



## **Twenty Years On – A Unified Germany?**

### **The Shortcomings of the German Reunification Process**

Sarah Glatte, Bath, UK

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Much scholarly attention has been paid to the political, economic and social divides that still persist between the former East and West Germany. The process of coming to terms with the state socialist past, however, has been of almost marginal significance. In the field of transitional justice, it is commonly argued that no modern democracy has engaged more thoroughly in the task of coming to terms with the legacy of an authoritarian regime than the united Germany has with that of the GDR. The paper challenges this assumption, arguing that transitional justice in post Cold War Germany has fallen short of the expectations originally placed upon it.

#### **1. Introduction**

On 9th November 2009, Germany celebrated the 20th anniversary of the fall of the Berlin Wall, a historic event, which signalled the end of Cold War, an era that had divided the country, as well as Europe, for over 40 years. Among the last children born in the GDR, I was unaware of the events that took place in the autumn months of 1989 and that changed the lives of countless millions on either side of the Iron Curtain. With the collapse of Communism came the chance for the long awaited reunification of Germany and Europe under a common economy and social attitude. However, 20 years on, Germany is a far cry from true unity.

Much scholarly attention has been devoted to the political, economic and social legacies of the East-West divide (Dennis & Kolinsky 2004a: 1). The topic of coming to terms with the communist past, however, has been of almost marginal significance (Letki 2002: 529, Offe & Poppe 2006: 272). Considering that, for a long time, political science publications on regime change had largely disregarded the problem of transitional justice<sup>1</sup>, this is not surprising (Huyse 1995: 51). It was only in the aftermath of ‘third wave’ democratisations such as that of East Germany, that the issue emerged as a focus of increasing academic

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<sup>1</sup> Transitional Justice is understood in this paper as ‘policies’, that is “initiatives taken and strategies chosen or sponsored by state actors (governments, the judiciary, and special agencies constituted by the law)” (Offe & Poppe 2006: 239).

research. In his study on transitions to democracy, Huntington (1991) remarks that one of the key problems post-authoritarian countries face is what he termed ‘The Torturer Problem’: Prosecute and Punish versus Forgive and Forget. That is, “what, if any, strategies successor governments should adopt in dealing with injustices committed by the previous, authoritarian regime” (ibid.: 211).

The vigorous action post-unification Germany was willing to take in this regard has been praised by a number of observers, despite a scarcity of quantitative and qualitative research (Beattie 2008, Elster 2006, Huntington 1991, Letki 2002, McAdams 1996 and Yoder 1999). Indeed, McAdams suggests (2001: 1), “one would be hard pressed to find a state that took more varied steps to come to terms with a legacy of authoritarian rule than the Federal Republic of Germany”. The following analysis critically examines the outcomes, thus far, of the various policy initiatives endorsed and implemented by Germany’s unified government aimed at reckoning with the SED regime. It will endeavour to demonstrate that, as Rosenberg (1995: 320) remarks, “Germany’s attempts to deal with the Communist past have largely been clumsy and ill conceived.” Thus, though it might be considered more progressive in comparison to other post-authoritarian countries, we may now judge, 20 years after the fall of the Berlin Wall, that the process of transitional justice has nevertheless fallen short of the expectations originally placed upon it.

## **1.2. The importance of reckoning with the past**

Asked by Adam Michnik (1993: 25) what he thought of lustration, the German writer Jürgen Fuchs answered: “If we do not solve this problem in a definite way, it will haunt us as Nazism did. We did not denazify ourselves, and this weighed on us for years.”

The failures of critical reflection and post-authoritarian justice already have a direct impact on today’s German political landscape. In 21<sup>st</sup> century Germany, “a fundamentally positive view of the idea of socialism is still a powerful force in the five new federal states” (Lutz 2002: 31). The very fact that *Die Linke* is taking increasingly more seats, even in West German state governments, can be construed as an alarming consequence of the shortcomings of transitional justice. Prosecution, Huntington (1991: 213) writes, is “necessary to assert the supremacy of democratic values and norms and to encourage the public to believe in them.” The failure to punish perpetrators undermines the rule of law

(Benomar 1993: 4) and generates popular cynicism and distrust towards the new political system (Huyse 1995: 56). As Anthony Glees (1998: 165 f.) notes,

One precondition for the development of a truly civil society is that its citizens are able to come to a proper reckoning with their past [...] A frank description of the truth of the experience of Communism [...] offers the victims of the Communist regime recognition whilst alerting non-victims to the nature of their experience.

It is also the moral obligation of any successor regime to punish the crimes committed under a previous repressive system. The process of reckoning may serve to heal the wounds, “repair the private and public damage” the previously repressive regime provoked, and pave the way for a “moral and political renaissance” (Huyse 1995: 55). Four decades of SED rule in the GDR claimed generations of victims. Any serious attempt at societal rehabilitation cannot be realised in a unified Germany where former perpetrators are not held accountable to their crimes. By failing to pursue the perpetrators of the regime, we neglect the scope of the crimes committed and hinder a proper reckoning from taking place within society.

### 1.3. Definitions

Academically, the complexity of analysis begins with the difficulties caused by correctly translating and interpreting the meaning and wider association of the key German terms (Ash 1999: 294-95). One such key term is *Vergangenheitsbewältigung* (reckoning or coming to terms with the past), more generally used with reference to the process of Germany’s actions in trying to cope with the complex issue of guilt following the horrors committed by Germans during the time of the Third Reich (Gillar 1996: 79). Synonymously and frequently used is the term *Aufarbeitung* (reprocessing or rehabilitation) describing how German history (predominantly 20<sup>th</sup> century) is to be worked through and reappraised where appropriate. As Garton Ash (1999: 294-95) notes, the very fact that there is no clear definition of what constitutes an overcoming of the past and that several key words in German are translated into English in different ways is symptomatic of the complexity of the transition from the SED dictatorship.

East Germany is, of course, not alone in having to adjust to a difficult past. What is more, there seemed to be many advantages for its democratic transition as well as the pursuit of

corrective justice<sup>2</sup>. On top of considerable financial and economic aid from the West, the former GDR could adopt “a ready-made” constitution (the Basic Law), a functioning court and bureaucratic system, as well as judges, lawyers and other personnel from a variety of sectors, which were equipped “to handle the purge of the old GDR elite, as well as the re-education of the new East German political leaders” (Yoder 1999: 64). Therefore, superficially at least, there seemed to exist “ideal preconditions” for a reckoning with the communist past (Beattie 2008: 2-3).

However, despite these advantages, the process was convoluted and problematic. Some people condemned unification as one-directional democratic take-over (Dennis & Kolinsky 2004: 4), with corrective justice being western-driven and an instrument of ‘victor’s justice’ (as postulated by Honecker). Such claims are largely unfounded and, if at all, West Germany’s preoccupation with economic and political unification is what most hindered a more successful execution of transitional justice projects. A vigorous reckoning with the communist past had existed as a key concern of eastern civil-rights movements and been on the East German political agenda since late 1989 when unification was still a distant project (Beattie 2008: 3). Arguably, in a unified Germany where East Germans were the minority, retroactive justice came to play a much smaller role than might otherwise have been the case.

Attempts to ‘work through history’ have been further complicated by the question of how much importance could be afforded to the East German dictatorship. An insoluble dilemma, as Langenbacher et al. (2008: 3) point out:

Too much attention to that regime would produce a false equivalence between the two post-war systems; too little would marginalise the period, lead to forgetting, and produce unhealthy psychological and behavioural reactions in the former East or amongst former East German citizens.

Yet it is precisely the latter of the two scenarios that developed in the last twenty years. Historians such as Manfred Wilke (2007) even argue that post-war reckoning with the Nazi past has been pursued much more thoroughly than GDR *Aufarbeitung* after 1989.

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<sup>2</sup> Accession in the form of an externally directed as well as sponsored transformation of East Germany into the Western system spared the citizens of the former GDR most of the problems faced by the populations in other reforming countries (Wiesenthal 1998: 2).

Marginalisation of historic evaluations on the GDR is reflected in current controversies about whether it is justifiable to speak of the GDR as a second German dictatorship or *Unrechtsstaat*. It is not the purpose of this essay to argue in what way the GDR can justly be called a dictatorship, rather its purpose is to highlight the failures of the reunited Germany to sufficiently interpret the former system and hold its perpetrators to account. Although the SED-regime differed from the Third Reich in the scope of the crimes it committed, its impact was nevertheless severe. As author Ralph Giardino rightly asserts, from a victim's point of view there is no "bad" or "less bad": A terrible system such as the one experienced under actually existing socialism does not become less terrible merely because there has been an even more vicious system before it (cited in Müller & Hartmann 2009: 20).

## **2. Three components of Transitional Justice<sup>3</sup>**

According to Yoder (1999: 66), there are three main components of state corrective justice: criminal prosecution, disqualification from office, and the Bundestag's 'Investigatory Commission on the Working-Through of the History and Consequences of the SED Dictatorship in Germany'. This paper will briefly and critically consider each of them.

### **2.1. Criminal Prosecution**

The first decision facing the reunited government was which judicial route to take in dealing with the criminal vestiges of the GDR. Many politicians, such as the veteran politician Egon Bahr, advocated an official amnesty of SED crimes, deeming it preferable to draw a judicial line under the past (Dennis 2004: 18). It was feared that punitive measures and unreliable sources could hinder reconciliation and potentially poison the political atmosphere of reunification (*loc. cit.*). However, the East German delegation to the negotiations of the Unity Treaty continuously stressed the importance that criminal justice

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<sup>3</sup> Scholars have categorised or grouped the mechanisms of German transitional justice in various ways. Offe & Poppe (2006: 259) highlight criminal proceedings, the Gauck agency, the Enquete Kommission and state-sponsored activities as representative areas; McAdams (2001) considers criminal sanctions, disqualifying justice, moral justice and property redistribution; whereas Torpey (2003: 7) distinguishes punishment of perpetrators, reparations to the victims, apologies

be enshrined in the treaty document (Offe & Poppe 2006: 260)<sup>4</sup>. Although their attempts were successful, the final draft of the Unity Treaty made criminal proceedings subject to a demanding and stringent set of conditions under the German rule of law (ibid.: 262). In the course of the 1990s, therefore, optimism and determination about the endeavour were soon to be replaced by doubts and disappointments over the number and outcome of subsequent trials.

The quantitative record of criminal trials is unimpressive indeed. As of 2006, 22,765 investigations were launched, leading to the opening of just 565 criminal court cases. Verdicts were reached in 211 of these cases. A mere 20 resulted in actual prison sentences of which the average was 2.2 years, even for those convicted of murder and torture (Offe & Poppe 2006: 265). In comparison, there were between 250,000 and 300,000 political prisoners sentenced during 40 years of SED rule, serving an estimated average of 15 months each (ibid.: 255). As late as the period 1979 to 1989, the average number of people sentenced for political reasons was five thousand per year (loc. cit.). Therefore, despite the fact that Germany (unlike other transitional regimes) chose the route of judicial activism, the actual outcome of its strategy, weighed against the number of victims under German state socialism, has been negligible.

This outcome can be largely attributed to the German *Rechtsstaat*, the legal framework in which the judicial process was embedded. The most prominent and widely debated application of the German rule of law to East German retroactive justice was the incorporation of the ‘Principle of legality’ (*Legalitätsprinzip* - *nulla poena sine lege*). It entailed that, since the GDR constituted an independent state, crimes committed during its existence fell within the jurisdiction of the GDR and should be persecuted according to the laws in place during that time, unless the law of the Federal Republic was more favourable

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and statements of regret between perpetrators and victims, and the search for a “communicative history”.

<sup>4</sup> The initiatives taken towards implementing transitional justice did not stem from West Germany. It was, in fact, “a widely shared feeling in the West is that, as it cannot be done right, and as so much effort has led to so little outcome, it should not be done at all – ‘it’ being the attempt to come to terms with the old regime by the means of criminal justice” (Offe & Poppe 2006: 265).

to the defendant<sup>5</sup> (Dennis 2004: 19, Elster 2006: 10). Further impediments to juridical activism included the requirement to prove that ‘some concrete damage’ had been caused, that the perpetrator was aware of the illicit nature of his act, and that any claims of coercion were unsubstantiated (Offe & Poppe 2006: 262-263). As a result, from the very beginning the amount of criminal activities that could be investigated or brought to trial was severely limited. These are summarised by Offe & Poppe (2006: 263) in six major categories: (1) homicides committed by boarder guards; (2) violation of court procedures as well as arbitrary sentences of GDR courts; (3) economic crimes; (4) killings and abductions committed by agents of the Ministry of State Security (5); extortion of property of persons who were allowed to leave the GDR; (6) miscellaneous crimes, such as falsification of election results or administration of anabolic steroids and other drugs to athletes. As the authors point out (*ibid.*: 263), missing from this list are huge numbers of so-called “disorganising measures” (*Zerstörungsmassnahmen*), the disrupting activities of agents of the State Security apparatus<sup>6</sup>. A final constitutional obstacle was the strict statute of limitation set in place for all cases of post-communist transitional justice. The Bundestag extended the official statute, first to 1993, then to 1997. In October 2000, all SED cases were finally statute barred. These institutional constraints are often afforded little attention in scholarly assessments of German retroactive justice, but arguably constitute an important impediment to the value of the tribunal processes. The famous phrase by former East German dissident Bärbel Bohley aptly summarises the East German sentiment towards the handling of retroactive justice in post-communist Germany: “We expected justice, but we got the Rechtsstaat instead” (cited in Elster 2006: 11). Had the architects of the Unity Treaty endorsed a different framework for criminal proceedings, one less stringent upon upholding both German laws and the statute of limitation, judicial activism might have led to a more satisfactory outcome.

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<sup>5</sup> According to §2. Abs. 3 (Strafgesetzbuch), either law can be used which does not serve to a disadvantage to the convicted (Schweizer 1998: 18).

<sup>6</sup> “In May of 1995 the Federal Constitutional Court in Karlsruhe handed down a ruling that essentially granted amnesty for former GDR spies. The 5-3 ruling said that East Germany's spymasters could not be tried in a unified Germany's court system for acts they committed under the laws of their then-country.” (Yoder 1999: 68).



## 2.2. Disqualifying justice – The Gauck Agency

In the early 1990s, procedures other than criminal prosecution “were increasingly relied upon and proposed as a method of sanctioning actors of the old regime and a means to come to terms with its past residues” (Offe & Poppe 2006: 267).

Lustration, or “purging from the public sector those who served the repressive regime” (Kritz 1995: xxxiv) constituted a milder, albeit similarly important and relevant form of transitional justice in the new Germany (McAdams 2001: 55). It was also linked to the delicate issue of how best to handle the Stasi files (whilst they could provide the necessary information for any kind of disqualifying justice to be launched, their opening was a highly controversial issue). The Stasi Records Act (StUG) provided the legal framework to determine the methods of dealing with the Stasi legacy; it led to the creation of the ‘Federal Authority for the Records of the State Security Service of the Former GDR’ (BStU) in 1991, which soon became known colloquially as the ‘Gauck Agency’. According to Joachim Gauck, the Federal Commissioner after which it was named, the agency’s main ambition was to enable former Stasi documents to be used for a “political, judicial, and historical reckoning with the past” (Gauck 1994: 279). In order to allow for such a ‘*politische Aufarbeitung*’ to take place, bodies such as government agencies, employers and private corporations were granted the right to investigate MPs, other elected bodies and public employees to see if they had previously worked for the Stasi (loc.cit.). However, as McAdams (2001: 72) points out, as an administrative organ, the Gauck Agency, which continues to operate today<sup>7</sup>, is restricted by statute only to providing other bodies with the tools they need to make sense of the MfS’s operations. What happens as a consequence of the dissemination of information is beyond the authority and responsibility of the agency to determine.<sup>8</sup> Whilst the Unification Treaty provided the legal framework to enable the dismissal of employees on the basis of their involvement with the Stasi, there was no obligation to do so. Overall therefore, the German Rechtsstaat did not take complimentary initiatives to implement thorough lustration in all sectors of society.

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<sup>7</sup> Today it is frequently unofficially referred to as the Birthler Agency.

<sup>8</sup> For instance, on learning that a particular person has been an unofficial collaborator of the Stasi, that person’s employer may or may not refuse to employ or dismiss the person in question” (Offe & Poppe 2006: 269).

Consequently, the quantitative analysis of lustration procedures remains unclear. As McAdams (2001: 73) points out,

We will probably never know exactly how many people lost their jobs in the course of the ‘destasification’ of eastern Germany. The topic has been the subject of continuing speculation among journalists and other observers largely because no single German agency was assigned to the task of monitoring these dismissals and because employers were not required to report their decisions to any central authority.

It must be positively stressed that, in contrast to many other transitional Eastern European democracies, some sanctions against particular actors did occur in post-89 Germany. Yet, as of 1997, “the total number of Stasi dismissals cannot have been higher than 54,926 and was probably lower” (loc.cit.), meaning that less than 7 per cent of all collaborators were dismissed from office in the FRG. Even twenty years after unification, a number of observers insist that personnel changes have been insufficient in many crucial areas of society, including civil servants, journalists, teachers<sup>9</sup> and the private sector (Müller & Hartmann 2009: 178). Even though the Gauck Agency has played a fundamental role in allowing private individuals to access their files, thus returning control of their personal histories to them<sup>10</sup>, it has achieved less than it set out to do. And, due to the “frantic” and “unrelenting” manner with which the media and public officials handled the matter (Staab 1998: 38), understanding and compassion amongst many Germans for this complex issue continues to be lacking in the present day.

### 2.3. The Enquete-Kommission

The final component of German transitional justice was the establishment of a special investigative body in 1992, titled ‘Investigatory Commission on the Working-Through of the History and Consequences of the SED Dictatorship in Germany’<sup>11</sup>. It was succeeded in 1995 by a second commission, ‘Overcoming the Consequences of the SED Dictatorship in

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<sup>9</sup> An estimated 75 per cent of teachers who once worked for the Stasi remained in their profession (Raue 1998: 147, cited in Dennis 2004: 19).

<sup>10</sup> According to the official BStU website, the total number of applications and petitions since 1991 (as of 2007) is at over 6 million (BStU online 2010), with the number of individual applications for personal inspection of files rising in recent years.

<sup>11</sup> “Aufarbeitung von Geschichte und Folgen der SED-Diktatur in Deutschland”, also referred to as the ‘commission of inquiry’ – Enquete-Kommission, or truth commission.

the Process of German Unity', which existed until 1998. Being assigned with the task of formulating a comprehensive judgment on the "history and consequences of the SED dictatorship in Germany" (McAdams 2001: 3), the Enquete-Kommission, unlike the Gauck Agency or criminal trials, focused not so much on individuals and their responsibilities but on the a structural, systematic and critical examination of the GDR regime.

What exactly its goals were, however, is hard to determine, since the Enquete-Kommission, from the beginning, lacked clarity about its purpose and mandate (Beattie 2008: 64). The use of the term *Aufarbeitung* in the commission's title is reflective of the vagueness with which it was perceived both publicly and academically. Scholars such as McAdams, Yoder and Beattie disagree over the extent that it was meant to generate public discourse and achieve national catharsis. While the rhetoric of officials and politicians often conveyed this sentiment, the commission's bureaucratic emphasis suggests that such a holistic society-wide reflection might not have been its true intention (Yoder 1999: 75). If, in that case, the commission's initial aim was merely to establish a public record for academic and political purposes, then criticism must surely be directed at the limited scope of its ambitions, given the chasm between such limited real objectives and the reconciliatory rhetoric with which it was associated. If however, the commission's aim was indeed to work towards a public reconciliation with the SED regime, then it must be criticised for failing to fulfil this mandate.

The first commission's official output consisted of a final report of over 15,000 pages of findings and material<sup>12</sup>. Whilst this undoubtedly represents a significant and lasting addition to "the corpus of publicly accessible information about the GDR" (loc.cit.), the sheer quantity of the materials and the "relatively early stage of scholarly exploration of the GDR regime at which the volumes were compiled" meant that the findings were not able to generate widespread or lasting attention (Offe & Poppe 2006: 272). The commission's report at best stimulated discussion in intellectual and political circles, but its search for truth is likely to remain limited to "to library shelves and parliamentary records" (Yoder 1999: 76).

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<sup>12</sup> About the GDR's "power structure, the role of ideology, the judiciary, the state security services, the Churches, opposition and German-German relations" (Dennis 2004: 25).

Although the second commission, “Overcoming the Consequences of the SED Dictatorship in the Process of German Unity”, established in June 1995, achieved more in relation to the victims’ collective recognition than its predecessor, its success remains equally unclear and contested (Beattie 2008: 77). It was marked by a shift towards both a greater devotion to everyday life (*Alltagsgeschichte*) in the GDR (Dennis 2004: 31), as well as a greater focus on achieving inner German unity, reflecting the increasing sense of alienation that was felt between East and West Germans (Beattie 2008: 71). However, the second commission was politically even less significant, and received less media attention, than the first (ibid.: 63). Both commissions placed no particular emphasis on public involvement and thus failed, to a significant extent, in the important task of fostering a public reckoning with and learning from the past, remaining largely an elite-driven and bureaucratic entity:

In the end [...] despite the inclusive rhetoric of its terms of reference, the commission did not contribute to national reconciliation or the inner unity of the German nation, and did not foster widespread public discussion about German national identity in the wake of forty years of division and subsequent unification. It also did little to contribute to collective reconciliation between the various sectors of eastern society: regime representatives, victims, and those who fell somewhere in between. (Beattie 2008: 61)

### 3. A divided Germany

Ultimately, the handling of the East German past has served only to reflect and reinforce the asymmetries of the wider unification process. It has shaped “the way in which Germans in East and West see each other” and created a situation, “in which Eastern Germans identify more strongly with the former GDR than with the Federal Republic” (Lutz 2002: 31). Such attitudes are encompassed by the term *Ostalgie*, a cultural phenomenon expressed by a longing for the socialist past stemming from Eastern disillusionment with life in unified Germany (Blum 2006: 133) and compounded by insufficient and selective teaching of history at schools (Caspar 2009: 251)<sup>13</sup>. It is a disposition that feeds into the increased voter turnout for *Die Linke* in East German state elections as well as national ones. As Offe & Poppe (2006: 267) point out,

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<sup>13</sup> Of course, differences in inherited mentalities and patterns of socialisation, as well as the persisting socio-economic divide between Eastern and Western Germans account to a significant extent for the phenomenon of *Ostalgie* (Fulbrook 1999, cited in Dennis 2004: 32).

[whilst] the interest of political and juridical elites, the media and the public in general in issues of both punishment and rehabilitation has been declining [...] the successor party PDS and its constituency have perversely profited from what could be read as an implicit demonstration that virtually nothing can be shown to be wrong with the old regime in terms of criminal law.

This constitutes a significant inner German problem that was not anticipated in the unification plans of 1990.

Yet, blame must also be borne by the politicians who have thus far unsuccessfully navigated the ship of rehabilitation. In 2004, Angela Merkel, then in opposition, proposed the introduction of a remembrance day for the defenders of democracy and all those who stood up against the socialist regime. Merkel wanted to pressure the government into putting together an annual report about the status of rehabilitation and reappraisal of SED-victims<sup>14</sup>. However, her proposal was rejected by the majority of SPD and Green party members in the Schröder administration. When Merkel, one year later, took office as chancellor, she omitted to renew her efforts. This, according to Müller & Hartmann is symptomatic of any official attempts to deal with the GDR past. Worryingly, whilst mainstream politicians in power appear to a large extent indifferent to tasks of *Aufarbeitung*, former members of the SED increase their influence on Germany's political landscape. The democratic *Rechtsstaat* has not been sufficiently equipped to meet those dangers from within.

#### 4. Ways forward

As transitional justice mechanisms have now largely been exhausted, Germany needs to redirect its focus in order to address this apathy towards its SED past. Whilst, in the civic realm, important contributions have been made by universities and a variety of private initiatives (Hollitzer 2003: 391), these attempts at *Aufarbeitung* seem not to have satisfactorily penetrated society and Germany may be in danger of developing a knowledge gap between the generations concerning this period. In a poll conducted by University of Berlin Research Association for the SED state (*Forschungsverbund SED-Staat der FU Berlin*), more than 65% of participating students in both East and West stated that they

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<sup>14</sup> Bericht zum Stand der Rehabilitierung und der Entschädigung der SED Opfer.

were taught too little or nothing at all about the GDR at school. Klaus Schröder<sup>15</sup> (2009) claims that nowhere in Germany do schools deal with the topic of GDR history satisfactorily. A lack of a national German curriculum and the scarcity of unified attempts by federal states to pressure schools into investing more time on the topic of the GDR can only serve to perpetuate this. Unless German history is confronted and explained, however, the division between East and West cannot be healed and unification remains unsecured (Gillar 1996: 99). Any programme which seeks to unify Germany must reconcile not only victims and perpetrators and East and West citizens, but also Germany's youth with the past of the GDR.

Perhaps, as the conventional forms of transitional justice have been shown to be imperfect, the answer lies in addressing this issue by developing a curriculum which can deliver a balanced yet critical view of the past, so that both the pre-1989 generation who will be responsible for compiling it, and the post 1989 generation who will be educated under it, might benefit from an understanding of Germany's difficult collective history. While the pictures of the celebrations marking the 20th anniversary of the fall of the Berlin Wall are still in our minds, it is important not to overlook the many shortcomings of Germany's attempts at reckoning with the history of the GDR regime, the end of which we celebrate. Otherwise, Germany may yet again be at risk of repeating past mistakes, consigning the chance of true reconciliation to the dustbin of history.

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<sup>15</sup> Klaus Schröder chairs the Research Association for the SED state at the Free University of Berlin. He surveyed more than 5000 students in Berlin, North Rhine-Westphalia, Brandenburg and Bavaria.

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## Biodata

Sarah Glatte was born in Dresden in 1988 and attended the St. Benno-Gymnasium in her hometown from 1998 to 2006. After completing a gap year in Thailand she came to the UK to study Politics at Bath in 2007. She has recently completed her Bachelor in Politics with International Relations at the University of Bath. Her dissertation “Judging the (East) German Past – A critical review of Transitional Justice in Post-Communist Germany” is an extended version of this paper. She is currently reading an MA in Women's Studies at the University of Oxford.

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