On Citation and Dialogue: Thoughts on Inga Markovits, *Justice in Lüritz*


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Inga Markovits set out, in *Justice in Lüritz: Experiencing Socialist Law in East Germany*, to write an account of the workings of the law under socialism in the German Democratic Republic (DDR). More specifically, she sought, as the subtitle indicates, first to grasp and then to convey how people experienced that legal system. This is not, then, a text that lays out the principles of socialist law as expressed in legal treatises but rather one that describes and analyzes how it was practiced and used in local and regional courts. The result is an engaging, profoundly moving, beautifully written book that leaves the reader with a nuanced understanding of how all who came into contact with the courts of the DDR thought about the law and justice. *Justice in Lüritz* is also courageous, breaking many of the conventions of scholarly prose. That rupture is not driven by a self-conscious quest for originality but rather by the demands of the story told. This brief Review follows that model, engaging Markovits’s text in dialogue rather than obeying the norms of the review essay. My standpoint in this conversation is threefold: as a historian, as a scholar of the everyday, and as a feminist.

The experience of socialist law in the DDR in *Justice in Lüritz* is derived, narrowly in a certain sense, from one location—the town given the pseudonym “Lüritz” in the text. The narrowness of place contrasts with the temporal breadth of the book; thinking in visual terms, this is a moving picture or, better, a slideshow, rather than a snapshot. The book opens at the beginning of the socialist regime and ends with the fall of the Berlin Wall. Despite those chronological bookends, however, the book is not a narrative but rather is organized thematically by the life activities of those whose trajectories took them into the courts of Lüritz. Correspondingly, the chapter titles are lapidary single words, sometimes specified with the definite article. Although Markovits did not choose to divide the book into parts, the chapters

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in fact fall into three clusters, followed by “The End,” which, of course, both sketches the collapse of the DDR and provides a conclusion to the book. Thus, we have three parts: Part I (“The Files,” “The Beginning,” “People”), Part II (“Property,” “Work,” “Families”), and Part III (“Punishments,” “The Party,” “Hopes and Lies,” and finally, “The End”). The titles feel like the breadcrumbs dropped by Hansel and Gretel as they moved through the forest—allusive and indicative rather than providing a clear path, although they are, in fact, more substantial and durable than those crumbs.

The book opens with “The Files” because they are, indeed, the beginning and determine what the book can, and cannot, do. *Justice in Lüritz* rests above all on the court files that Markovits was able to locate and to which she was granted access. Thus, the book begins not with what was the beginning for the historical actors but rather for the scholar. Markovits chooses to underscore, in the very structure of the book, that it is a construct; this is not a narrative that obediently follows a story as it unfolded in real time and space nor one from which the author will efface herself. Both the physicality of the documents and of the courthouse itself, and the emotion generated by the author’s encounters with witnesses, are very much part of the story.

After introducing the files, the text then moves to the temporal beginning point of the story. The brief chapter, “The Beginning,” which is not the opening of the book but the onset of the historical period of relevance here, provides a synopsis of the birth of the DDR. “People” sketches the staffing of the courts in these years, particularly the origins and training of the judges. Thus, by the end of what I think of as Part I, the reader has been provided with the essential information concerning the courts of Lüritz, the people who worked there, the paper they generated, and the possibilities and constraints under which they worked. Part II (“Property,” “Work,” and “Families”) fills the courthouse with plaintiffs and defendants as well as judges and clerks. We learn of the conflicts that came before the courts of East Germany and, to some extent, how they resembled and differed from those before the courts of the capitalist West.

It is in what I have called Part III—which includes “Punishments” (a long chapter dealing heavily with criminal law), “The Party,” and “Hopes and Lies”—that intersections between the judicial system and broader transformations of East German politics, including relations with both the Soviet Union and the Federal Republic, become clearest. “Hopes and Lies” reveals the gap between an idealized vision of what justice should be and what justice was (as well as the regime’s incessant efforts to mask that gap). The chapter on “The Party” shows that, despite the conviction in both the West and the East that the Socialist Party controlled all, it left little trace in the archives but rather emerges as a force in the interstices of these papers. The book ends with the process of dissolution of the DDR as it played out in the courts. *Justice in Lüritz* provides, in other words, in a remarkably economical format, a highly detailed and lively account of how all East
German citizens whose lives brought them into contact with the courts—in whatever role—lived that experience. It describes changes in those experiences over the lifespan of the regime and in relation to the event that brought each person to court. Markovits accomplishes all of this through her extraordinary use of the files with which the book opens and the paths they compelled her to tread. It is a remarkable and brilliant history of the socialist legal system and, along the way, of social life in the DDR.

And yet Inga Markovits’s book, because it breaks just about every rule on how historians ought to write, poses real challenges to a reader who comes to the book with a historian’s expectations: the data in Justice in Lüritz are unverifiable; it does not locate itself in the scholarly literature; it makes extensive use of the first person, admitting to subjective reactions; and, although this is minor in relation to the other issues, it is not chronologically organized. As noted above, this rule breaking is not a stylistic artifice; it is, rather, a side effect of the author’s sources, goals, and intellectual style.

Justice in Lüritz is a case study based upon the records of the town’s court, supplemented by the press, the Stasi archives, the city archives, some other judicial records, and interviews. Since the object was to chronicle the uses made of the law, it was the accident, first, of the survival, and then of Markovits’s discovery, of the extant court records that determined the author’s choice of a town to study.1 The town itself is of no particular interest to her; she hopes, in fact, that it is interchangeable with any other town—or more to the point, any other set of courts—in the DDR.2 The irrelevance of the details of the locale is reinforced by the anonymity of the place and people in the book. A corollary is that the records used cannot be directly cited; the records are not archived and may no longer exist.3 Even if the files had been deposited somewhere, Markovits would not have provided references because that would have rendered the historical actors identifiable. There are, therefore, very few footnotes in this book and none that refer to the primary source base. Unlike some other texts in which citation is avoided, the purpose is not to avoid making truth claims; as she puts it, “Apart from the names of persons and of places, nothing in this book has been made up.”4 This is not an antipositivist text. It does, however,


2. In this, she departs from the microhistory tradition, where the cases are, like Lüritz, to stand in for the whole, but where they retain their individuality. See David A. Funk, Legal History as Empirical Social Science in Theory and Practice, 21 Hous. L. Rev. 311, 317 n.14 (1984) (explaining that microhistory exists on a continuum of varying degrees of generality, with macrohistory at the opposite end).


4. Id. at 7.
completely refuse the scholarly apparatus that a historian (and many other
social scientists) would use to justify such truth claims. There is an inter-
esting paradox here; an accounting of the very personal and the very local is
achieved, is only made possible, through a transformation of the particular
into the general. The anonymity of the place and the people, and the accom-
panying absence of scholarly apparatus, in tandem with the book’s truth
claims, are unnerving to a reader disciplined by history.

Historians, it may be argued, fetishize citation practice. One conception
of historians’ work is to uncover untouched archival materials, that is, most
often, not to literally find new documents but rather to wake documents that
had been quietly sleeping in their box and extract their story. Traditionally,
history dissertations depended, in fact, on the student discovering a “virgin”
cache of material rather than reinterpreting an existing text. This is no longer
the case, but it is still expected that all interpretations rest upon a paper trail,
signposted by means of footnotes that others can follow. Even oral history
methodology attempts to emulate the discipline’s norms. Audio and video
tapes and transcripts are ideally to be archived and referenced in ways analo-
gous to traditional textual evidence. Historians are assumed to work on the
past, so even if the witnesses are alive, they are providing information about
historical acts now at a safe distance. United States-based historians have
pleaded, in fact, for automatic dispensation from Internal Review Board au-
thorization for the protection of human subjects on the grounds that their
“use” of such subjects is fundamentally unlike that of other social scientists.

One could argue that all of this, however interesting, is irrelevant to
Justice in Lüritz because the model Markovits is following, or at least the
appropriate analogy, is not to history but rather to sociology and
anthropology—the citation practices and conceptions of narrative in those
disciplines are different and much closer to those used by Markovits. For
example, in the Middletown studies by Robert and Helen Lynd, the original
transcripts of interviews and questionnaires were destroyed after the study
was written up and before the authors’ papers were given to the Library of

5. See NANCY MACKAY, CURATING ORAL HISTORIES: FROM INTERVIEW TO ARCHIVE 19–21
(2007) (discussing the importance of meticulously recording, preserving, and cataloging oral-history
archives).

6. Cf. PATRICIA LEAVY, ORAL HISTORY: UNDERSTANDING QUALITATIVE RESEARCH 44–45
(2011) (stating that most researchers tape-record interviews and some videotape them, and
providing various recommendations on how to catalog corresponding interview notes); MACkAY,
supra note 5, at 29–31 (explaining how to process and record an oral history); Stephen Ellis, Writing
studying recent African history must consider the unofficial, spoken news as “a prime source”).

7. See, e.g., Jonathan T. Church, Chair, Arcadia Univ. Dep’t of Sociology & Anthropology,
Should All Disciplines Be Subject to the Common Rule?, Panelist Remarks Before the U.S.
Department of Health and Human Services’ National Human Research Protections Advisory
example, oral history interviews or work by professors of journalism—should be excluded
altogether from IRB review.”).
Likewise, one of the basic principles of fieldwork, as articulated by the Society for Applied Anthropology, is that scholars will “provide a means through our research activities and in subsequent publications to maintain the confidentiality of those we study.” In both cases, the assumption is that the privacy of living informants and ethnographic subjects is an essential ethical foundation for the work. So perhaps even thinking about *Justice in Lüritz* in the context of the discipline of history is inappropriate. Perhaps it is rather at home with ethnographies and sociological studies. I am not, however, satisfied with that solution because *Justice in Lüritz* is extremely persuasive as a historical narrative, as an account of the experience of law under socialism. It provides us with a more profound, nuanced, and truer understanding of an issue of fundamental importance than many books written with “proper” sources and conventional forms of argumentation. These are surely appropriate goals for professional historians.

I am also not sure that thinking of the book as ethnography would, in fact, resolve the question. There is now a considerable body of reflection among ethnographers on the ethics of confidentiality and pseudonyms. The issues raised there are many. Two of the most interesting are, first of all, the possibility that informants may lie when they know that they will not be held accountable (either to their neighbors or the researcher) for their words and, secondly, the fact that some informants have said that they possess a sense of pride and authorship in their stories and want their names attached. Others have gone so far as to report having felt robbed of their intellectual property

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or exploited. There is, in addition, the preservation question. Is part of a scholar’s task to assure, or to attempt to assure, the survival of the documentary record? Norms have changed on this question in all of the disciplines using qualitative evidence; the interviews from the Middletown III (1976–1978) study, for example, were preserved and publicly archived. Thus, although historians are perhaps particularly fetishistic about documentation, these issues are not limited to that discipline. And it is because of, as well as in spite of, the troubling questions raised by Justice in Lüritz that I suggested to colleagues who teach a historiography and historical methods course to incoming Ph.D. students that they should assign this book. They often hesitate, saying that it is indeed a great book but not an appropriate model for apprentice historians.

The two issues most often raised are the absence of “followable” references to primary sources and the nonengagement with the existing scholarly literature. One possible answer concerning the anonymity of the sources and the nonreproducibility of the research is the not very interesting, but nonetheless essential, point that had Markovits limited herself to the sources that could have been “properly documented,” our understanding of East German law would have been greatly impoverished. That is, the only way to pragmatically, ethically, and legally use these sources is as has been done in this text. The preservation issue was no doubt moot; the quantities of paper (and their “triviality”) were such that there was almost certainly no possibility of persuading an archive to accept them nor a funding agency to pay for their digitization. And, while some of her informants might have preferred to be identified, and some might have been more restrained in a useful sense had they known they would be, others would not have felt able to speak had they thought they would be named. Most fundamentally, Markovits would almost certainly not have been allowed to see the court records had she said she would identify the town and its people. So, in this case, the reality is that the other choice would be to leave the documents moldering in the basement of the courthouse, unread, unattended to, and unused. And as they moldered, the stories they bear would, of course, molder with them. Implicit in the argument that the text should not be taught to apprentice historians is the contention that, were they to find a cache of similar documents or to imagine a research project that would require such documents, they should turn their back on them. There is a crucial issue here then: should historians limit themselves to the stories they can tell with the

11. See, e.g., Sjaak van der Geest, Confidentiality and Pseudonyms: A Fieldwork Dilemma from Ghana, 51 ANTHROPOLOGY TODAY, Feb. 2003, at 14, 17 (recounting that informants “lied profusely” before being promised confidentiality and chronicling the malaise of informants whose names were substituted with pseudonyms in the author’s work); cf. John L. Jackson Jr., On Ethnographic Sincerity, CURRENT ANTHROPOLOGY S279, S285 (2010) (contending that anthropologists should value the sincerity of their informants over authenticity in order to prevent closing off critiques of identity politics).

12. Bahr et al., supra note 8, at 250.
materials left to them in “proper” archives? What would be at stake, exactly, in demarcating the boundaries of the discipline and saying that a book like Justice in Lüritz is a fascinating piece of ethnography, historical sociology, or even historical fiction but should not be included in the historiographical canon?

One of the justifications for historians’ insistence that arguments be based upon primary sources to which other scholars may have access is verifiability, the basic idea that other scholars who follow behind can be sure of the empirical claims. More interesting, however, is the argument that such access is important because it allows for others to assess the writer’s interpretation of the sources. Here the facts are not at issue but rather the narrative, the story, told on the basis of those facts. Finally, a third logic for using only documents that can be cited properly (and therefore found and read by others) is that it allows for collective labor. According to this model, in an ideal world, an interpretation would be offered and other historians would read it along with the primary sources upon which it rests and offer alternative, improved interpretations on the basis of their reading. This would happen multiple times, ultimately producing a collective, dialogic interpretation of a past event or problem. It is, perhaps (and perhaps ironically in an essay in a law review) a vision that closely duplicates the adversarial dynamics of a court of law, at least as it appears to a lay person. Evidence is presented in a courtroom; it is then assessed and interpreted by the lawyers for the defense and the prosecution; the jury then determines, on the basis of the evidence and the argument, where the truth lies. While the writing of history is not necessarily adversarial (in contrast to the common law courtroom), the process is parallel. There are, then, both positivist and antipositivist assumptions underlying the scholarly apparatus conventional to the profession. The question remaining is whether the costs to historians of including evidence to which no other scholar will have access—thereby eliminating the possibility of interpretative debate—are worth the benefits of the knowledge generated by the use of this material. I would make the response that yes, they are, but that such inclusion does not throw the basic mode of operation of the discipline into question. Such texts will always provoke anxiety alongside admiration, as perhaps they should.

13. See Edmund Russell & Jennifer Kane, The Missing Link: Assessing the Reliability of Internet Citations in History Journals, 49 TECH. & CULTURE 420, 422 (2008) ("The footnote flowered in the nineteenth century as a way to prove historical arguments. . . . If the purpose of a footnote was to prove assertions, other historians needed to be able to examine the same material.").

14. Robert K. Merton, Foreword to Eugene Garfield, Citation Indexing—Its Theory and Application in Science, Technology, and Humanities, at v, vi (1979) (explaining that citations are "designed to provide the historical lineage of knowledge and to guide readers of new work to sources they may want to check or draw upon for themselves").

15. See Donald O. Case & Georgeann M. Higgins, How Can We Investigate Citation Behavior? A Study of Reasons for Citing Literature in Communication, 51 J. AM. SOC’Y FOR INFO. SCI. 635, 636–37 (2000) (explaining that an author’s reasons for providing citations may include criticism, corroboration, development of ideas, illustration, substantiation, and current concerns).
The second very unusual feature of *Justice in Lüritz* is its nonengagement with the existing relevant scholarly literatures. Ethnographers, qualitative sociologists, and historians share the assumption that one is, as a scholar, participating in a conversation with other scholars, past and present, dead and alive, who have worked on the same or similar topics. It is assumed that one may be, in the case of anthropology and sociology, basing one’s analyses and interpretations on a common body of social theory to which it is crucial to refer or, more rarely, that one is looking at the same “case” but from another point of view. Historians less often make overt theoretical claims and infrequently return to archives already studied by their colleagues, but they do engage in intense interpretive debate. Classic questions like the causes of the French Revolution, the impact of industrialization on gender structure, or the timing or reality of Europe’s secularization thesis are hotly disputed, in print and in person, either on the basis of conflicting data or conflicting interpretations of data. Likewise, the question of the nature of justice under socialist regimes has been the subject of considerable discussion. Inga Markovits chose, in *Justice in Lüritz*, not to address directly any of the existing literatures with bearing on this story.

The point of *Justice in Lüritz* is emphatically not to prove any other scholar wrong or even, quite, to contribute to scholarly debate. The book emerges very powerfully as the product of individual curiosity and determination; the author has spent a lifetime seeking to understand how the legal system worked in the DDR. This publication is the most recent in an ongoing project. This is, perhaps, also at least part of the explanation for why she does not suffer from the curse of much academic writing, which is to invent disagreement when there really is not one or to make very bold claims for originality that involve ignoring the contributions of others. Markovits makes no bold claims for her book; she simply offers it. Worrying about the reception of her book, or its audience, was, I think, not high on her agenda. The paradox of that choice is, of course, that the book can speak to more audiences since it privileges none. That said, I do regret some of the costs of this strategy.

This text intersects in very interesting ways with the conceptual literature on everydayness—with the literature that engages in reflection on the place of reflexivity and first-person narratives in nonfiction writing—and with the historiography on the DDR and that on law under socialism, but the reader is left to imagine the discussions Markovits might have had with scholars working in these fields.

I found myself, furthermore, as a nonspecialist academic reader, wondering about how much this image of law under the DDR differs from those drawn by other historians (legal and otherwise).\(^\text{16}\) She provides hints

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\(^\text{16}\) For examples of other histories of law in East Germany, see *Die DDR: Recht und Justiz als politisches Instrument* [East Germany: Law and Justice as Political Tools] (Heiner Timmermann ed., 2000); *Gerald Michael Kraut, Rechtsbeugung? Die Justiz der DDR*
of such a discussion at various points but nothing approaching a full-blown analysis. I also found myself wishing that I knew more of her understanding of “the everyday” and feeling a little deprived of the kind of eavesdropping that being told the conversations in which the author understands herself to be participating can provide. What does she, for example, think of Michel de Certeau’s, Henri Lefebvre’s, Dorothy Smith’s, or Alf Lüdtke’s take on “the Everyday”? Or, what does she think of Sheila Fitzpatrick’s work on everyday life elsewhere in the Soviet Bloc?

There is also, by now, a rather massive literature on the status of the first-person experience—and more to the point, the author’s experience—in academic writing. Literary critics and anthropologists were in the vanguard of those discussions, as challenges from the authors of the texts they analyzed on the one hand, and the intensified critique in the 1970s of their discipline’s linkage to colonialism on the other, made them wonder about what they were doing, exactly, in the field. That wondering took many forms. Some analyzed how their very presence shaped the data they were collecting. Others attempted to grasp how their own emotional states


20. See, e.g., Helen Callaway, Ethnography and Experience: Gender Implications in Fieldwork and Texts, in Anthropology and Autobiography 29, 29 (Judith Okely & Helen Callaway eds., 1992) (analyzing the role of the anthropologist’s gender in shaping data gathering and
influenced what they perceived and did not perceive. Still others became acutely aware of how their own age, gender, and race were influencing what they were allowed to witness. Feminist sociologists, philosophers, and historians a decade later became concerned with a related but distinctive set of preoccupations. They developed and then took seriously the argument, used in the context of the struggle over affirmative action in universities, that it was important to have a diverse faculty and student body, because experience matters. That is, at least in societies in which gender and race are fundamental organizing categories, restricting knowledge production to those of one race or one gender will result in partial knowledge. The argument for the importance of standpoint was, of course, part of a broader critique of positivism and of certain kinds of truth claims. One might think, reading *Justice in Lüritz*, that Inga Markovits was coming out of that intellectual tradition. Both internal and external evidence, however, suggest that this is not the case. Markovits herself appears frequently in the text, but never, I think, to suggest that the author as author matters to what she has learned or how she is telling her tale. The first person is not there, in other words, to suggest that if another person—a man, someone who had not been born in Germany and emigrated to the United States, someone who had not had children, someone who was not a law professor—were to have written the interpretation); Forum, *supra* note 19, at 1152 (“[S]cholars who don’t reveal their participation in interactions risk the appearance of hiding it.”); Stivers, *supra* note 19, at 410 (discussing “the kind of particular, contextual knowledge [that] personal narrative imparts”).


22. *See, e.g.*, RUTH BEHAR, *The Vulnerable Observer: Anthropology That Breaks Your Heart* 162–63 (1996) (contending that Chicano and Chicana anthropologists were better able to see and understand Latino cultures than were Anglo researchers); GEORGE E. MARCUS, *Ethnography Through Thick & Thin* 196–98 (1998) (describing the important role that personal traits play in the interaction between the anthropologist observer and his or her subject); Fran Markowitz & Michael Ashkenazi, *Introduction to Sex, Sexuality, and the Anthropologist* 5–10 (Fran Markowitz & Michael Ashkenazi eds., 1999) (explicating the evolution of anthropologists in revealing the effect of their sexual behavior in the field on their research); Liz Stanley & Sue Wise, *Method, Methodology, and Epistemology in Feminist Research Processes*, in *Feminist Praxis: Research, Theory and Epistemology in Feminist Sociology* 20, 39 (Liz Stanley ed., 1990) (arguing that gender can influence perspective due to social experiences).

book, it would have been substantially different. The first person is there to provide information the author views as crucial for the reader in assessing the argument. The most striking case is, no doubt, when Markovits notes, in her discussion of a case in which a mother’s children were permanently taken away from her by the court because she was unable to care for them while recovering from having been badly beaten by her husband, that she herself would have gone to jail rather than lose any of her children.\(^{24}\) The comment is there to inform the reader of her point of view but not really to suggest that a reader who had not had children would read the case differently. Reading this passage, and others in which Inga Markovits appears, brought to my mind the work of feminist philosopher Iris Marion Young, who in the essays collected in \textit{On Female Body Experience}, as well as elsewhere, inserts evidence from her own life to reinforce an argument.\(^{25}\) Rather than arguing for the necessary partiality of all knowledge resulting from the impossibility for any author to escape from his or her standpoint and achieve objectivity, Young implicitly makes a claim for privileged knowledge; she is in a particularly good location to grasp how norms of domesticity worked in mid-twentieth century America because she was taken away from her mother when her mother was judged to be an incompetent parent.\(^{26}\) I would have found it helpful while reading \textit{Justice in Lüritz} to know what conversation Markovits might have had, be having, or imagine having, with Iris Marion Young or others, on the situated knowledge and place of the “I” in academic prose. As in the case of Inga Markovits’s silence on the historiography of the DDR and its legal history, the silence does not make the text less interesting or less persuasive, but it does leave one, as the French say, “on one’s hunger” to know more of what she thinks.

Finally, I would like to suggest that, despite the title, \textit{Justice in Lüritz} is not primarily a book about justice. It is a book, as the subtitle (\textit{Experiencing Socialist Law in East Germany}) suggests, about the workings of the legal system in East Germany. While this may appear to be a semantic quibble, I think it is not the case. The gap between justice in the more profound sense and the legal system is marked in any society. I found myself wondering, as I finished the book, about other ways of thinking about justice. It would seem that the principles of justice—in the abstract—in socialist and capitalist societies were fundamentally different. \textit{Justice in Lüritz} makes clear that the socialist regime did not succeed in changing many people’s conception of justice—they continued, for example, to defend their rights as property owners. But many do seem, for a while at least, to have accepted that the

\(^{24}\) Markovits, \textit{supra} note 3, at 83.

\(^{25}\) See, e.g., Iris Marion Young, \textit{Breasted Experience: The Look and the Feeling}, in \textit{ON FEMALE BODY EXPERIENCE}, at 75, 83 (2005) (giving an example of shedding her bra to illustrate that although “[w]omen never gathered in a ritual of bra burning, . . . the image stuck” in the minds of women).

\(^{26}\) Iris Marion Young, \textit{House and Home: Feminist Variations on a Theme}, in \textit{ON FEMALE BODY EXPERIENCE}, \textit{supra} note 25, at 123, 136.
common good had to take precedence over individual desire and that contract was a concept of limited validity. It would be fascinating to know more about the mechanisms by which people’s fundamental understanding of justice changes. When and how, for example, do people come to believe that the color of skin should not affect wages or employment opportunities? Why is it so hard to convince people that it is unjust for women to be paid less than men? *Justice in Lüritz* gives us a series of snapshots of what issues people living in the DDR thought that they could bring to court, the arguments they used, and the responses of the judges. It cannot give us a clear sense of how “justice” worked—that is, how and why conceptions of the just and unjust changed (or did not). This is a result, I think, of both the source base and the organization of the book.

Any method of organization carries the faults of its virtues, and that governing *Justice in Lüritz* is no exception. The choice to organize the book topically or thematically both produces a certain amount of repetition but, more seriously, makes it much harder to grasp, in a systematic way, how the experience of the courts changed over the lifespan of the DDR and how those changes were imbricated with other transformations in polity, economy, and society. This was a frustration to me, but she might well reply that this was not her goal. Her goal was to understand how people experienced the law, and most people experience the law episodically and in particular parts of their lives—family, work, or property—during which they are obliged to come in contact with the courts. A narrative that started at the beginning and oscillated through changes in the judicial and other aspects of East German governance would have risked losing the book’s central subject in what might appear to be a grander narrative and larger explanation. The issue of comparing socialist with nonsocialist experiences of the law lies in parallel with that of tracing change over time.

There is inevitably in this text, as in all that take one aspect or another of a socialist regime as their agenda, an implicit or latent comparison with the equivalent institution or structure in capitalist regimes. While asking for a full-blown comparison of the experience of law under capitalism and socialism is obviously unreasonable, I was occasionally troubled by sentences, or sentence fragments, that implied that a given phenomenon would not have happened in a court of law in a capitalist system. I found that, for example, to be true in the case referred to above of the woman who committed suicide after her children were removed from her.27 It is clear that socialist justice in the DDR often did privilege what the judges understood to be the collective good over individual interest, but that seems to often be true in capitalist justice in the United States as well. So, I found myself longing, sometimes, for the implicit comparisons to be made more explicit, even if only to open the question.

I would like to conclude on what may seem to be another trivial issue, but one that I find intriguing. My strong impression as I was reading Justice in Lüritz was that Markovits had translated the book herself. I thought that not because there was anything particularly Germanic about the prose but because of certain formulations that were both very appealing and deeply idiosyncratic. I realized, after a point, for example, that the verb the author virtually always uses to describe someone leaving the East for the West was *abscond*[^28]—a very particular choice. I focus here on that particular example because I think it sums up very beautifully both the location and power of this book. *Abscond*, whose dictionary meaning is “to depart secretly and hide oneself”[^29] is, of course, perfectly apt for those who fled the East. But, connotatively, *absconding* is not entirely honorable; it does not imply the pathos of *fleeing* or of *escaping*. Inga Markovits’s choice of this verb emblematizes the work she has done in Justice in Lüritz: the book provides an extraordinarily vivid and equally extraordinarily complex, moving picture of how people experienced socialist law in East Germany. She neither rehabilitates nor condemns the DDR any more than she romanticizes or judges those individuals who remained within its borders or absconded to the other side of the border. She set about attempting, using all the tools available to her, to do justice to the system of justice of the DDR. And she has succeeded admirably.

[^28]: *Id.* at 9, 16, 29, 49, 99, 189.