Still Addressing Communist Legacies across Central and Eastern Europe:

Complicity, Trust, and Lustration

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Trust levels

Trust levels remain low across the post-communist countries of Central and Eastern Europe (CEE) even more than twenty years after the fall of the Berlin Wall. Some scholars and policymakers have described the endemically low levels of trust in government, trust in public institutions, like the judiciary and parliament, and trust in others as "a crisis of distrust". The World Values Survey, an internationally respected survey of trust and subjective well-being, found extremely low levels of trust and the lowest recorded levels of subjective well-being across the post-communist space. Legacies of communism are blamed for the distrust and the pessimistic views on personal well-being. In essence, the legacies of communism have inhibited people's abilities to trust their government, trust their police, trust their colleagues, trust their media, and trust their civic organizations, like the church and unions. Since both policy makers and academics assert that trust supports democracy, a lack of trust is alleged to undermine the process of democratization.

Distrust was both actively and passively created by the previous communist regimes. One strategy was to create distrust between citizens in order to ensure primary loyalty to the state. Each country in the region had its own version of the secret police, such as the *Stasi* in East Germany, the *Securitate* in Romania, and the *Komitet Durzhavna Sigurnost* in Bulgaria. The secret police and its recruited (or coerced) networks of informers intentionally created generalized fear and distrust. For example, the *Stasi* practiced a policy of *Zersetzung* or decomposition, which meant an active subversion of the lives of individuals who would not collaborate. The 2006 Oscar winning film *The Lives of Others* played out the pervasive penetration of the secret police and collaborators in East German society. After 1989, the vast scope of the secret police files, and the degree to which collaborators, sometimes voluntarily and sometimes by force, spied on friends, colleagues, family and spouses were revealed. All of this supported the continued rational distrust of the government and fellow citizens.

Complicity

In terms of active complicity, it is estimated that in East Germany one out of every eight citizens was collaborating or working for the secret police. Secret police collaboration generated 1.35 million files in Romania, constituting 15 km of documentation. In Albania 25% of the adult population worked part time as an informer for the secret police, with 10,000 full time agents working with military rank. The Czech Republic has approximately 19km of files in storage. Even Bulgaria with a relatively low rate of regime collaboration by comparison still employed 75,000-80,000 part time informers and 15,000-20,000 full time officers by the end of the regime, with an estimated 250,000-300,000 full time officers over the course of the communist period. These levels are high given a total population of only 9 million people by the end of 1989.

Even people who weren't active collaborators with the secret police could be considered passively compliant and therefore 'complicit.' Vaclav Havel, the revered Czech dissident and former President of the Czech Republic, described how the systemic complicity forced citizens to "live within a lie." As Rosenberg described in her now famous *Foreign Affairs* article from 1995,

> 'The Eastern Bloc dictatorships were conspiracies of all of society. Just as almost everyone was a victim of communism by virtue of living under it, almost everyone also participated in repression. Inside a communist regime, lines of complicity ran like veins and arteries in the human body…. Their complicity was hidden, even from themselves, by the fact that every ordinary citizen behaved the same way.' (p. 138).

Revelations about the scope and depth of the complicity with the secret police undermine social trust. Additionally, the fact that many of the individuals who were in positions of power under communism remain in positions of power today has done little to dispel the perception that the new post-communist institutions remain unworthy of trust.

Lustration Laws

Addressing these legacies of distrust both within society and toward the state remains a pressing concern for post-communist governments in Central and Eastern Europe (CEE). Countries in the region have turned to a variety of post-communist transitional justice mechanisms to address wrongdoings in the past. One of the dominant regional forms of transitional justice is lustration.

Lustration is derived from the Latin word "*lustratio*" meaning purification by religious rites, especially spiritual or moral. In practice, lustration in CEE has come to mean a set of specialized employment vetting rules, designed to ban communist officials and former secret police collaborators from high public positions, or sometimes more generally from positions of influence and trust in society. In symbolic terms it also signifies a moral cleansing or purification from the "sins" of communism. At the heart of lustration is the belief that individuals who served in or collaborated with the secret police, or held positions of power in the communist system are morally tainted and not worthy of positions of public trust under the new democratic regimes. Vojtech Cepl, the author of the Czech constitution and an appointed judge on the Constitutional Court of the Czech Republic, suggested lustration was a type of ritual sacrifice means of restoring the social order, with an important role in transforming the "moral culture" of citizens in Eastern Europe. From this perspective, not only does lustration effect specific bureaucratic changes by vetting public and semi-public offices and positions, but it also functions as a type of symbolic moral cleansing.

All countries in CEE have enacted some sort of lustration law, although the scope, duration, and implementation of the laws vary by country. Some countries like the Czech Republic enacted early and extensive lustration policies, and other countries like Albania had delayed and limited lustration. Lustration policies can target many different types of positions, from high government offices like parliament, the cabinet or the judiciary, through mid-level political office holders such as mayors or regional leaders, to state organizations like bank managers or the heads of large companies, to journalists in state broadcasting or media, through individuals in

positions of public trust such as academics, high school teachers, union leaders and the clergy or religious leaders. In none of the countries does lustration result in severe punishment—there are no prison terms or trials with guilty verdicts. Punishment comes from either being prevented from taking an employment position for between 5-10 years, depending on the country, and/or simply having information about your complicity made public—a form of shaming. The point of lustration is the same—to shed light on the past involvement of individuals in positions of power or public trust.

The information used in the lustration process is generally derived from the secret police files. If an individual has a file or his name appears on registries for meetings with the secret police, he could be found guilty of collaboration. Information that you were a collaborator has been published informally in newspapers and on the internet, often resulting in "witch hunt" like accusations. Or the information could be published more formally in public lists released by the bureaus charged with file oversight, such as the National Remembrance Institute in Poland or the National Council for the Study of *Securitate* Archives in Romania. There are many problems with the accuracy of the file information. The veracity of information in secret police files is notoriously questionable, and many files were selectively destroyed early in the transition. Additionally, lists of informers often don't specify the extent of involvement, thereby erroneously suggesting guilt for even tertiary or passively involved individuals. As a result, the information revelation component of lustration is criticized for being societally divisive, and possibly doing more harm than good.

File Revelations

Revelations about secret police employment or collaboration have affected individuals across a range of high ranking government positions, public institutions, and social institutions, as well as dissidents, academics, and journalists. Revelations that sitting presidents were secret police collaborators have fed political scandals. For example, Bulgaria's former President Georgi Purvanov was revealed to be a collaborator. The former President of Poland, Aleksander Kwaśniewski, was also accused of being secret police agent "Alek". Péter Medgyessy, former Prime Minister of Hungary, was revealed to be a counterespionage officer under the code name D-209.

In some countries, the list of collaborators continues to cover all ranks of parliamentary, judiciary, and cabinet posts. In 2012, Bulgaria's Dossier Commission revealed that approximately 40% of current Foreign Service officers, including high ranking ambassadors, were collaborators provoking a political scandal. After 1989, approximately 1,600 former *Securitate* officers ended up holding key posts in the Romanian intelligence service. The continued active involvement of former secret police officers or collaborators in positions of political and economic power fuels corruption and a sense of social injustice about the transition.

Dissident leaders have also been accused of being collaborators, sullying the narrative about their role in regime change leading up to and during the Velvet Revolutions. Lech Wałęsa, the leader of the Polish Solidarity movement and former President of Poland, was repeatedly accused of secret police collaboration, and a file on him was produced showing he was agent "Bolek." Walesa first denied that a file could exist, then argued the file contained falsified information, and this year claimed he was "playing a game" with the secret police and never really gave them

any information. Similarly, Marian Jurczyk, a leader of Solidarity protests in Szczecin in 1980, was revealed to be an agent of the communist-era secret services, although he was later absolved of guilt by a lower court. Nonetheless, the complicity of top Solidarity leaders with the secret police threatens to taint the powerful and heroic narrative about East European dissidents.

Revelations about the complicity of social organizations have also polarized societies. Complicity among the Polish Catholic clergy shocked the strongly Catholic country. These revelations undermine trust in the church, an institution that survived under communism and provided an alternative civic forum. In early 2012, Bulgaria's Dossier Commission revealed that 75% of the top religious leaders of the Orthodox Holy Synod today were former police collaborators. Citizen trust in the church immediately dropped. Since the church in both countries previously ranked high on measures of trust, file revelations might worsen rather than enhance societal trust.

File access presents a double-edged sword. In many but not all countries in the region, file access laws have allowed individuals to see the content of their personal file. These files contain information documenting what others informed about you, including revelations of betrayals by bosses, colleagues, neighbors, and sometimes relatives and spouses. Interpersonal trust or trust in others remains extremely low in the region, compared to other post-authoritarian countries.

New and renewed programs

More than 20 years after the first lustration program started in 1991 in Czechoslovakia, countries in CEE continue to turn to lustration policies to address their on-going problems with corruption, trust, and democratization. In 2008 Albania introduced a Clean Hands Bill, in an effort to push forward its incomplete lustration efforts. In 2012 both Romania and Moldova passed new lustration laws. Hungary enacted limited early lustration in 1994, but in 2012 there was a call for renewed lustration and general file access, something it had previously withheld. The Bulgarian Dossier Commission's 2011-2012 public revelations about regime complicity amongst the media, academics, parliament and possibly "credit millionaires" suggests that lustration in the form of file revelations will continue there as well.

In sum, the efficacy of lustration and file access remains an open question. What is clear is the legacy of distrust of government and fellow citizens continues to negatively impact society and governance. Lustration presents just one way the countries have attempted to cleanse their public institutions and civil society of the taint of communism and to restore trust. However lustration and the accompanying revelations present trust and historical memory dilemmas all their own.