

THE SECURITY COLOSSUS

THE ORGANISATIONAL STRUCTURE

While this chapter concentrates on the Stasi security conglomerate on the eve of the collapse of communist rule, it should be stressed that the structure had evolved and changed significantly over several decades in response to developments in the political, security, economic and foreign policy environment. The exhaustive internal survey of the organisational structure of the ministry, which has been published by the Gauck Authority under the editorship of Roland Wiedmann and extends to 362 pages, represents the main empirical source for this section of the chapter. In 1989, the 91,105 full-time staff of the ministry were spread across the central apparatus in East Berlin, the 15 Regional Administrations (*Bezirksverwaltungen* – BVs), the 211 District Service Units (*Kreisdienststellen* – KDs) and 7 ‘objects’ (*Objekte*), that is, major complexes such as the nuclear power station in the Greifswald region and Dresden’s technical university. The breakdown into regions and districts corresponded with the territorial structure of the SED and the GDR. Just under half of MfS staff worked in East Berlin and most of the remainder in the territorial organs. To what extent rivalries existed over status and operational boundaries are difficult to assess but, according to Werner Großmann, HV A officers felt that they constituted the ministry’s elite troops and internal intelligence organs such as Main Department II were anxious to keep HV A off their operational patch.¹ Although there were also perceptible differences in the status of, and the salaries attached to, functions within departments, the cleavages should not be exaggerated for a high level of operational coordination existed between the various branches in the pursuit of enemies of the republic and, as will be seen in Chapter 6, the officers constituted an ideologically and politically cohesive corps.

¹ Großmann W. 2001: 28, 136.

THE CENTRAL APPARATUS

MfS headquarters were located in the Lichtenberg district of East Berlin. Although the official address was Normannenstrasse 22, the vast complex of ugly buildings, all protected by cameras, extended across several square kilometres from the Frankfurter Allee to the Gotlindestrasse. Other buildings were situated in the Hohenschönhausen, Niederschöneweide and Johannistal districts of the capital. The heart of the complex in the Normannenstrasse, where Mielke worked, now contains a museum dedicated to the history of the State Security apparatus. With the furnishings frozen in time, visitors can appreciate the iconography of power and the plain tastes of the minister and his associates. Tina Rosenberg describes these as:

Downstairs in the lobby are statues of Lenin and Felix Dzerzhinsky. On the third floor Erich Mielke’s office is preserved as he left it, his calendar turned to December 1989. Mielke’s office has blue chairs, red rugs, wood panelings, and white polyester lace curtains. The furniture is the cheap fifties style found all over the East Bloc. On his desk are plastic ashtrays on doilies, a plaster bust of Lenin, a document shredder, and four telephones.²

But, as Rosenberg acknowledges, appearances are deceptive for this was the centre of ‘the most extensive spy organization in world history’.³ In 1989, the central apparatus in East Berlin encompassed 13 Main Departments and 20 Departments, sometimes with no clear rationale for the division or for the nomenclature. The top leadership groups, which were centred on Mielke, consisted of an executive committee of 13 generals called the Collegium, the Working Group of the Minister (*Arbeitsgruppe des Ministers*) and the Office of the Leadership (*Büro der Leitung*). The Collegium, which in theory was empowered to take decisions on major issues, had, certainly since the beginning of the 1970s, lost much of its political bite.⁴ Wolfgang Schwanitz, one of the deputy ministers, has stated that while he was a member of the Collegium, it never discussed fundamental questions concerning the development of the MfS and that it met irregularly.⁵ Other generals recall that they had to sit through tedious and lengthy monologues by the minister and that discussions rarely dealt with anything other than the trivial and superfluous; in other words, the Collegium was little more than a collective figleaf to cover up Mielke’s authoritarian style.⁶

The four deputy ministers belonged to the Collegium and, like Mielke, each presided over a mini-empire of Main Departments and Working Groups. They were all members of the pioneer generation which had built the GDR.

² Rosenberg T. 1995: 289.

³ Ibid.

⁴ Fricke K. W. 1991: 22; Otto W. 2000: 346.

⁵ Interview with Schwanitz in Villain J. 1990: 133.

⁶ Wolf M. 1997: 342; Großmann W. 2001: 115.

and had demonstrated their loyalty and aptitude during long years of service. After the departure of Markus Wolf in 1986, Rudi Mittig was the senior member of this inner circle. Born in 1925 in Czechoslovakia, he served in the Wehrmacht in the later stages of the Second World War and was imprisoned by the Soviets between 1945 and 1949. He joined the SED in 1951 and the Stasi two years later. He was appointed head of the Potsdam Regional Administration in 1955 and Main Department XVIII nine years later; in 1975, he attained the position of deputy minister,⁷ one year before Wolfgang Schwantz. The latter, five years younger than Mittig, was recruited by the MfS in 1951 and three years later became leader of the Pankow District Service Unit. He graduated as Doctor of Law at the Stasi's Law School in 1973 for his work on youth crime in the GDR. He was the head of East Berlin's Regional Administration between 1974 and 1986. After the fall of Mielke, he served for a few weeks as chief of the Office for National Security.⁸ Gerhard Neiber, born in 1929 in Czechoslovakia into a working-class family, worked for the police in the immediate post-war period. He joined the Weimar District Service Unit in 1950, became leader of the Frankfurt/Oder Regional Administration ten years later, graduated as Doctor of Law in 1970, and was appointed deputy minister in 1980.⁹ Finally, Werner Großmann, born in 1929, carved out a career from the early 1950s in the foreign intelligence arm. After succeeding Markus Wolf as head of HV A, he was promoted to deputy minister.¹⁰ The other nine members of the Collegium, all of whom were born between 1929 and 1934, included Dr Günther Kratsch, Dr Alfred Kleine and Dr Werner Irmeler, who presided over Main Departments II and XVIII and ZAIG respectively.

THE EMPIRE OF THE GENERALS

This section will look schematically at the Main Departments, Working Groups and other units which comprised the security empire of Mielke and his four deputies. Table 4.1 provides an overview of the five-fold division of responsibilities; the figures on staff numbers refer to those working in the ministry's central apparatus in East Berlin. As the unassailable dictator of the MfS, Mielke's domain contained by far the largest number of units. He presided over the Working Group of the Minister, the Office of the Leadership, four Main Departments covering Cadres and Training, Counterespionage, Criminal and Political Investigation, and the Protection of Individuals as

⁷ <http://www.bstu.de>. Also see his interview in Rieckert A., Schwarz A. and Schneider D. 1990: 164-70.

⁸ Interview with Schwantz in Villain J. 1990: 150; <http://www.bstu.de>.

⁹ Ibid.

¹⁰ Ibid.

Table 4.1 Organisational structure and numerical strength of the central organs of the MfS, 1 October 1989

Minister of State Security					
Minister Erich Mielke	Minister Erich Mielke	Deputy Minister Rudi Mittig	Deputy Minister Gerhard Neiber	Deputy Minister Wolfgang Schwantz	Deputy Minister and Head of HV A Werner Großmann (total staff: 3,819)
Collegium (14)	Secretariat of Minister (8)	Maintenance and General Services Administration (3,279)	HA I: Protection of NVA and Border Guards (2,319)	HA III: Radio Surveillance and Counterintelligence (2,361)	Political Espionage I (ERC)
Minister's Working Group (689)	Heads of Regional Administrations (HVs)	HA XVIII: Protection of Domestic Economy (674)	HA VI: Protection and Control of Borders and Holiday Traffic (2,025)	OTS: Operational Technological Sector (1,131)	Political Espionage II (EU, NATO, Western countries)
ZAIG: Central Assessment and Information Group (423)	Guard Regiment (11,203)	HA XIX: Security of Transportation, Postal and Telegram System (251)	HA VII: Protection of Interior Ministry Agencies (357)	Department Intelligence and Communications (1,599)	Scientific-technical Espionage
Office of the Leadership (324)	Department XII: Central Archives and Registry (344)	HA XX: Political Underground (461)	HA VIII: Equines and Observation (1,618)	Department XI: Cryptology (513)	Secret Services/Operational Documentation
HA Cadres and Training (1,047)	Department XIII: Computer Centre (440)	ZAGG: Central Working Group for the Protection of Secrets (58)	HA XXII: Political Extremism and Terrorism (878)	BCD: Weapons and Chemical Service (176)	Maintenance and General Services

Table 4.1 (cont. d)

		Minister of State Security	
HA II: Counterintelligence (1,432)	Legal Office (12)	KoKo (120)	Department 26: Telephone Control (436)
HA IX: Criminal Investigation and Interrogation (484)	Central Medical Service (1,161)	ZOS: Central Operational Staff (64)	Central Coordinating Group (192)
Department X: Liaison to other Eastern Bloc Security Services (46)	Law School (<i>Juristische Hochschule</i>) (758)		AG XVII: Working Group West Berlin Visitors' Bureau (308)
Department XIV: Penal and Interrogation Institutions (255)	Department M: Post Control (530)		
Finance Department (177)			
HA Protection of Individuals (3,762)			
Office of the Central Board of the Dynamo Sports Association (about 1,400, of which 420 were MfS staff)			

HA = Hauptabteilung or Main Department.

Source: Fricke K. W. 1991: 26-7; Wiedmann R. 1996: *passim*.

well as seven Departments and ZAIG. Other important organs, such as the Guard Regiment, will be examined later in the chapter.

Of the three administrative organs which served the minister, the small Secretariat of seven operatives under Major General Carlsohn acted as a kind of staff office with responsibility for the personal care of the minister, the distribution of petitions or *Eingaben* and other postal communications.¹¹ The Working Group of the Minister, with 689 employees, was numerically the strongest of the three units. It prepared and dealt with documents relating to Mielke's work on the National Defence Council and, like the Working Groups of the Deputy Ministers, was involved in the planning of measures in the event of a national emergency. These plans included the arrest of about 3,000 hostile-negative persons and the transfer of a further 11,000 to designated internment camps.¹² Finally, the Office of the Leadership, under the command of Major General Egon Ludwig, coordinated the work on the petitions which were sent to the minister, processed documents and organised the guarding of the MfS complex in the Normannenstrasse.¹³

The largest Main Department under Mielke's direct control was that for the Protection of Individuals, followed by the Main Departments for Counterintelligence, Cadres and Training, and Criminal Investigation. The first dealt with the safety of leading party and state representatives and with guarding important buildings, such as the Palace of the Republic, the official residence of the Chairman of the Council of State and the Wandlitz compound for members of the SED elite. Wandlitz was set in a wooded area 30 kilometres north of Berlin, where the top leaders enjoyed a pampered existence. Special facilities were laid on for the keen hunters, notably Erich Honecker, Erich Mielke and Günter Mittag. While hardly luxurious by Western standards, within the context of the GDR's 'shortage economy' revelations in the media about the complex during the autumn of 1989 triggered off widespread anger and protests among East Germans. Some insiders were also critical. Andreas K., one of the MfS guards in the Main Department for the Protection of Individuals, became disenchanted with the MfS when he experienced at first hand the privileges of the elite and the artificiality of the hunt. He observed that Mittag was not allowed to shoot more deer than Honecker and that Mielke was not to exceed Mittag's score. Should this ranking be upset, then the Stasi officers had to join in the shoot in order to restore the pecking order.¹⁴

Lieutenant General Dr Günter Kratsch's Main Department for Counterintelligence was one of the main beneficiaries of the expansion of the MfS. It increased almost four-fold in strength between 1968 and 1982, primarily as a

¹¹ Wiedmann R. 1996: 15.

¹² Gieseck J. 1998: 41.

¹³ Wiedmann R. 1996: 64-5.

¹⁴ Interview with Andreas K. in Karau G. 1995: 161.

consequence of the party and Stasi leadership's anxiety to combat the negative elements of détente. When interviewed in the later 1990s, Kratsch was highly critical of what he regarded as the leaders' contradictory efforts to preserve communist rule at the same time as the country opened up to the West.¹⁵ The numerous departments and operative desks of the Main Department for Counterintelligence were delegated to protect the social, economic and political spheres of the GDR against the machinations of the imperialists, whether Western journalists and intelligence services or Western citizens resident in the GDR. In addition, its remit extended to the political-operational protection of GDR embassies in the socialist states as well as combating Western intelligence agencies in what the MfS called the 'Operation Area', primarily the FRG. As it also infiltrated those enemy secret services who ran agents, notably West Germany's, its units cooperated closely with HV A.¹⁶ Department M, which dealt with the interception, censorship, control and assessment of mail, had a staff of 530 operatives and was under the command of Major General Rudi Strobel. The Main Department for Cadres and Training, which grew by about 500 per cent between 1968 and 1982,¹⁷ was a vital cog in the Stasi's administrative machinery. Under its head, Dr Günter Möller, it was concerned with the recruitment and training of full-time employees, the observation and disciplining of staff, and the organisation and supervision of the Stasi's own training establishments. The Main Department for Criminal Investigation and Interrogation and Department XIV are discussed in Chapter 5.

The Central Assessment and Information Group (*Zentrale Auswertungs- und Informationsgruppe* – ZAIG) of Dr Werner Irmeler was the brains trust of the Stasi. Its relatively small staff of 422 operatives belied its significance. Not only did it gather and analyse external and internal sources of intelligence which were regarded as vital for the preservation of SED rule, but it also prepared materials for service conferences and statements by the minister. Its regular reports on the mood of the population, which provide an invaluable insight into the popular culture of East Germany, were transmitted by Mielke to selected state and party leaders, even though the higher the level of the Stasi and party, the more likely the dilution of criticism.¹⁸ In addition, ZAIG fed information into SOUD, that is, the computerised data storage system of the socialist states administered by the KGB.

The Guard Regiment 'Feliks E. Dzerzhinsky', named after the founder of the Cheka, had 11,203 troops, of which 8,735 were conscripts performing military service. Conscripts normally served for three years and provided an

important recruiting ground for full-time MfS personnel. The core of the regiment consisted of five units with four motorised rifle battalions, ten rifle battalions and four rifle companies. The regiment's tasks were to provide a guard of honour on ceremonial occasions, to protect important state and party buildings and to provide security at major events. The troops were quartered in Berlin-Treptow, Glieneke, Ahrensfeld, Erkner, and in the Potsdam Administrative Region (*Bezirk*), Teupitz. The regiment could also be called upon in the event of an emergency, as on 7 and 8 October 1989 when demonstrators in East Berlin were physically assaulted by its troops. Most of the Stasi's large arsenal was in the hands of the Guard Regiment. At the time of the Stasi's dissolution, the ministry possessed 124,593 pistols, 76,592 light machine-guns, 3,611 rifles, 766 heavy machine-guns, 3,537 anti-tank weapons and 3,303 flare pistols.

The domains of the four deputy ministers were much smaller than that of Mielke. The HV A of Großmann, a self-proclaimed 'pragmatist',¹⁹ is examined in Chapters 12 and 13. Rudi Mittag's empire included a large Maintenance and Service Department, which carried out vehicle repairs and construction work and provided a series of services for staff, ranging from the allocation of kindergarten places and holidays to hairdressing and retail outlets. Two other Main Departments in Mittag's empire, HA XVIII and HA XX, were of vital importance once the country's problems began to mount both externally and internally from the mid-1970s onwards. Given its centrality to the struggle against the political underground and political-ideological diversion, HA XX had a surprisingly small staff of 461 operatives. It carried out surveillance of the mass organisations, the mass media, the four bloc parties and the churches, and it provided protection for major sports installations and the education sector. It cooperated closely with other units. This is exemplified by its liaison with HA VIII in the bounding of Wolfgang Templin, a leading member of the small opposition group Initiative for Peace and Human Rights. An observation report dated 26 January 1988 provides an insight into the kind of comprehensive and unremitting surveillance which so many others also had to endure. The document, signed by two officers in HA VIII, records the results of the monitoring of Templin's activities three days earlier. Observation began at 13.15 hours in Weimar. The document notes that Templin travelled by train from there to Erfurt, where he left the main station at 14.28 hours, took a tram to Cathedral Square, and entered the house of the Protestant Student Community at 14.42 hours. After a meeting in the house with eight to ten persons, Templin departed with three men in a car for Weimar at 19.18 hours. The number and owner of the vehicle were recorded.²⁰

¹⁵ Ash T. G. 1997: 159.

¹⁶ Wiedmann R. 1996: 117; Labrenz-Weiß H. 1998: 6–7, 63–4.

¹⁷ Gieseke J. 1998: 41.

¹⁸ See the reflections in the interview with 'Klaus', a former member of ZAIG, in Wilkening C. 1990: 24–5.

¹⁹ Großmann W. 2001: 120.

²⁰ For these details and the full document, see *Stasi-Akte 'Verräter'* 1993: 109–11.

Dr Alfred Kleinc's Main Department XVIII, which was also part of Mittag's sphere of interest, was entrusted with the safeguarding of the state economy and foreign trade relations, especially with the non-socialist countries. Finally, 120 staff were assigned to secure Alexander Schalck-Golodkowski's Koko (*Kommerzielle Koordinierung*), the shadowy organisation which raised hard currency outside the confines of the planned economy. As head of KoKo and a high-ranking Stasi officer, the burly, extrovert Schalck-Golodkowski was responsible in his own words: 'for guaranteeing a high level of security and order in the organisation, for achieving the fundamental and specific security policy requirements in the selection, deployment and class training of cadres as well as utilising the opportunities of the organisation for the ministry's political-operational work, including the prevention of disruptive influences'.²¹

Dr Gerhard Neiber, friendly and a good host according to Markus Wolf,²² was in charge of five Main Departments as well as Working Group XVII. The latter ran the GDR passport office in West Berlin, which processed visa applications for visits to the GDR. A Central Coordinating Group (*Zentrale Koordinierungsgruppe* – ZKG) was set up in 1976 to help tackle the problem of flight from the republic and, from 1977 onwards, the flood of applications to emigrate to the FRG. Its 192 operatives were under the command of Major General Dr Gerhard Niebling. Fricke refers to Niebling as 'a man who as an interrogating officer used psychological torture to drive to despair prisoners handed over to him...'.²³ The strength of Neiber's Main Departments ranged from the 2,319 operatives of HA I, which conducted counterintelligence work in the East German armed forces and the border guards, to the 357 of HA VII, which was involved in securing the Ministry of the Interior, its prisons and the German People's Police. Finally, Main Department XXII was responsible for combating the activities of left and right extremists, above all from West Germany, against the GDR.²⁴

Dr Wolfgang Schwanz, 'sharp and ambitious',²⁵ presided over the technological and electronic communications sphere. The staff in his only Main Department, HA III, monitored all Western radio broadcasts reaching the GDR and the shortwave bands inside the country. The Intelligence Department focused on the organisation and the safeguarding of the ministry's own intelligence work and the operatives of the notorious Department 26 monitored telephone conversations and set up optical and acoustic equipment such as cameras and bugs. Together, Departments 26 and M constituted a highly

refined and comprehensive system of postal and telephone monitoring.²⁶ MfS staff in special secure rooms intercepted suspicious mail as well as post from persons already under investigation. In the 1980s, each of M's 15 sections opened about 6,000 letters a day. Not content with opening post, the MfS also falsified letters as part of its dirty tricks strategy. All cross-border packages – about 4,000 per day in each of the country's postal areas – were controlled by special parcel investigators. The MfS, it is estimated, seized valuables worth about 32.8 million DM between January 1984 to November 1989. Telephones were tapped in private homes as well as at places of work. In 1983, about 2,300 telegrams were read each day and a further 510 from abroad in the Stasi's Magdeburg Regional Administration. In East Berlin, 25 telephone stations enabled Stasi personnel to tap 20,000 connections simultaneously. From intercepted mail and phone calls, the Stasi was able to assess popular attitudes towards the FRG, the unsatisfactory supply situation in the GDR, and plans to flee the republic; it sometimes used the information to blackmail people into becoming informers. The Berlin Wall was strictly taboo: post-cards showing the Wall were destroyed and printed materials referring to it were confiscated. While the extent of surveillance of post and telephone conversations was greater than anyone had suspected, East Germans nevertheless knew that they were being monitored and sought to outwit the Stasi.

THE TERRITORIAL STRUCTURE

Soon after the dissolution of the old *Länder* in 1952, the territorial structure of the MfS was brought into line with the country's administrative division into 14 Regional Administrations (*Bezirke*) and their subdivision into 211 Districts (*Kreise*). With respect to the four-power status of Berlin, the Stasi's East Berlin Regional Administration (*Bezirksverwaltung* – BV) was called the 'Administration for State Security Greater-Berlin' until 1976. Shortly before the fall of the Berlin Wall, the strength of a BV varied from the 3,926 full-time operatives of Major General Helmut Schickart's BV Potsdam to the 1,739 of Major General Gerhard Lange's BV Suhl. The capital's Regional Administration (2,775) occupied a middle position. The total strength of the BVs more than doubled to 43,168 between 1971 and 1989.²⁷ Their organisational structure followed the pattern of the central apparatus and the executive usually consisted of a leader and his four deputies. Several of the so-called lines (*Linien*) of the central apparatus ran downwards into the regional units, notably the lines of Main Departments II, III, VI–VIII, XVIII–XX as well as of Departments M and 26.²⁸

²¹ Cited in Schalck-Golodkowski A. 2000: 231. Our translation.

²² Wolf M. 1997: 272.

²³ Fricke K. W. 2001: 561. Our translation. Niebling, born in 1932, joined HA IX in 1953 and was its deputy head between 1979 and 1983.

²⁴ Wiedmann R. 1996: 264.

²⁵ Wolf M. 1997: 272.

²⁶ For these and other details, see Kallinich J. and de Pasquale S. 2002: 58–9, 63, 66–9, 71–2, 87.

²⁷ Gieseke J. 1995: 100–101.

²⁸ Fricke K. W. 1991: 32–4.

The much smaller District Service Units (*Kreisdienststellen* – KDs) had a less elaborate organisational structure, with activities tending to be bundled together rather than being disaggregated according to the line principle. The large BV Halle had 23 KDs and three ‘objects’ with a combined total of 1,539 employees, whereas Suhl only had 8 KDs and 340 personnel.²⁹ Several BVs were also responsible for major ‘objects’ such as the Leuna-Works ‘Walter Ulbricht’ in Halle, which had the status of an Object Service Unit (*Objektdienststelle* – OD).³⁰ The officers in the districts were the footsoldiers of the ministry who operated within the parameters of the guidelines and service instructions issued by Mielke and on the basis of orders from their regional headquarters. The District and Object Service Units employed a staff of over 11,000, varying considerably from one unit to another. Whereas the KD Leipzig had about 200 and the KD Dresden about 180 employees, some rural units had no more than between 25 and 40 full-time staff. About 7,000 full-time staff were directly engaged in operational work, about 2,800 with operational-technical and administrative tasks and over 1,000 with protecting the ‘objects’.³¹ The officers in the districts bore a heavy workload, as can be seen from the catalogue of responsibilities listed in an internal document of October 1988: to prevent flight from the GDR and to secure the country’s borders; to monitor all forms of dissent; to guard against sabotage; to provide security for government installations; and to instigate investigations and recruit IMs.³² As part of their comprehensive surveillance of society in their area, they targeted, among many others, foreign journalists and the churches, cooperated with leading functionaries in government and industry, reported regularly to the SED organs and ran a large army of informers. It is not surprising that many KD officers considered themselves to be overworked. As John Schmeidel has pointed out, the KDs ran about half of the ministry’s IMs and whereas an officer in a BV had about eight IMs, a KD case officer was in charge of 13 to 40. The informers of the KDs were in general not of the highest quality and turnover was more rapid than among those run by the central organs and the BVs.³³ Although he must have known better, Mielke, not convinced that the districts were overloaded, objected in 1988 to the claim that one of the main causes was the sheer volume of trivial tasks.³⁴

²⁹ Gill D. and Schröter U. 1991: 56.

³⁰ Fricke F. W. 1991: 33–4.

³¹ Gill D. and Schröter U. 1991: 57.

³² Schmeidel J. 1995: 27.

³³ *Ibid.*, 28, 43–4. For further details on the ratio of IMs to officers, see Gill D. and Schröter U. 1991: 63.

³⁴ Gieseke J. 2001: 134.

POLITICAL JUSTICE IN A DICTATORSHIP

LAW AS AN INSTRUMENT OF POLITICS

The MfS was deeply embedded in the GDR’s system of political justice, a feature which one former ZAIG officer has described as a cancer in that political police measures were applied to problems which the MfS was in no position to solve.¹ The nature of the interaction between secret police and justice will be explored in this chapter with reference to the collaboration of SED and Stasi, the ministry’s penetration of the legal profession and, above all, the repressive elements of a state which remained a post-totalitarian dictatorship despite an amelioration in conditions during Honecker’s rule. Before examining the ministry’s role, especially that of Main Department IX, several aspects of the judicial and the legal system deserve comment. As Klaus Marxen, Professor for Criminal Law at the Humboldt University, has argued, the SED treated law as an instrument of politics.² The undoubted primacy of politics over law was asserted by Mielke in uncompromising terms at a service conference in July 1979: ‘Power is the most important position from which to fulfil the historical mission of the working class, to establish Communist society . . . Socialist law is an important instrument of exercising, enhancing and consolidating power’.³

Mielke’s comments reflect the ruling elite’s instrumentalisation of the legal system and the judiciary for the maintenance of the hegemony of the SED, even though officials attempted in public, with their domestic and international audience in mind, to give the impression of being supportive of legal reform and of adhering to due legal procedures. The SED leaders made no secret, however, of their disdain for so-called ‘bourgeois’ notions of the *Rechtsstaat*, that is, a state based on a transparent legal system. According to state socialist theory, ‘bourgeois’ law and the concept of the separation of

¹ Interview with Franz in Wilkening C. 1990: 155.

² Marxen K. 1999: 16.

³ Cited in Vollnhals C. 1999: 227. Our translation.