had lost (or were, at least, losing) legitimacy in the eyes of many citizens. There was, thus, a sense of political anomie. Following Robert Merton’s adaptation of Durkheim’s theory, this occurred because citizens could not achieve culturally assigned goals or aspirations by socially acceptable means due to societal deprivation and a sense of being disadvantaged.¹⁵² Though Merton writes that democracy is a precondition of anomie, his development of Durkheim’s concept also applies to the GDR in the 1970s and 1980s, where the gap between reality and the ideal promised by the regime was constantly widening. This undoubtedly played into the ‘everybody does it’ mentality. At the time that these surveys were conducted, however, national and international political circumstances meant that the political anomie in the GDR did not yet result in citizens asserting their will over that of the Party. That would

come later.

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¹ Bundesarchiv (BArch) Berlin, DP 3/4738, Streit to Honecker, 13 Apr. 1972.

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³ Richard Millington, 'Crime Has No Chance': The Discourse of Everyday Criminality in the East German Press, 1961–1989', *Central European History*, 50, 1 (2017), pp. 59-85. For more on the political use of statistics in the GDR, see Peter von der Lippe, 'Die politische Rolle der amtlichen Statistik in der ehemaligen DDR,' *Jahrbücher für Nationalökonomie und Statistik* 215, 6 (1996), pp. 641-74.

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⁷ Friedrich Engels 'Zwei Reden in Elberfeld', in *Marx-Engels-Werke*, 43 vols, vol. 2 (Berlin/DDR, 1972), vol. 2, p. 542.

⁸ *Statistisches Jahrbuch der Deutschen Demokratischen Republik 1989*, http://www.digizeitschriften.de/dms/img/?PPN=PPN514402644_1989&DMDID=dmdlog103.

⁹ Helmut Kury and Ursula Smartt, 'The Changing Face of Germany's Crime Rate since Unification', *Criminal Justice Matters*, 46 (2001), pp. 46-7.

¹⁰ These figures are approximations, though as accurate as possible. It proved extremely difficult to find complete crime figures and reliable population numbers for the countries of the former Eastern Bloc. Eurostat's 'Crimes recorded by the police table' (<https://ec.europa.eu/eurostat/web/crime/data/database>) proved useful, as did the website www.populationpyramid.net, which employs population figures collated by the United Nations.

¹¹ BArch, DA 1/2948, '14. Sitzung des Jugendausschusses am 19. Jan. 1962', p. 10.

¹² BArch, DA 1/12716, 'Information über die an die Volkskammer- und Rechtsausschuß gerichteten Eingaben sowie in ihnen sichtbar werdende Probleme auf dem Gebiet des Strafrechts und der Strafpolitik', 28 June 1974,

p. 11.

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²³ BArch, DP 3/279, 'Zu aktuellen Problemen der Entwicklung und Bekämpfung der Raub- und Erpressungsdelikte, 19. Jan. 1979', p. 6.

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