

Rüdiger Graf/Kim Christian Priemel, **Contemporary History in the World of the Social Sciences. Legitimacy and Originality of an Academic Discipline**

Unlike other historiographic disciplines contemporary history has to define itself in a both intra- and interdisciplinary arena. While the debate on when exactly contemporary history begins has accompanied its practitioners from the very beginning, the question as to what sets it apart from other social sciences has long been suspended. With the fields of research moving rapidly into the last decades of the twentieth century this problem becomes increasingly urgent. Not only does contemporary history investigate the same empirical phenomena that have already been analysed by sociologists, economists, and political scientists, it also appropriates the theories constructed by these neighbouring disciplines. The present article exemplarily outlines this borrowing practice looking at the careers of theoretical models such as value change, international interdependence and economic structural change first in their own fields, then among historians. Beyond the easily identifiable hazards of using the data compiled by contemporary social scientists and reproducing their findings, the more fundamental problem lies in the all-too-easy adoption of the theories by which these have been produced. The heuristic and explanatory appeal of these theories results from their epistemic proximity to the hermeneutic horizon of contemporary historians and leads to the adoption rather than critical reflection of such models. This danger, however, also leads to the great potential of contemporary history which should historicise and look beyond the perspectives of contemporary social scientists.

Michael Mayer, **Actors, Crimes and Continuities. The German Foreign Office During the Third Reich – an Internal Differentiation**

The final report of the Commission of Historians Dealing with the History of the German Foreign Office during the Nazi Dictatorship and the Federal Republic has kindled a heated debate. Here the results of the commission are checked by systematic research. Mostly the article focuses on the question as to which new insights can be gained by engaging in an internal differentiation within the Foreign Office. The Commission of Historians has disputed that such a differentiation leads to an increase in understanding. For the first time, the staff of the various desks which were (among other things) responsible for the persecution of the Jews and the Political Department are compared. Here it becomes clear that fundamental differences existed within the Foreign Office on a hitherto unrecognised scale. What were the consequences? To answer this question, the positions espoused by the *Judenreferat* [Jewish desk] as well as the Political and Legal Departments during the Holocaust are examined. In this manner it is possible to determine a balanced internal differentiation within the Foreign Office which takes the existing internal commonalities and differences into account without downplaying its extensive participation in Nazi crimes. The results of the Commission can thus be corrected and supplemented comprehensively.

Markus Lammert, **The French Left, Terrorism and the "Repressive State" in the Federal Republic during the 1970s**

The West German "Internal Security" policy of the 1970s was harshly criticised in France. In many sections of the French Left, the Federal Republic was seen as a state which was abolishing the rule of law in its struggle against terrorism. Markus Lammert traces the different responses of the French critics, among them left-wing extremists as well as left-liberal politicians, who were soon to move into government positions. Their motives cannot be reduced to a historically founded "anti-Germanism". Mostly, the Federal Republic and its struggle with terrorism served as a projection screen for internal political conflicts within France itself. The extension of the rule of law within the Fifth Republic, extended civil liberties and improved human rights protections were among the central themes of the French Left during the 1970s. Additionally transnational German-French networks fostered cross-border protest mobilisation against the anti-terrorism policy of the German government.

Reinhard Otto/Rolf Keller, **On the Individual Registration of Soviet Prisoners of War by the Wehrmacht**

Haritonow and Müller consider our proposed method of using identity tags to establish the number of registered Soviet prisoners of war unsuitable because the number of data records has more than doubled during the course of their indexing project. A comparable approach would then result in an unrealistic total of more than 10 million prisoners. Yet these authors have completely misunderstood our line of inquiry, which is not at all about the total number of prisoners. A similar superficiality can be observed in the figures they present, which are uncritically extracted from their database, demonstrably resulting in errors due to input errors, which in turn result from the erroneous interpretation of documents or simple typing mistakes. Additionally they exhibit limited familiarity with the written records of the Wehrmacht, now mostly held by the Bundesarchiv-Militärarchiv, so that many of the documents quoted by them are not adequately contextualised. These deficiencies confirm the devastating assessment of an evaluation committee which stated that the team in Dresden led by Müller should in future focus on the humanitarian aspect of the project and leave research to others. After thorough examination of our past deliberations we see no reason to question our method and results; the corrections resulting from the enlargement of the database are within the bandwidth we predicted. One may thus continue to assume that about 3 million soldiers of the Red Army were transferred to the OKW area and were registered individually as prisoners of war between 1941 and 1945.

Daniela Münkel, **Unrest in a Closed Country. An Internal Stasi Report on the Situation in the GDR after the Construction of the Berlin Wall**

The source edited here is a hitherto unknown internal report of the East German State Security Service on security problems which occurred after the border in

Berlin was closed off. The report unadornedly names the neuralgic areas which challenged State Security currently and in the short term. Mostly the report mentions industry, agriculture, construction and transportation, education (universities), the churches, members of the intelligentsia, adolescents as well as the rural population. On the one hand the report relates to protests and resistance behaviour patterns, which were directly or indirectly related to the construction of the Berlin Wall. On the other hand it recounts the enforcement of extensive political conformity under the conditions of the now “closed off” GDR.



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Der Jurist in der industriellen Gesellschaft

Ernst Forsthoff und seine Zeit

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„Wir kennen die Welt nicht, in der wir leben“. Sein Leben lang hat Ernst Forsthoff (1902–1974) sich als heroischen Realisten dargestellt. Geprägt vom jungkonservativen Widerstand gegen die Weimarer Republik, im Einflussfeld Carl Schmitts und Ernst Jüngers sozialisiert und durch sein kurzzeitiges Eintreten für den „totalen Staat“ Hitlers lebenslang belastet, wurde Forsthoff später zu einem der bedeutendsten deutschen Juristen und Staatsdenker des 20. Jahrhunderts. Die Zerstörung des bürgerlichen Paradigmas im Öffentlichen Recht durch die „elementaren Mächte“ der Moderne wurde seit der epochemachenden Schrift über „Die Verwaltung als Leistungsträger“ aus dem Jahr 1938 zu seinem Lebensthema. Er gilt als Entdecker der staatlichen „Daseinsvorsorge“ und als scharfsinniger Verfechter eines formalen, institutionenbezogenen Rechtsstaatsbegriffs.

Aber Forsthoffs Werk enthält viel mehr als Dogmengeschichte, es ist ein Schlüssel zur politischen Ideen- und Verfassungsgeschichte seiner Zeit. Florian Meinels grundlegende werkgeschichtliche Untersuchung fragt nach verborgenen Bedeutungsschichten: Nach den geistigen Einflüssen, die in diesem Werk wirksam gewesen sind, nach den rechtsphilosophischen und politischen Überzeugungen, die es tragen, nach der Auffassung vom Ethos des Juristen. Dies geschieht auf der Basis einer Fülle neuer Quellen, insbesondere des bisher unbekannten Nachlasses Forsthoffs.

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