**Prof. Dr. Denis Deletant**

**“Ekspozimi i mekanizmave të sundimit totaliatar. Kuptimi i historisë përmes dosjeve të policive sekrete"**

Thank you for that generous introduction. I would also like to thank Raul Concha who was the person I think behind the invitation for me to come and speak to you. This morning with the background to the conference, the seminar that you are organizing I have also a very close connection as the previous speaker mentioned. About me with the Memorial Museum a major Memorial Museum in Romania in signet which was part funded when it was established in 1993 by the Council of Europe and I was placed on the board of that Museum I was up at the Museum. Museum in Northern Transylvania in September of this year and I saw that more than 60 000 visitors just this summer have visited the museum many of them in fact school children. My own personal connection with the museum and with Romania’s communist part past stems on the fact that members of my wife’s family were political prisoners in Romania during the communist period and I also have extensive file held by the Romanian secret police on me because of my activities in Romania in the 1970s and 1980s. So with that background I’d like to proceed to my Power Point presentation which I’ve given in order for you to have record of course of what I said but also perhaps to provide some comparative dimension to what has been happing in other countries block of eastern Europe.

So as my second slide mentions my presentation is really looking at a taking a comparative approach to the issue of lustration. Lustration is the term generally applied to the cleansing of a previous regime it was first used in recent terms in Czechoslovakia in the late 1980s. After the collapse of communism in central and eastern Europe in 1989 and 1990 all of these former communist state was faced with the problem of talking the past and different approaches were adopted but in those approaches the activities and files of the secret police were the main focus of attention. What I seek to do in my presentation is to give a digest in of the way in which the legacy of the secret police was handled in several countries first of all in Germany and the same time through the prism of the German experience. We can formulate questions with regard to how this subject was talked in Czechoslovakia, Poland and Romania? Government policy towards historical archives can be seen as a barometer of commitment to transparency and in post totalitarian or repressive societies public access to formerly sealed historical. Archives has particular importance for creating a basis for the development of democracy it can be argued that the opening up of archives in post totalitarian and societies. Fosters a sense of nationhood by permitting an examination of the abuses of the past and by encouraging the creation of safeguards ensuring that those tribes are never repeated.

Access to secret police files demonstrates three things. I think first of all the degree of the state into the private life of the citizen. Secondly it restores to history those whom the authorities sought to educate from public memory and thirdly it allows owes the distortion of the past practice by regime historians to be challenged and corrected. But the opening of access to the files can also lead to what has been called memory wars. Memory wars is a term applied in psychological studies in the 1990s to the controversy between some clinicians and memory scientists about the reliability of memory and the term is sometimes invoked by historians when analyzing the reception and interpretation of secret police files. In this reading the secret police files in some former eastern Europe communist state and in particular in Poland and Romania have become suspect in the eyes of the public in respect to the reliability of their content and their political instrumentation. Political sensitivity the past is illustrated by the reluctant of reluctance of authorities in several Latin American countries to declassify their secret police files. Never the less in 2003 the work of compiling and classifying some 3.5 million pages of the records of the intelligence office of the Bon’s Provincial Police in Argentina.

Access to secret police files is the key to lustration. In general lustration involves the screening of suspected individuals using secret police files to determine whether they had collaborated with the former state security service. Some lustration bills or laws targeted the whole network of former elite secret police and their collaborators some only specific segments of the former regime. He’s a copy of Czech lustration certificate which was issued after the revolution in after the fall of communism in Czechoslovakia. So I’ve just given that example of a form which shows that the person who is being investigated is not recorded and their name is neither listed by their name is neither listed nor is there any number given in any archival forms to alleged collaboration with the Czech secret police at the time the stable.

It’s significant to point out that unlike denazification in Germany after World War II where the main driving engine for the policy of lustration was external the driving force for indeed the great test resistance to in many of the former communist countries was an internal one. A polish scholar Natalia Laski argues that here are two internal driving forces in the former communist countries. They are public opinion and public support and demand for lustration and secondly political elites who should in the democratic system reflect the demands of the public. But what Laski notes is more often than not public opinion supports lustration far more strongly than political elites do.

Dealing with the communist past could become a tool in the struggle for political power and be exploited by some politicians to under their opponents. Especially if former communists were able to reinvent themselves in the eyes of the public and this view of Williams and colleague’s in the publication of 2003 where he talks about the political vitality of lustration and we have seen this evidence in several of the former communist states. When EU membership became an option pressure was put on these former states as part of the accession process to lustrate to ensure democratic consolidation. Lustration or the lack of it was related to problems of corruption and the lack of lustration and removal of communist officials enable many of them to use or to convert them old political power into the political and economic power today we can see that if we look at the background of many of the oligarchs in the former communist’s states in east central Europe. To see where their money came from and in fact in many cases it originated from their service in the security services of those communist’s states.

Let’s now turn to illustration in the German Democratic Republic (GDR). In the summer of 1990 German Democratic Republic parliament published or passed the law giving access to all citizens to their personal files and then the German bundestag after reunification, adopted the law on the German Stasi Files or East German Stasi Files in December 1991 and this regulated the handling of the Stasi files and the official title of that body is the Federal Authority for the Archives of State Security Archives of the former GDR. Often called the gout commission after the name of the first director Yim gout its current federal commissioner is Roland Yan. The commission controls the Stasi records agency and the Stasi files run to 111 kilometers and administrated by a staff of 1 313 as of the 31st of December 2020. The law on the Stasi files gives three important reasons for opening the files. The first was that the victims of repression and surveillance must be offered the chance to clarify how the state intruded into their lives. The second was that state institution and other bodies must be able to check whether their employees collaborated with the secret police. And the third was the files represent an object of historical, political and legal investigation. More than 1.9 million citizens applied by the end of 2001 for their access to them files. About 10 000 applications were launched every month and these were requests from the individuals concerned but not only from them but also from institutions and researchers. The sense of relief was often accompanied by other feelings disappointment and anger towards those who betrayed them and horror at the extent of surveillance of them and finally feelings of revenge. On the other hand, appeared to be extremely when we’re looking at the legacy of access to the files.

Moral rehabilitation is often more important than compensation. Victims are relieved and satisfied when a just sentences imposed in GDR is officially null and their voice is heard by competent state authorities or by the press in the united Germany and their suffering is recognized. After reunification checks were made on public administration employees in eastern Germany to see whether they had been the members of the Stasi or collaborated with it. By the end of 2001, 1.6 million request from verification have been submitted 6%-7% of those checks were revealed to have been Stasi officers and the employer could decide whether to summit to dismiss such persons. The decision was taken in respect of how long and how closely the officer or collaborator worked. The consequences were these that involve Berlin alone the prosecutor’s office dealt with 23 000 cases during the 1990s linked to called injustices committed in the GDR that is political motivated deeds and these were concerned less with the illegal acts and the Stasi and more to the mistreatment of prisoners and fatal shootings on the border between the GDR and west Germany. Of the 23 000 cases only 600 led to prosecution and in the photograph you have the bodies of the victims of shooting by east German border guards of east German citizens who tried to scale the barbwire covered wall between east and west Belin. Of the 600 cases I mentioned about 1 000 persons were brought before the courts of these 1 335 were convicted the sentences were in most cases light 32 were sent to jail of the 600 prosecutions only 69 were brought against former Stasi officers of whom only one was sent to prison. The other Stasi officers either received lighter punishments or were acquitted and these figures that I mentioned refer only to cases hanged in Berlin. In other east German lands, the persecutor’s office dealt with similar cases. Many of the victims of the Stasi consider their treatment in the reunified Germany as unjust they were discriminated against professionally in many cases they called not attend university and thus they are at disadvantage in the market after 1990.

In the spite of their moral rehabilitation the bar on retroactive punishment gave protection to those responsible for political repression in the former GDR. This stipulates that a deed can only be punished under the law if at the moment of its commitment it contravened existed laws the only exceptions were serious infringements of human rights. In other words, after the collapse of the GDR the law was only capable of punishing deeds which have broken GDR laws the failure to punish let meant that the hopes which the victims of the communist system in constitutional democracy were disappointed and a pension for victims so- called pension of honor was not introduced in Germany. Collaborate former Stasi the odious offices and collaborators have profited from the new situation they have managed through the courts have their large pensions which had been reduced in 1990 to be restored and in tackling the abuse committed by the GDR regime attention has been focused on the Stasi and not on those chiefly responsible for repression and political persecution that is to say the activists of the east German communist party here’s a copy of an east German communist party card. Confronting the past in Germany was approached on an administrative and legal basis and this implies a degree of impersonality. Many people place too much hope in the extent to which the past would be assumed and reparation made Earhart Nobert a human rights activist in the GDR a theologian and a member of the gal office repeatedly warns of these overblown expectations I quote from him the federal authority for the sturdy archives. That is the gal office is not an authority on the truth. We don’t administrate the truth only documents. West Germany there was an instigator of change in east Germany and financed it a one stage the gallon office had a staff of 3 500 currently it’s 1 300. In 1989 GDR citizens occupies the Stasi building in east Berlin and forced the abolition of the Ministry of State Security, they also confiscated the Stasi files. The bulk of Stasi files didn’t have time to destroy the compromising files. The peaceful revolution in the GDR was also a revolution against the secret services. This fact is reflected in the law on the Stasi archives according to paragraph 25 Stasi documents with information referring to the applicant or to a third part cannot be used by the intelligence agencies for them. That is the intelligence an agencies post 1990 the law allows only for a few exceptions.

In Romania the early 1990s there were politically motivated leaks or state security files designed to compromise politician’s it was not until December 1999. That the law on the access to personal files and the disclosure of the security arty as a political police was passed and access to the security files was regulated. Individuals have right to consult any files held by the security on them members of the council for the archive of the security which is composed of 11 members of parliament drawn from various political parties were given unfettered access to sacra documents. The council was empowered to verify upon requests from any Romanian citizen where a candidate or incumbent of a public office have been a member or informer of the security. I ought to add here the council hasn’t been always able to do this because of the small numbers barely 300 members of the college for the study of the archives they simply haven’t had time or the person now to verify the claims or the requests made by Romania citizens to verify the past of those who are candidates or incumbents for public offices in Romania. Under the law of 1999 in Romania establishing the genesis that is the National Council for the study of the security. The post-communist security service the SRI in Romania was required to hand over custody of the secure files to genesis house but the chis us but the law did not give a deadline for this to take place and consequently it took a long time in fact it took until 2006 that the SRI under pressure from then president Trajan Bascom announced that it was beginning the transfer of files to the genesis. However, the SRI refused the genesis request for index to the files there by making the process for the SS or processing by Gen SS painfully complicated. Any archivist will tell you that if he doesn’t or she doesn’t have access to an index it makes life very difficult but eventually most of the files were handed over and they total approximately 20 kilometers in length and are administrated by approximately 300 staff.

In Czech Republican and Slovakia, the Czechoslovak last action, law was passed in 1990. It is the most radical example of lustration or de-communization. Combining vetting and exclusion from certain public offices of both Secret Service officers and communist part officials. It communist part functionaries from the district level upwards from stb office residence agent’s informers and candidates and members of the part’s Felicia from holding a range of public offices some 9 000 oh them until 1996 it did not. However, prevent them standing re-elections not did apply to former interior or Justice ministries. Lustration was an unintended consequence of a commitment to the lawful transition which foreclosed summary trials of high ranking officials. As of October 1991 when the lustration law was passed state attorneys had managed to indict only 12 stb officers using the law in existence by 1989 and have one no convictions. Politicians therefore wanted to speedier noncriminal sanction and stb officers therefore could not serve in the post-communist security service the FBI if they have worked in counter intelligence directorates or commanded a whole department exemption could be made by the FBI director or federal interior ministry. Holders or secrets of the office in question had to imply had to apply to the interior ministry for a certificate confirming that they had no links to the SDP. The law was suspended in Slovakia after the 1st of January 1993 but extended in the Czech Republican to 2000 and then indefinitely many of the 80 000 candidates standing local government elections in 1994. In the Czech Republican decided them elves to be lustrated even though the law did not require it and by 2002 more than 400 000 people have been screened and 3% told their names in appeared in informal roles.

**Znj.Ornela: Dear professor can I apologizing for the interruption. Can I ask you to conclude because we are running of time and we have another keynote speaker which don’t have time?**

Ok all right. So I’ll just come to my conclusion for you. You can find what else is in the PowerPoint of course which I have submitted to you but my conclusion is very simple one and that is by not confronting the past, the society is effectively victimizing. The victims of repression and here I quote the words of Archbishop Desmond Tutu chairman of the Truth and Reconciliation Committee in South Africa and spoken with reference to the excesses of apart and he said we should look the beast of reparation in the eye and stare him out not allow him to pass unchallenged and then finally lustration is not designed to abortion guilt it is conceived to ignore order to attribute responsibility and to extract from the perpetrators of repression recognition of that responsibility.

So thank you for your attention!