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# SCIENTIFIC EXORCISMS? THE MEMORY OF THE COMMUNIST SECURITY APPARATUS AND ITS STUDY IN ROMANIA AFTER 1989

### Abstract

This article discusses the institutional attempts to deal with the archival legacy of the Romanian communist security police, Securitate (1945–1989), during the democratic transition in post-communist Romania. The first part draws a short outline of Securitate's history and activities as one of the main power instruments of the communist dictatorship. The second part of the article shows the development of political attitudes towards institutional attempts to deal with the communist past in the post-communist Romania. This paper describes the reluctant attitude of the ruling circles in the 1990s towards the opening of the Securitate archives and the lustration attempts. The formation of the National Council for the Study of Securitate Archives (*Consiliul Național pentru Studierea Arhivelor Securității*, CNSAS, legally established 1999) hardly changed the general situation: the archives of the Securitate were transferred to CNSAS with significant delays, and the 2008 ruling of the constitutional court limited its lustration competences. The establishment of the Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile (*Institutul de Investigare a Crimelor Comunismului și Memoria Exilului Românesc*, IICCMER, established 2005) and formation in 2006 of the Presidential Commission for the Analysis of the Communist Dictatorship

in Romania led by renowned political scientist Vladimir Tismăneanu together with the research and legal activities of CNSAS contributed to a broader evaluation of the communist regime (although its impact seems to be limited). The paper refers also to the public debate, sparked by the activity and the final report published by Tismăneanu's commission.

**Keywords:** Romania, communism, Securitate, democratic transition, lustration, CNSAS, IICCMER, Vladimir Tismăneanu

“The communist system that ruled Romania from 1945 to 1989 was illegal and criminal, from its forceful introduction in 1944–1947 to its end in December 1989, also marked by brutality”. With these words, on December 18, 2006 Romanian President Traian Băsescu concluded his speech to the Bucharest Parliament upon the debate over the report of the expert commission led by political scientist Vladimir Tismăneanu (Băsescu 2006). The list of crimes included: show trials, forced abdication of King Michael I, persecution of entire social groups under the slogan of class struggle, as well as discrimination against national, religious, cultural, and sexual minorities. Crimes also included the anti-partisan crusade waged by the security forces in the 1950s, the repression of peasant uprisings in the countryside as well as the post-1956 mass reprisals against those suspected of collusion with the Hungarian revolution. Coming to more recent times, the communist regime was accused of the bloody suppression of workers' protests in the 1970s and 1980s, of the systematic destruction of villages and, last but not least, of selling Romanian Jews and Germans, and of ordering the Army to open fire against peaceful demonstrators in December 1989 (*Comisia Prezidențială* 2007, pp. 774–776).

Subsequently, President Băsescu, on behalf of the Romanian State, asked for the forgiveness of all those who suffered during the dictatorship. He stated that every democrat has a moral duty to condemn communism so that, he added, the Romanian people would not forget the horrors of the past and would not allow them to be repeated. The official announcement of the report of the Tismăneanu Commission was the subject of close media attention. For many, the words uttered by Băsescu constituted a necessary moral and historical compensation.

However, the expected *catharsis* as the confrontation with the individual and collective tragedies of the recent past was never fulfilled. In this article, I examine the causes of this state of affairs, paying particular attention to the scholarly and public discourse on the role of the security apparatus.

## Securitate and Security-Oriented Mindset

The political police of communist Romania was established on August 30, 1948 by Government Decree No. 221. It was formally subordinated to the Ministry of Internal Affairs. Its primary aim was “defending democratic gains” and protecting the security of the Romanian People’s Republic “from the plotting of internal enemies”. Although in terms of methods and ideology, Securitate was opposed to previous Romanian police formations, and in terms of structure it closely followed the patterns of Soviet security, the new apparatus of violence took over the duties of the political police of the interwar period and 1944–1948 (*Siguranță*) and of its military counterpart, the *Serviciul Special de Informații* (Special Information Service) established in 1940; see (Bottoni 2010, pp. 64–71, for details on the institutional changes of the Romanian security apparatus after 1944).

The foundation of Securitate represented a culmination of the political changes that followed the royal coup of August 23, 1944. Politically discredited police officers, gendarmes, and intelligence agents were removed or brought to justice, and the political police started to be headed by new people, mainly newcomers from the emigration centre of the Communist Party in Moscow. Many of them received military training in the USSR and served in Soviet security units during their return. Soviet advisors supervised and managed Securitate. Between 1949 and 1953, the main advisor to the Ministry of State Security was Aleksandr Sakharovsky, who resided in Bucharest, and who became head of the KGB years later (see Baráth 2014, pp. 131–147).

Securitate was a new phenomenon in the history of Romanian law and order services. A large part of the officers were young people who, before 1945, did not serve in the police forces or security services, for instance, for political reasons.

Many of them had previously worked in the party—they were generally experienced in “human resources”—others acquired some investigative skills in the Communist Party of Romania, such as in the departments in charge of controlling and organising party activities. In the first years of the communist system, the new security apparatus was therefore organised solely based on political and ideological criteria, and not on the basis of competences; for details on this subject (Deletant 2011).

Securitate was formally supervised by the Ministry of Internal Affairs, except for one year between September 1952 and September 1953, when, following the Soviet model, it functioned as a separate Ministry of State Security. During its existence, it has been reformed and reorganised many times (1951, 1956, 1967; 1972/73, 1978). All personal changes and transformations of its structure unsurprisingly reflected or foreshadowed the outcome of internal clashes within the camps of power. Between 1967 and 1973 Securitate was largely reorganised and strengthened by order of Nicolae Ceauşescu (Deletant 1998, p. 113). In 1969, for example, a modern officer school was established in Băneasă near Bucharest, which, as it turned out, was also an incubator for the elite after 1990.

In memoirs and literature, we often come across the opinion that Securitate was a unique structure compared with the security apparatus in other socialist countries of Eastern Europe. István Dobai, an ethnic Hungarian lawyer from Cluj, who in November 1957 was falsely convicted of treason of his homeland and sentenced to forced labor for life, and then spent seven years in Romanian prisons (the materials from the Dobai trial were published by Zoltán Tófalvi; Tófalvi 2009), summed up his experiences in the following way:

People in this organization were not weaklings! There has never been an institution like Securitate in Romania before. They were intelligent people, their superiors were wise, and they tried to prepare them for the things they faced at work, and—which in Romania was incomprehensible and was a complete novelty—they were not corrupt. You could not bribe anyone there. (Országos Széchényi Könyvtár [OSZK, Széchényi National Library], Budapest, 1956-os Intézet Oral History Archive [Archive of Spoken History of the Institute of the Year 1956], Nos 126, 1987, 470).

László Földi, head of the Romanian section of the Hungarian intelligence service that was created in the autumn of 1989 shared this opinion; for more information see (Bottoni 2013). His contact with the opponent in the “professional” field made him aware of the fundamental difference between the two services. Unlike in Hungary, where in the years of Kadarism, a large part of the employees of the security apparatus had no moral concerns and largely expected change (at least as Földi noted), Securitate officers hardly felt the economic difficulties of the 1980s and until the last moments of the dictatorship, they constituted an exclusive circle in society, an actual “caste”. Belonging to Securitate gave one not only a higher position in the government apparatus but also meant real social advancement and cultural capital (interview with László Földi, Budapest, September 15, 2011). Although the self-image of the service, which is still shaped by its former employees (such as Ion Mihai Pacepa, who escaped to the West in 1978), should be treated with some caution, the first comparative research seems to confirm subjective memories (*Handbook* 2006).

Memorial Cross  
at the University Square  
(Romanian: *Piața  
Universității*) – December 21,  
1989 Square honoring heroes  
of the Romanian Revolution  
1989. Bucharest, Romania.  
December 21, 2019.  
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The secret police in Romania became even more important because they had much broader powers than most of their counterparts in Eastern Europe. In the first half of the 1950s, the armed formation Securitate (*Trupele de Securitate* troops consisting of 65,000 officers, noncommissioned officers, and private soldiers) conducted a real pursuit of armed partisans hiding in the mountains. As proven in archival sources, in this conflict, which lasted until the end of the 1950s and can also be described as a “small civil war”, Securitate lost more than 200 people; whereas the number of “bandits” and their assistants who died or were lost reached a thousand (*Bande, bandiți și eroi* 2003, pp. 540–551). Besides, Securitate managed the “Romanian Gulag”, which consisted of about 250 prisons and penal colonies. Until 1964, almost 100,000 people were detained there, often without a court order. Out of the latest works, the following are worth mentioning, firstly (*Dicționarul penitenciarelor* 2008); on the victims of deaths in prisons and labor camps compare database of 1400 people (*Listele mortii* 2008; *Comunism și represiune* 2006); finally on resettlements and forced settlements see (Ionescu-Gură 2010). Besides, security officers played a decisive role in controlling society and politics that is characteristic of totalitarian states. In the central archive of the “company”, there are files with personal data of nearly two million citizens (information provided by László Csendes, Deputy Director of the National Council for the Study of the Securitate Archives, Bucharest, June 7, 2013).

In addition, Securitate maintained an extensive network of agents. In 1948, 42,000 informants were registered. After the 1955–1956 thaw, this number fell slightly (as the “inactive” and “double” agents were excluded), and then it started to grow again after the 1956 revolution. In the first half of the 1960s, it amounted to about 80,000, later in 1967 it reached 119,000. The register included permanent agents with their work files, residents as well as voluntary and irregular informants. In the periods of the 1970s and 1980s, the surveillance system became colossal: in 1989 there were almost 500,000 files of secret collaborators, of which around 130,000 concerned “active” informants; see (Anisescu 2002, pp. 10–40) on the development of the network. At that time, Romanian citizens no longer considered the security

services to be the “secret” political police; on the contrary, they were aware that Securitate had tied up their workplace, friends, and often close family within its network. An excellent example of this is the installation of an agent in the family of the evangelical-reformed pastor László Tőkés. The Securitate agent, pseudonym “Stelian”, a respected doctor, married the dentist Eszter Tőkés in 1985 in order to constantly provide information about the oppositionist Tőkés’ family and the intelligentsia in Cluj. When in 2007 Eszter Tőkés received the material collected about her at The National Council for the Study of Securitate Archives (CNSAS), she faced a shocking past. Tibor Barta denied his agency work and used forged documents from the CNSAS archive for this purpose. The case was described in a documentary film entitled “Stigma” (2013), directed by Barna Kabay and Katalin Petényi, broadcast on the Duna Television channel on November 4, 2013. After 1989, the fact that the victims/surveilled were able to identify their “caretakers” caused trauma, which was very difficult or even impossible to handle. The special status of Securitate in Romanian society and in the politics of memory after 1989 can be explained not only by the local political culture, traditionally oriented towards the leader, but also by geopolitical factors, such as Romania’s separateness in the fields of diplomacy and foreign policy, which was often different from the interests of the Soviet Union.

In the 1950s, the Romanian Ministry of Internal Affairs operated under direct Soviet supervision, as in other Eastern Bloc countries. However, the situation changed after Moscow yielded to increasing pressure from Romania in December 1964. At the time when Nikita Khrushchev was ousted from power and the last KGB advisor left Bucharest, the Romanian security and intelligence services started cooperating with the Warsaw Pact countries in a selective and often limited way until December 1989, see also (Banu 2004, pp. 88–91). Based on the available files, it is likely that one of the “common issues” was spying on the Vatican and all intelligence actions aimed at the Catholic Church (Arhiva Consiliului Național pentru Studierea Arhivelor Securității [CNSAS Archives – ACNSAS], fond Documentar, dosar 69, vol. 2, 2–21. Report from the Conference of Security Services in Budapest July 24–27, 1967).



In other areas, however, there have been conflicts between Securitate—representing Romanian communism—and the Soviet Union. During the crisis in Czechoslovakia in August 1968, Ceaușescu ordered the strengthening of the military unit 0920/A, which had been set up earlier. This unit conducted intelligence and counterintelligence work against the Warsaw Pact countries—for example, tapping the phones of the socialist countries’ embassies in Bucharest. At the time of Ceaușescu, Securitate also led significant business activity. At first, it was “selling” Romanian citizens of German and Jewish origin, to Germany and Israel, respectively. The procedure began in 1963 when the Romanian Government agreed with Israel, through the British Government, on the gradual emigration of 10,000 Jewish families. The “transaction” was profitable as \$4000–\$6,000 per person was transferred into Romania’s budget. What is more, the entire procedure was carried out under the control of the Board of Directors of I Securitate, responsible for internal security. Since the 1960s, the German government has used similar methods and initiated a “buyback” program, sanctioned by the secret intergovernmental agreement of 1978 (*Acțiunea “Recuperarea”* 2011).

Studies to date have shown that for the approximately 40,000 Jews who emigrated between 1968 and 1989, the Israeli government paid 112 million dollars to Romania and that the Western German authorities “bought” almost 200,000 Germans (Ioanid 2005, p. 173). Former Romanian spy Stelian Octavian Andronic who for a long time managed one of the most conspiratorial units of Securitate, the special currency operations department, recalled that the communist system in Romania earned around \$1.5 billion for granting exit permits for its citizens (Andronic 2008). This huge sum of money was used by the Romanian state primarily to repay its foreign debt and not to increase the assets of the Ceaușescu family (*Acțiunea “Recuperarea”* 2011, p. XII).

The security apparatus also contributed to laying the economic foundations for Romania’s “separate way” policy, which was becoming more and more visible after 1968 (Bottoni 2016).

In the 1970s and 1980s, officials gathering around Ceaușescu also used the experience of Securitate spies to

acquire currencies and import technology. The Foreign Intelligence Service (CIE) established and managed a foreign trade company exporting arms to third world countries. Over time, the majority of Romania's trade flows with the West and the Middle East was channeled through a variety of sham companies. Their number at the end of the 1970s exceeded 3,000—almost six hundred people worked in the Ministry of Foreign Trade alone (Oprea 2004; Deletant 2007, pp. 83–87). The transactions, purely market-based, were carried out by undercover officers. One of them was no one else than the later President of Romania, Traian Băsescu, who in 1987–1989 headed the representation of the state-owned Navrom shipping company in Antwerp as an undercover intelligence officer (Oprea 2012, pp. 79–99). The role of the security apparatus in the economy was growing, the effect of which was that maintaining the stability of the system was in his best interest. However, as it can be concluded from the recently studied archives of the security forces, the economic and provisions crisis of the 1980s gradually undermined the earlier symbiosis in relations between the party and the security apparatus (*Partidul și Securitatea* 2013, pp. 67–68). Securitate openly and finely documented the wave of social discontent. Counterintelligence reports on industry and agriculture openly showed the social crisis, which had been deepening from 1981 to 1982, the inefficiency of the party and state structures, tacit acceptance to the omnipresent corruption (*Partidul și Securitatea* 2013, pp. 633–746) also (ACNSAS, fond Documentar, dosar 114, vol. 3–4, *Mureș County, Economic Counterintelligence*). (I thank Zoltán Novák for drawing my attention to these source materials.) The analysis of the security documents may provide a new perspective on the social history of the late period of Ceaușescu's rule and the deeper social background of the political escalation of 1989.

What was Securitate, then? Was it a group of brutal torturers or a professional machinery specialising in controlling the collective consciousness, population surveillance, and manipulation? This dilemma, closely related to the shape of social memory of this structure of Romanian security apparatus, has been engaging and dividing researchers for almost thirty years. Some historians divide the history of Securitate into two distinct periods. As they claim, during

the first fifteen years, the Romanian security forces served foreign (Soviet) interests and used mass repression and regular physical violence in their actions. After Ceaușescu came to power, Securitate put more and more emphasis on preventing political “crimes”, observing and neutralising hostile individuals and groups. What is more, supposedly, it was violating human rights less frequently than in the 1950s. The previous terror apparatus was transformed into a professional service with the defense of national interests as its main task (which above all was expressed in the ideological and operational battle against Hungarian irredentism), and also acting according to this consideration (Cristian Troncotă discussed this theory in detail, see Troncotă 2004). See also the work of Larry L. Watts, an American historian and expert on security policy, in which he describes the authorities of the security apparatus after 1964 as a force defending national interests (Watts 2010).

In the opinion of others, the thesis of “two Securitates” is nothing more than an attempt to avoid the responsibility of the officials of the fallen regime and the participants of the public debate from their environment. Such a position is presented by researchers of the structure and activities of Securitate, Dennis Deletant and Marius Oprea, and in the authoritative analysis of the presidential commission (*Comisia Prezidențială* 2007, p. 473). Ceaușescu’s ethnocratic communism, one of the essential pillars of which was violence, did not pursue any “patriotic” objectives and illegally monitored its citizens. What is more, on the international scene, it undermined the authority of the country through suspicious operational games. One example is the bomb attack on Radio Free Europe’s headquarters in Munich carried out in cooperation with the Carlos Group in 1981 (Tofan 2013). As far as the use of physical violence is concerned, in Romania, as in other Eastern European countries, the methods of the security apparatus and its social role have undergone significant changes; there is a description of the phenomenon in Romania (Bottoni 2017) in the GDR (*Staatssicherheit und Gesellschaft* 2007). The use of violence in the late USSR is discussed in (*Sedition* 2011). Another fundamental subject, but long-neglected in research, is the use of the death penalty during the communist period; the first comprehensive study

on Romania, based on archival sources, is so far only available in (Stancu 2012).

The radically anti-communist stance, emphasising the ideal continuity of the nature of the system, is therefore understood as an ethical protest but remains inadequate from a scholarly point of view. It is better to move from an ideological approach to an analysis of the internal functioning of the system, as many young Romanian historians and sociologists have done in recent years, see (Lăcătușu and Burcea 2009, p. 67). However, in order to effectively elaborate on the history of the security apparatus, it is necessary to clarify a certain issue that has not yet been addressed. In the Ceaușescu era, prison sentences and punishments for people with another viewpoint were indeed exceptions. However, it would be worth investigating the activity of the “civil” militia, border guards and workers’ militia, composed of the armed active members of the Romanian Communist Party, against all those who have broken the spoken and unspoken rules of “socialist coexistence” (not only against those crossing the border illegally, but also long-haired young people, rockers, unemployed, women trying to have illegal abortions in Romania, people listening to Western radio stations). The Securitate archives contain extensive documentation of the efforts the government made to discipline Romanian society. This is a daily report from a 1976 Bucharest police station:

On December 3, the Bucharest militia carried out an action in the capital with the participation of civilian militia helpers, members of the Patriotic Guard, a group of the Communist Youth Union, the prosecutor’s office, and representatives of district police headquarters. The campaign was carried out in various places (grocery stores, workers’ hotels, hotels, clubs, cinemas, railway stations, and other crowded places). The control groups have registered 10,400 people. Criminal proceedings were initiated against 90 persons found to have committed a crime: 32 persons were arrested under Decree No. 1970/32, 52 unaccompanied minors were taken to their families, 93 unemployed persons were sent to a work center, and 58 persons were taken back to their permanent places of residence. (ACNSAS, fond Documentar, dosar 011737, vol. 85, f. 227).

The number of people who got into the system's black books remained very high throughout the communist period. However, the lack of mass protest movements and symbolic events made people who were not well-informed about the security police believe that after 1965/1968 it operated in many areas in similar manner to the secret services in the West—the main task of which was to protect the sovereignty and integrity of the state. There are two sources for this general opinion.

As many sociological studies have shown, the economic crisis and the numerous political scandals of recent years have contributed to the longing in society for the old system and some criticism of capitalism. These attitudes are no longer characteristic only of the elderly, less educated and those living in the provinces, but have also become more popular among young people in the cities with no direct experience of the Ceaușescu regime (*IICCMER prezintă* 2010). In a 2010 survey of the Romanian Soros Foundation, 40% of almost 6000 youth respondents replied that the communist state provided better living conditions for young people than the current system (Gheorghîță 2010). Officers of the former establishment who still hold significant positions in the media also played an active role in this change of social opinion about the former security police. The image of Securitate, featured in television shows, high-volume magazines, and hundreds of autobiographical books has, for more than twenty years, affected public awareness to at least the same extent as information learned at school and from family members.



### The Prosecutors of History: National Council for the Study of the Securitate Archives and the Tismăneanu Commission

The history of lustration, the vetting of public officials in Romania after the fall of communism, cannot be separated from the behind-the-scenes influence of the former security forces on the country's internal policy after 1989. A thorough analysis can be found in (Bandi, Bosmitu, Bottoni and Jinga 2017). The postulate to clean up public life was formulated



only by very elite, pro-Western circles of the intelligentsia, who previously played a marginal role, but also remained isolated in their views on the new system. In the first half of the 1990s, they desperately fought against the semi-authoritarian political and social order introduced by former Communist President Ion Iliescu. The symbol of civil protest was the proclamation from Timișoara on March 11, 1990. The credible leaders of the December 1989 events demanded a complete purge of the Romanian public sphere and harshly criticised the very selective memory politics of the National Salvation Front, which replaced the Romanian Communist Party.

The primary assumption behind this idea was that the total lawlessness of the communist system in Romania was the responsibility of the Ceaușescu couple (who were executed on December 25, 1989) and their closest entourage. Based on this theory, the former security apparatus was not brought

The manhole where the ashes of the cremated victims of Timișoara were clandestinely thrown during the Romanian Revolution 1989. Popești-Leordeni, Romania. December 20, 2019. © Mircea Moira

to justice for either the bloodshed in December or for their many years of law breaking. In 1990, only 25 former senior army and security officers were collectively tried. One of them was the last Securitate commander, Major General Iuliana Vlad, who was sentenced to 25 years in prison, but was later pardoned by the President and released after only four years (Stoenescu 2005, p. 49).

After the fall of the dictatorship, the fate of the former political police was unknown. It seemed that the whole apparatus of repression had fallen apart as a result of the events of December 1989. Many police and security officers “voluntarily” left the service and even hid for weeks in fear of retaliation. The activities of the security services were suspended on 31 December. This radical solution affected counter-intelligence, intelligence headquarters, and the business sector. The sudden dismantling of the security apparatus was the reason why tens of thousands of officers and their whistleblowers started to reengage in national political and economic life in an uncontrolled manner. In March 1990, the deepening internal divisions within the country and the Romanian-Hungarian ethnic clashes—the effect of central government manipulation—served as an excellent pretext for reactivating the security services; on this subject see (László and Novák 2012) and on the ethnic aspect of the changes in the Székely Land, see (Zahorán 2010). On March 26, 1990, just after the events in Târgu Mureș, a counterintelligence service called the Romanian Intelligence Service (SRI) was set up, built exclusively with the participation of former security officers; for analysis of this process: read (Williams and Deletant 2000, pp. 220–246). The “restoration” of the former was sealed by the devastating defeat of the reactivated historical political parties in the elections in May. Lustration disappeared from the agenda until the fall of 1996. Numerous newly established or reemerging political parties have been brought without exception under the control of such economic and cultural interest groups, whose success has been largely due to the “capital” guaranteed by Securitate’s network; to read more on the subject of close links between the political system of Romania after 1989 and the post-communist special services see (Gallagher 1995; Grosescu 2006; Bánayai 2005). Two



Romanian security experts give a more optimistic picture and see a positive direction in the personnel, ideological and structural changes of the last decade in (Matei and Nițu 2012).

The situation began to change only after the victory (by a slim majority) of the Democratic Convention (*Convenția Democrată Română*, CDR) candidate Emil Constantinescu over incumbent President Iliescu in November 1996. On December 9, 1999, after a lengthy discussion, the Parliament passed a law establishing the National Council for the Study of Securitate Archives (*Consiliul Național pentru Studierea Arhivelor Securității*, CNSAS) that was also a legal basis of lustration. It soon became apparent, however, that there were significant contradictions in its provisions. For example, the legislator has adopted a limited definition of “political police”, that is, the law did not apply to those who served in the militia, officially responsible only for “civil” matters. The Militia (*Direcția Generală a Miliției*) was created in 1949 to replace the police and gendarmerie that was organised based on the French model. One of its tasks was to deal with typical everyday crimes, not with political crimes. Researchers of the epoch had limited data on the real operations of this service, the staff of which amounted to tens of thousands of employees. The reason for this limited knowledge was that the lustration law recognized this armed formation as an “apolitical” police force. The effect of this was not only the inability to initiate lustration proceedings against former police officers and related informants, but also the lack of access to most of the police archives that are today still stored in the headquarters of the Ministry of the Interior. The preserved documents on the militia confirm, however, that in villages and smaller towns the “civilian” police performed most of the standard tasks of the political police: they maintained secret apartments, collected, compiled, and transmitted reports, and—last but not least—conducted or supervised the surveillance of persons considered politically questionable. This is covered in documents relating to the 1950s and 1960s that are, by accident, not defective and kept in the archives of Mureș County (Arhivele Naționale Direcția Județeană Mureș, fond 594: *Direcția Regională Ministerului de Afaceri Interne Mureș – Autonomă Maghiară, 1923–1967*).



The lustration council could only consider a person to be a secret collaborator if there was a handwritten commitment to cooperate in their file. It is now well known that the network of agents in Romania, like in Hungary, was multi-rank. Better prepared and more trusted confidants (a trusted person, a secret collaborator) were treated in a much less formalised way, not to mention that there was a system of top-secret officers for whom parallel identity CV's were created.

From the very beginning of its existence, the double function of CNSAS had a negative impact over its activity. It functioned both as a specialized archival institution and a lustration body, whose members were chosen by political appointment (the parliament elects members of the CNSAS, and they often represent the views of their sending party). Until 2005, the activity of the lustration council was accompanied by a negative political atmosphere. The slowly progressing process of vetting practically stopped when the social democratic party led by Adrian Năstase and Ion Iliescu came back to power. In five years, until 2005, barely more than 200 “agents” were exposed, while Năstase—who was, however, successful in ruling the country—reinstated hundreds of former spies and counterintelligence officers who had been “dormant” since 1997. According to estimates by national security expert Larry L. Watts, in 2003 the number of people in the entire SRI who entered the service before 1989 was 15%, and in the *Serviciul de Informații Externe* (SIE) that was in charge of the foreign intelligence service, 20% (Watts 2004).

The lustration process has spectacularly accelerated in the last couple of years before Romania's accession to the EU. The number of people who could access material collected about themselves has increased significantly; from 2009 to 2012, more than 12,000 applications from citizens were processed (*CNSAS Report 2013*, p. 13). The Romanian Official Journal published data on hundreds of former officers and agents, and there has been a large-scale exchange of personnel in the national security bodies (the average age there is currently 35). However, in the period preceding the political changes that took place after 2009, the government and president competed in taking up the topic of “sins of communism”. In 2005, liberal Prime Minister Călin Popescu

Tăriceanu set up a historical institute headed by a historian and national security advisor Marius Oprea. This institution has been transformed several times. From 2012 to 2014 it was headed by a historian Andrei Muraru and is now called the Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile: *Institutul de Investigare a Crimelor Comunismului și Memoria Exilului Românesc*, IICCMER. In addition, in spring 2006, Băsescu set up an international commission headed by Vladimir Tismăneanu, an American political scientist of Romanian origin.

Behind the facade of this initiative, however, there was a dead-end—a late lustration, imposed on an already indifferent society. In Romania, as in Hungary, the pace and mode of making security service documentation available is an urgent issue. Until the end of 2006, the vast majority of the 30,000 meters of preserved files were kept in the warehouses owned by today's services, because the "owners" slowed down their transfer to the archives or refused to do so. The researchers had only a few hundred meters of current documentation at their disposal, with almost no archives of the judiciary, intelligence or the prison system. In fall 2006, almost two million briefcases were handed over by order of the President, and at the end of 2012, more than 25 kilometres of files were already declassified and available (*CNSAS Report 2013*, pp. 18–20). In contrast to previous years, it was also possible to study the history and archontology of the institution. What is more, many files and a small proportion of the intelligence documents were published.

Meanwhile, the powers of the CNSAS have decreased—the Romanian Constitutional Court in its decision No. 51/2008 declared unconstitutional those articles of the lustration law No. 187/1999, that defined the operations of the investigative council appointed to vet politicians, officials, and other public persons (for example, the church hierarchy, heads of public institutions). The case was referred to the Constitutional Court by Dan Voiculescu, an entrepreneur in the media market and a politician, who, according to the earlier findings of CNSAS, cooperated with the former security authorities under the pseudonym "Felix". In the ruling, the court raised the allegation that CNSAS is both an investigative and judicial body of first instance and an appeal body of second instance.

The second objection concerned the relation of CNSAS with the case-law of courts of general jurisdiction. Since the Council could invalidate court judgments issued in the same case, it acted as an extraordinary judicial authority which is forbidden by the Constitution. Following the decision of the Constitutional Tribunal, there was a danger that once the ruling was published in the official journal, the vetting activity of the institution would become illegal and the statements made so far on the links between individuals and the security services would cease to be valid. In the end, a compromise solution was worked out under the pressure of civil protests. The Tăriceanu Government has re-established the legal status of the CNSAS by means of an immediately applicable law-decree, thus allowing it to continue its activities. The Council has retained the function of a specialist archive, but its competence has been limited to establishing the facts. Determining who cooperated with the communist political police was to be decided by the judiciary. In the opinion of CNSAS members, this meant reducing the previous vetting board to the role of an archival resource administrator. In addition, the circle of individuals subject to vetting was narrowed. Concededly the government, being under pressure from public opinion, accepted the *ex officio* vetting of persons in charge of public institutions (so the CNSAS investigating department is still in charge of this matter, and stakeholders may appeal against decisions to CNSAS or immediately to the court), but abolished the vetting of candidates in subsequent local and parliamentary elections (Bottoni 2008).

This scandal echoed widely abroad and has once again proved that the political and economic elites associated with the former political police are capable of stopping the vetting process and having a hold over both their opponents and their political allies. The transfer of the power to make decisions to the administration of justice, in theory, did not hinder the vetting, but in practice, it did. This is not surprising in a country where around 2010, a quarter of the judges, and an even greater part of the Constitutional Court members, had a past of cooperation with the security services. This statement was made by President Băsescu, who in 2007–2008 entered into sharp conflict with the judiciary due to the planned reform of the justice system and lustration in the Ministry of

Justice. On the subject of the phenomenon, see the summary published in the press (Ghergut 2008).

According to Lavinia Stan, the legal regulations concerning CNSAS from the outset prevented this institution from effectively implementing a “transitional judiciary” for the post-communist period. Act 1999/87 did not follow the example of the Czechoslovak law of 1991 and did not exclude collaborators of the former system (agents or security officers) temporarily or permanently from public life. Although it did not legally sanction any links with the organs of the communist security apparatus, it did so on a moral level; (Stan 2006) covers the case of Romania in the international context.

The research team studying the history of vetting in Romania, on the basis of many international analogies, made the success of the local initiatives dependent on the fulfilment of four basic conditions:

1. establishing the actual responsibility of specific persons and comprehensive research on the functioning of the apparatus of repression,
2. rightful legal and moral rehabilitation of victims,
3. the reliability of proceedings against perpetrators and the positive impact of these processes on society,
4. creating a new narrative about the totalitarian past.

According to the team, this attempt ended in a humble defeat in almost every aspect. The processes initiated in many stages over the twenty years after 1989 ultimately became a tool for legitimising the old and new elites. Most of the proceedings failed because, in a changing legal and political environment, it was rare to prove the individual responsibility of security officers, prison guards, and persons who were inflicting punishments. Another complicated normative issue was the retroactive declaration of the invalidity of legal regulations. Although it was morally acceptable to argue that a border guard shooting machine guns at people violating the border committed a crime, from a legal point of view, he acted legally according to the decree issued in 1971 (Grosescu and Ursachi 2009, pp. 20–28).

The unreflective use of security apparatus documents was subjected to a strict evaluation by political scientist and human rights activist Gabriel Andreescu. In his opinion, the law of 1999, which had been amended many times, too narrowly

defined the circle of people to be subjected to lustration. The database lacked many “principals” and senior security officers, while all public attention was often unreasonably directed towards agents whom he considered marginal. In this atmosphere of hysteria, brutal and unethical attacks have reached such prominent intellectuals as Adrian Marino, Mihai Botez, and Mihnea Berindei (Andreescu 2013, pp. 11–15).

Katherine Verdery has taken up the subject of research on security archives from an anthropological point of view. Referring to the results of Jan Gross’s studies of Polish history, she believes that moral or legal stigmatisation of cooperation with the regime of individual persons has not contributed to the internal “purification” of society. After all, Securitate not only destroyed existing informal ties and worked towards the atomisation of society, but also created new institutions and networks. The tracking of “agents” on the one hand was politically motivated and insincere, and on the other hand was ineffective in a profoundly changed social context (Verdery 2012).

Political games have indeed had an impact on the day-to-day work of the Council and its decisions since the foundation of the CNSAS. It is enough to mention the “acquittal” in 2004 of Corneliu Vadim Tudor, the then president of the far-right Greater Romania party. Despite this, over the last few years, the institution, which was previously famous for its scandals, has been able to function in more stable conditions. Since 2009 to 2018 the composition of the executive committee of the Council has remained unchanged and the archives department, responsible for research, has developed its publishing and documentation activities. Citizens and accredited researchers who turn to CNSAS can now access documents on a data carrier at quite an affordable price. Significant progress in the digitisation of archives is expected in the coming years.

The presidential commission under the direction of Vladimir Tismăneanu—from its foundation, through its work, to the repercussions caused—met with the utmost attention of historians and the general public of those interested in recent history. President Băsescu’s decision of 2006 undoubtedly had *ad hoc* political objectives, primarily in connection with Romania’s forthcoming accession to the European Union. The convening of a body of thirty members caused sharp disputes

in Romanian public debate. They were partly caused by the declared aim of the works (making a document which was supposed to be something like a list of crimes), and partly by the composition of the commission itself. The over-representation of the liberal humanist intelligentsia (pro-European, pro-Western, decisively anti-communist), as well as the omission of academically-trained contemporary historians closer to the Social-Democratic Party of former President Iliescu sparked wide debate. This move clearly signaled Tismăneanu's team world-view, orientation and confrontational style of action. The commission set up to clarify difficult issues from recent history soon began to provoke political clashes and disputes among the intelligentsia, to the extent that the representatives of historical and left-wing social scientists published their volume in response that was a sharp criticism of the final report of the commission (*Iluzia anticomunismului* 2008); for an analysis of intellectual disputes over the evaluation of communism from a left-wing perspective, see (Poenaru 2013). It is worth pointing out that the young intelligentsia attacked the Tismăneanu report from a completely different angle than the former security officers and "independent" experts frequently shown in the media. They repeatedly discussed the personal responsibility of Tismăneanu (who was brought up in a Jewish family belonging to the Stalinist nomenclature) and defended the national and social policies of the Ceaușescu regime from nationalist positions (see the black campaign on Victor Roncea's popular blog: <http://roncea.ro/tag/tismaneanu/>).

Meanwhile, Vasile Ernu and the editors of the volume referred to the argumentation that in the late 1990s the mainstream of Western historiography rejected the "Black Book of Communism", assessing it as a one-sided work that simplified and criminalised a complex phenomenon; on the dispute see Ronald Aronson's valuable summary (Aronson 2003). According to Ernu and his team, posthumous accusations of communism for ideological reasons are unacademic and pointless, because they are against a very diverse social memory and aims to impose on Romanians a vision of the past, which people did not experience. Monica Ciobanu believes that the Tismăneanu report was an attempt to establish a new trend in politics, characterised by self-reflection and even direct self-criticism. Perhaps the biggest shortcoming of the whole

project was the lack of precise concepts. Thus, the judgment of the “unlawful” and “illegal” system led the authors of the report to the general conclusion that the ultimate goal of the communist regime was the “genocide” of Romanian society. For decades, there has been a debate in the legal and social sciences around the world on the use of the concept of genocide in the description of different political systems, so it would have been preferable if the authors of the report had approached this very ambiguous issue more cautiously (Ciobanu 2009, p. 334).

Charles E. King, a researcher of the recent history of Romania and Eastern Europe, formulated a more forgiving criticism of the effect of the commission’s work:

The work of the Tismaneanu commission was not intended to produce an academic tome. Rather, the commission had an avowedly political project, but in the best sense of that adjective: to promote a version of Romania’s recent history that represents the first collective attempt—however belated—by Romanians to conceptualize their own national experience from 1945 to 1989 and to shame those in power into leading that way. (King 2007, p. 721).

However, as King added, the credibility of the report, which uses a lot of new archival research and is innovative in many ways, is weakened by its overly-emotional style and a black-and-white image of society based on an unresolvable conflict between the population and the communist system imported from abroad.

Levente Salat, an ethnic Hungarian political scientist and member of the Commission, who headed the six-person Hungarian working group, also assessed the results of the Commission’s work in a nuanced way. In its subsequent assessment, it highlighted that the initial expectations were paralysing:

The adoption of the Tismăneanu report and its repercussions to date show that our expectations of a reinterpretation of the Romanian political community have turned out to be illusory, at least in the short term. According to a lesson from international experience, the report divided Romanian society and will not serve as a basis for social reconciliation and

a vision for the future in the foreseeable future. Although the President of Romania has published the report in an official state document, its status is unclear, as everything indicates it is not obliging anyone to do anything. (Salat 2008, p. 19).

However, one must not forget about the scandals surrounding the Commission's work, the numerous press attacks on its experts, or the fact that the state institutions did not always support the archival research of the working group (for example, all cooperation was definitely refused by the staff of the Ministry of Internal Affairs and the National Institute of Statistics). With all this in mind, we agree with Mihály Fülöp, a Hungarian scholar of the political history of Romania, who pointed out the symbolic dimension of the Commission's work and its importance for the politics of memory:

Vladimir Tismăneanu's merit is that he undermines the self-legitimacy of the system with the slogans of national unity and patriotism, proving that communism in Romania was Stalinist and 'anti-national'—from the moment it was violently imposed by a foreign power, the Soviet Union, to the moment when the nation freed itself from through a revolutionary impact. The President of the Commission considers that condemnation of the communist system is an essential condition for the emergence of a democratic political community in Romania. (Fülöp 2008, p. 98).

In Romania, coming to terms with the past of security apparatus was influenced by many factors. The most important of these was perhaps the specific "revolutionary" nature of the Romanian transformation. In December 1989, the old system was brought to an end, and its elite, the group directly serving Ceaușescu, were effectively removed from power. However, the new political elite was recruited from the second rank of the former ruling circles. If the Romanian Communist Party had not been disbanded, it would only have been a radical exchange of the intra-party elite. The alternative to this change was not the new own project of new leaders (as is usually the case with revolutions). It consisted of adopting the principles of European democracy, the guidelines of which were given to Romania by the West in the form of documents related to



European integration. The old-new Romanian political elite, translating these guidelines into practice, actually began to reinterpret its mission, goals, and political identity. All this was inadvertently accompanied by a kind of mimicry and ambiguity, which also meant that the confrontation with the communist past was indolent and postponed.

In that case, do the exorcisms performed for twenty years, the protracted lustration process, and the ever less interesting for the younger generations public disputes over a dictatorship that has ended almost thirty years ago, now make sense? Similarly to the authors mentioned above, I believe that the purification of public life has not succeeded, and it can be said the project has even failed. This should lead to the self-reflection upon those “Western” oriented representatives and openly anti-communist cultural elites who were the main proponents of the



unified condemnation of the communist system. However, one should not forget about the other side. The establishment of CNSAS has made it possible to provide so-called information compensation to the victims of the past system, and research conducted by the institution's staff has significantly increased our knowledge of the internal mechanisms of the communist regime. The Tismăneanu Commission, on the other hand, was an expression of an alternative trend of memory (the articulation of the hidden "truth", plus official recognition by the state of the lawlessness that had previously been denied). Moreover, a more importantly, young, morally irreprehensible and scholarly committed intelligentsia has appeared. Even if CNSAS is not capable of becoming a political motive power, it seeks to exercise some grassroots control over the networks, contacts, and relations that originated from the



Memorial plaque for the 43 named and unnamed victims of the massacre in Timișoara during the Romanian Revolution 1989, whose bodies were shipped to Bucharest and cremated there; their ashes were clandestinely poured into the canal. Popești-Leordeni, Romania. December 20, 2019.  
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former security forces, which, to a large extent, still exist and influences the country's political and social life (I will only mention one example from the Transylvanian Hungarian context—the blog of Csilla Könczei, an anthropologist from Cluj, who, since 2007, who has been blogging on the Securitate and analysing her father's file and showing the high level of involvement of the intellectual elite with the security services: <http://konczeicsilla.egologo.transindex.ro/>).

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