



# ΕΥΧΕΙΜΟΣ

Governance and Culture in the Black Sea Region

3 / 2011

## ROMANIAN COMMUNISM BETWEEN COMMEMORATION, NOSTALGIA, AND SCIENTIFIC DEBATE

Guest Editor: Daniel Ursprung (Zürich)



"From the times, when our coupled phones were overheard. Pepsi Cola: Today, the same as yesterday" - an advertisement (2011) with nostalgic memories of the socialist world of consumerism and the political repression

Online Journal of the Center for Governance and Culture in Europe  
University of St. Gallen  
[www.gce.unisg.ch](http://www.gce.unisg.ch)  
Managing Editor Maria Tagangaeva

Last Update 22.11.2012

ZUGER KULTURSTIFTUNG  
LANDIS & GYR

Center for Governance and  
Culture in Europe



University of St.Gallen

## Contents

---

Romanian Communism between Commemoration, Nostalgia, and Scientific Debate <i>Editorial</i>	3
Romanian Perceptions of Communism <i>Mirela-Luminița Murgescu, University of Bucharest</i>	5
The Official Condemnation of Communism in Romania and its Repercussions <i>Martin Jung, Friedrich-Schiller University Jena</i>	13
A Brief History of Romanian Archive Access since 1989 <i>Dorin Dobrințu, A. D. Xenopol Institute of History, Iași</i>	18

## Romanian Communism between Commemoration, Nostalgia, and Scientific Debate

Within a few days in December 1989 the Communist dictator of Romania, Nicolae Ceausescu, was overthrown and executed. In no other country in Eastern Europe, it might seem, was popular discontent with the socialist system and outrage over the limitations of the standard of living so great as in Romania. Yet in 2011, more than two decades after the fall of the communist dictatorship, Pepsi Cola has broadcast a commercial with the slogan “Today – the Same as Yesterday” (și ieri, și azi), with black and white images and a Pioneer song which should arouse nostalgic memories of the 60s, 70s, and 80s, when Pepsi was both the “first cola in Romania” and a “social currency”, as a person in charge of the advertising campaign stated.

Anyone who hoped at the end of 1989 that socialism had been lastingly compromised by the absurd Ceausescu regime soon realized that this expectation was too naive and that dealing with the past was for Romanians as complex as life itself. As in other Eastern European countries, one can observe that for quite some time in Romania there has been at least a superficial nostalgia for the socialist period among a broad segment of the population. In Romania in the eighties, it had been brand-name products from the “Capitalist Abroad” which were, as the vanguard of the western consumer world, regarded as a status symbol. Today, however, a profit-oriented group is advertising a symbol of the socialist consumer world of the Ceaușescu years – Pepsi has been since 1965 (the year of Ceausescu’s rise to power) manufactured under license in Romania for the domestic market.

The Pepsi example is by no means an isolated case, as Mirela-Luminita Murgescu shows in the introductory remarks of her contribution. And it’s not just memories from private and everyday life that have positive

connotations. A majority no longer judge Ceausescu himself, in 1989 probably the most hated of the Eastern European party leaders, entirely negatively. Based on survey results Murgescu demonstrates the ambivalent attitudes of many Romanians towards both the former dictator and the socialist system as a whole. Stability and security are the two central concepts around which nostalgia revolves.

One may, however, doubt with good reason how deeply felt this nostalgia is. Like some of the voices in the cited article argue, the glorifying perspective on the past probably depends more on the failure of post-communist elites than on the communist system as such. Another factor may also apply – that an astonishing number of young people who have no personal memories of the time before 1989 take an uncritical attitude towards communism. Here the discrepancy is noticeable between a publicly advocated anti-communism and the personal memories of the family. The debate over communism has remained essentially a matter for the elite, as is shown, for example, by the reception of the now numerous feature films about the communist era. These films, highly acclaimed and sometimes award-winning abroad, have received only moderate attention in Romania. For most Romanians, Murgescu concludes, communism is no longer an issue.

The refurbishment of the communist past is not really one of the broad priorities of the population. Nevertheless, while an at least rhetorical and symbolic anti-communism is a “politically correct” minimal consensus in public policy, this disintegrates as soon as it comes to concrete action. Due to public pressure, in 2006 the Romanian president assembled a commission of historians. Their task was to provide the basis for a report con-

---

demning communism as an “illegitimate and criminal regime.” As Martin Jung shows in his contribution, however, most of the commission’s proposed measure were either not implemented at all or implemented only insufficiently. He also concludes that a wider societal debate over communism has failed to appear following the report of the commission.

One consequence of the commission’s report, however, is that in recent years there has been considerably simplified access to the relevant archives, as Dorin Dobrinu outlines. Himself an expert on the commission and since 2007 the Director General of the National Archives of Romania, he has directed a substantial opening of the archives. As a historian, he was for a long time personally affected in his work by the fact that, often on very dubious pretexts, the archives were accessible only very selectively or only to selected persons. He describes the various obstacles that were placed in the way of researchers and

the current situation in the various institutions in which the archives of material on the socialist period are distributed. In addition to the National Archives there is above all the National Council for the Study of the Securitate Archives, which manages access to the files of the former State Security Agency and which is the most recognized by the public, and in whose remit fall many personal records and reports of prominent persons. He concludes his remarks with the conviction that the past cannot be controlled in an open society.

The contributions show that dealing with the communist past is a painful, complicated, and sometimes contradictory process. Today, some 22 years after the fall of the communist dictatorship, this process is probably still in its initial phases.

*Daniel Ursprung, Zürich*

e-mail: daur@access.uzh.ch

# Romanian Perceptions of Communism

by Mirela-Luminița Murgescu, Bucharest

A little more than twenty years after the fall of the Communist regime, for many people the past is still alive, while for others it is only a culturally mediated memory, or simply a part of history. It is a history learned at home, at school, here and there, even from contemporary commercials for brands from the Communist period: chocolate (ROM, promoted today as „Strong Emotions since 1964”) or detergents (DERO, as „The Scent of the Most Beautiful Years”, referring to 1960 – 1970), advertisements which clearly trade on a bitter-sweet feeling of recollection. At a deeper level, some Romanians do feel nostalgia for the pre-1989 past, while others reject it—following the position taken by President Traian Băsescu in 2006—as „illegitimate and criminal”.<sup>1</sup>

Between August and October 2010, the Institute for the Investigation of the Crimes of Communism and the Memory of Romanian Exiles (IICCMER), in collaboration with CSOP (The Center for the Study of Opinion and the Market), produced two opinion polls: „Attitudes toward and Comments on the Communist Regime in Romania”<sup>2</sup> (the second survey being a repetition and elaboration of the first,

1 Vladimir Tismăneanu, Dorin Dobrinu, Cristian Vasile (ed.), Comisia prezidențială pentru analiza dicturii din România, Raport final [Presidential Commission for the Analysis of Romanian Dictatorship, Final Report], București, 2007, p.12.

2 [http://www.crimelecomunismului.ro/ro/evenimente/arhiva\\_evenimente/arhiva\\_evenimente\\_2010/iiccmmer\\_prezinta\\_perceptiile\\_actuale\\_ale\\_romanilor\\_asupra\\_regimului\\_comunist/](http://www.crimelecomunismului.ro/ro/evenimente/arhiva_evenimente/arhiva_evenimente_2010/iiccmmer_prezinta_perceptiile_actuale_ale_romanilor_asupra_regimului_comunist/), [http://www.crimelecomunismului.ro/ro/presa/comunicate/comunicate\\_de\\_presa\\_2010/iiccmmer\\_prezinta\\_perceptiile\\_romanilor](http://www.crimelecomunismului.ro/ro/presa/comunicate/comunicate_de_presa_2010/iiccmmer_prezinta_perceptiile_romanilor); <http://www.hotnews.ro/stiri-esential-8113632-sondaj-aproape-45-dintre-romani-considera-comunismul-idee-buna-dar-prost-aplicata.htm>, accessed 23.03.2011.

to verify and possibly refine the answers). The initiators aimed „to elaborate a public policy for democratic education, fundamental for understanding and coming to terms with the Communist past”.<sup>3</sup>

The poll was a response to a signal interest of some parts of the media, as well as groups of intellectuals concerned with education, culture, or politics. One year earlier, in reference to another opinion poll on the same theme, a newspaper wrote, „It is interesting, aside from measuring Romanian’s inclinations to the left or right, to see the extent to which Romanian society still bears a mentality of ‚residual Communism.”<sup>4</sup> In Septimiu Chelcea’s analysis of 1999, roughly 57% of Romanians over the age of 18 agreed with the proposition that „Communism was a good idea, poorly put into practice”. Today, 10 years after the study cited and 20 since the fall of Communism, this percentage has grown slightly, to 64%.<sup>4</sup> The uneasiness generated by this kind of comment has made it clear that the public should be surveyed in greater detail, in order to establish appropriate strategies for anti-Communist education.

The 2010 opinion polls were performed on groups of 1123 – 1133 people, with an estimated margin of error of 0.95%. The questions covered a large pallet: from broad opinions regarding the Communist regime, to the role

3 Percepția actuală asupra comunismului – rezultatele studiului din Octombrie 2010 [Current perceptions of Communism – results of the October 2010 study], <http://www.hotnews.ro/stiri-esential-7815580-video-sondaj-61-din-romani-considera-prezent-comunismul-drept-idee-buna-jumatate-din-populatie-afirma-inainte-decembrie-1989-eramai-bine-romania-cum-explica-mihai-neamtu-paradoxurile-din-sondaj.htm>

4 <http://www.jurnalul.ro/stire-special/romanii-nu-regreta-comunismul-526525.html>, accessed 23.03.2011.

## General Opinions of Communism (%)

	August 2010	October 2010
It is a bad idea	27	29
It is a good idea, poorly put into practice	47	44
It is a good idea, well put into practice	14	15
I don't know/ no response	12	12

of the state and to issues of repression, lustration, and collaboration.<sup>5</sup>

The statements that generated the most comment and argument were those in response to questions that asked for general opinions about Communism.

What was shocking, above all, was that the majority believed Communism was a good idea, regardless of the way this idea was put into practice. Sex and residence environment made negligible differences, while those based on age and region were also modest. Thus, for the October 2010 poll, people under 20 years old, who have no personal memory of Communist time, gave the greatest number of non-responses (37%). As age increases, the number of non-responses drops and the number of those who think Communism was a good idea grows (23% of participants over 60 believed Communism was a good idea, well put into practice, and 51% a good idea, poorly put into practice, for a total of 74%). The 40 – 60-year age group is close to the over-60 group, while participants from 20 to 40 are more balanced (36% bad idea, 37% good idea poorly applied, 12% good idea well applied).

<sup>5</sup> The complete text of the surveys was provided to us by Professor Bogdan Murgescu. See <http://www.crimelecomunismului.ro/>

Regionally, negative opinions about Communism are stronger in Bucharest and the Center of the country (46% believed it was a mistake), while positive opinions were most numerous in the South-East and North-East (25% and 19%, respectively, believed Communism was a good idea well applied, and 44% and 52%, respectively, a good idea poorly applied). Positive opinions are also greater than the national average in the South and South-west (Muntenia and Oltenia), while the idea that Communism was mistaken is over that average in the West and North-west. The regional differentiation suggests a correlation between positive opinions about Communism and relative economic and social underdevelopment. Similarly, responses to other questions confirm the significance of social and economic factors for the participants. Of the 49% who, in 2010, said that Romania was better before 1989 than in the present, many gave as reasons statements that, „there was no unemployment, everyone had a job (62%), decent standard of living (26%), the fact that everyone had housing, faith in the future, order, good and free schooling, discipline, equality, good health system, stable national currency, the fact that there was no corruption.“ Clearly, we are dealing with a myth, one that combines some true elements with some clos-

er to utopia. At the same time, in answers to the same question, negative opinions about Communism remained in the minority: only 23% of participants compared Communism unfavorably with the present, 14% believed it was the same, and 14% did not respond. Of the 23% that believe things were worse before 1989, most blamed the lack of freedom (69%) and poverty (lack of food and public services—49%).

The responses above converge with widespread Romanian opinions about the state. The greatest number of responses to the October 2010 question regarding what the state ought to do referred to job security (72%), planned economy (51%), state-fixed prices (44%), and property restitution (43%). It is obvious that the Communist discourse of jobs, equality, and rights still influences Romanian opinion, and that, in their desires for protective figures in the state, many participants associate the Communist regime with a certain sense of stability and security. The cold, long lines, those 10 eggs per month, and the antennas to watch TV from neighboring Socialist states are blotted out by the political and cultural kitsch of everyday life. The most troubling responses are those to the question, whether „you, yourself, or your family suffered, under the Communist regime?“ Amazingly, almost 78% respond „no“ (83% in the second survey), a fact which calls urgent attention to the problems of trauma, suffering, and perceptions of oppression and repression. For those that said they did suffer, the harm is characterized as poverty/lack of food and services (47%), or the confiscation of goods, political prisoners in the family, persecution, harassment, deportation (etc.). Asked directly about repression, 50% of respondents admit its existence, compared to 22% who believed we could not

say anything like it existed. The blame for suffering is equally divided between „Romanian Communist Party leaders“ (45%) and „Securitate leaders“ (44%). Regarding the legitimacy or illegitimacy of the system, 42% believe that it was an illegitimate regime, but when asked who played the biggest role in instating Communism in Romania, most participants pointed to the Soviet Union (48%, compared to 17% who pointed to the Communist Party). Evidently, we are dealing with an externalization of evil, a mechanism which became the consensus in Romania, after 1989. But, if opinions are clear regarding the beginnings of the communist regime and, broadly speaking, regarding the period of Soviet influence (until the end of the 1950s), many participants were ambivalent regarding the leader of national Communism. 46% of participants believe that Nicolae Ceaușescu did both good and harm to Romania, compared to 15% who state that he did harm and 25% that he did good. The pollsters included questions regarding access to Securitate files, lustration, and the memorialization of Communism. The responses seemed more complacent than reflections of deep convictions. Thus, the delicate and much debated problem of access to Securitate files was important to 40% of the subjects and unimportant for 49%. In contrast, 51% are of the opinion that there should be a National Museum of Communist Dictatorship in Romania (an idea promoted by the IICCMER), and that December 22 should be a day to commemorate the victims of the Communist regime (16%).

Mass media remain the most important source of information regarding the history of Romanian Communism (56%), followed at a distance by school (33%), family (21%), books (21%), movies (20%), and the Internet (9%).

Remarkably, in comparison with our 2006 survey<sup>6</sup> of high school students born between 1987 and 1992, regarding their sources of information about the December 1989 Revolution, the current survey about Communism confirms the relative decline of school as a source of information, but it emphasizes the larger role of mass-media in comparison with the family.

Most commentators have emphasized the positive opinions toward Communism, believing them to be expressions of nostalgia, and they have interpreted the surveys as cause for alarm. A similar attitude was fed by the public position papers from the Institute for the Investigation of the Crimes of Communism and the Memory of Romanian Exile, which took the surveys as signs that democratic education must be intensified. Regarding the positive opinions, they concluded, “This opinion must be connected to the fact that the population has not had and does not have more than limited access to information that would clarify the culpability, crimes, and abuses of the Communist period. Their opinion of Communist regime is also understandable within the political and economic dimensions of daily life in Communism. Alongside the duty of state institutions and Romanian mass media to promote complex, nuanced, and responsible discussion of the Communist past, the Romanian state must enact clear and

6 Mirela-Luminița Murgescu, *Construirea memoriei istorice despre 1989 - percepții ale tinerilor cu privire la însemnătatea relativă a diverselor surse de informare cu privire la Revoluția din 1989* [The Construction of the Historical Memory of 1989—Young People’s Perceptions of the Relative Importance of Various Sources of Information Regarding the 1989 Revolution], „Memorial 1989. Buletin științific și de informare” [1989 Memorial. Research and Information Bulletin], 1(3)/2008, p.19-23.

coherent policies for issues connected to the party-state dictatorship: Securitate archives, lustration, compensation, the pensions of ex-high officers and leaders of the Securitate, or memorials of the Communist period”.<sup>7</sup> “The survey results, articulating Romanians’ current perception of the Communist regime, touch an open wound: in Romania, de-Communization has not even begun”, they argue, emphasizing that the survey proves “the failure of Romanian anti-Communist activities in the last 20 years [...] Anti-Communism in Romania continues to be a limited production for intellectual consumption, in which academic gestures are not followed by a creative communication strategy that would attract a broad audience, which is the final target of any de-Communizing action. Anti-Communism in Romania remains, thus far, trapped in an ivory tower.”<sup>8</sup> At the same time, attempts to justify the responses have been sought in the experiences of other post-Communist nations, arguing that the results in Romania are no exception in the post-Communist world. When asked about Romanian nostalgia for Communism, Adam Michnik declared, “The longing for Communism in Romania or Poland is like the longing for Hitler or Mussolini in Germany or Italy”.<sup>9</sup> Although the Polish dissident’s response was meant more to inspire interpretive restraint, some representatives of the IIC-

7 Percepția actuală asupra comunismului – rezultatele studiului din Octombrie 2010 [Current perceptions of Communism – results of the October 2010 study], p. 4.

8 Vlad Mixich, *Eșecul anticomuniștilor în România* [“The Failure of Anti-Communists in Romania”], 10 December 2010, <http://www.contributors.ro/politica-doctrine/esecul-anticomunistilor-din-romania/>, accessed 02.04.2011.

9 <http://www.tvr.ro/articol.php?id=97611>, accessed 27.04.2011.

CMER have proposed a classification of nostalgics into various categories.<sup>10</sup> This has been met with sarcasm from some intellectuals working to redefine the Romanian left. These people took the survey and its interpretations as an effort to politicize memory and make a political use of Communism: “Along with the secret police, nomenclatura, neo-Communists, barons, moguls, etc., the gallery of ‘enemies’ against which, as remnants of the past, anti-Communists were continuously called to fight during the transition, another has been added: the ‘nostalgic,’ with a protean face and a wide age-range. To put it another way: if up until now the enemy figures were more or less clearly outlined, along certain ideological axes clearly enough defined, in this new stage, the entire population, without exception, may become, at any time, guilty, given the lax structure of the new norms of categorization. Nostalgia can strike anyone, even the young, or especially them”.<sup>11</sup> The accent moves from failures of education to social and economic failures. “This means that we are not talking about ignorance, at all. My opinion is that nostalgia for Communism denotes, pure and simple, a total failure of the current system to furnish an entire category of essential public goods: prosperity, jobs, decent standard of living. We are not amnesiacs, we do not ‘sweeten the past’, and we are not ignorant”.<sup>12</sup>

10 Adrian Cioflâncă, Nostalgia pentru comunism [Nostalgia for Communism], “22”, 28 September 2010, <http://www.revista22.ro/nostalgia-pentru-comunism-8962.html>, accessed 15.03.2011.

11 Florin Poenaru, Nostalgie, pedagogie, umor sau despre a doua venire a anti-comunismului [Nostalgia, Pedagogy, Humor, or on the Second Coming of Anti-Communism], CriticAtac [CriticAttack], 12 October 2010, accessed 15.03.2011.

12 Victoria Stoiciu, Nostalgia “Epocii de Aur” și legitimitatea morală a foamei [“Golden Age”

Because the media have exploited the subject of nostalgia in various ways (*History Textbooks Ignore Communism* is the title of a newspaper article, reposted by the site of a popular history magazine<sup>13</sup>), some commentators have tried to temper the fear of a Communization, or a Romanians turn to the left, and to turn attention to the responsibility of the political class: „It is, however, scientific to base our statements on available data. What we now know suggests that we avoid the conclusion that Romanians would prefer Communism or that they have a strong leftist, anti-Capitalist inclination. On the basis of the supplemental data [...], we can see that we should not rush to accuse, insult, or scorn ‘the people.’ It is wrong and unfair. Romanians are like they are and have their own problems. But we should not impute them with things that are not clearly imputable. [...] The responses to questions about Communism are, first of all, a function of the performance, in any domain, of our political and media elites. If someone is to blame, then that someone is these elites”.<sup>14</sup>

Nostalgia and Moral Legitimacy of Hunger], Critic Atac [CriticAttack], 5 October 2010, <http://www.criticatac.ro/1843/nostalgia-%E2%80%9Eepocii-de-aur%E2%80%9D-si-legitimitatea-morala-a-foamei/> accessed 15.03.2011.

13 Laurențiu Ungureanu, Manualele de istorie ignoră comunismul [History Textbooks Ignore Communism], Adevărul [Truth], 18 October 2010, [http://www.adevarul.ro/scoala\\_educatie/liceu/Manualele\\_de\\_istorie\\_ignora\\_comunismul\\_0\\_355764897.html](http://www.adevarul.ro/scoala_educatie/liceu/Manualele_de_istorie_ignora_comunismul_0_355764897.html), accessed, 04.05.2011), [http://www.historia.ro/exclusiv\\_web/stiati/articol/manualele-istorie-actuale-ignora-comunismul](http://www.historia.ro/exclusiv_web/stiati/articol/manualele-istorie-actuale-ignora-comunismul), accessed 04.05.2011.

14 Dragoș Paul Aligică, Sunt românii stîngiști comuniștoizi (Și o notă pentru liderii PDL) [There Are Leftist Communistoid Romanians (And a Note for the PDL Leaders)], 20 December 2010, <http://www.contributors.ro/dezbateresunt-romanii-stangisti-comunistoizi-si-o-nota-pentru-liderii-pdl/>

At the same time, a recent study by the Soros Foundation brings our attention to the fact that “in spite of a lack of any direct experience of the Communist regime, more than a third (38%) of adolescents believe that was a better time than now”, and “more than 26% of adolescents interviewed stated that the subject has never come up in school. The result is, in the least, surprising, in view of the fact that Communism is explicitly listed as a subject in the curriculum of several different disciplines”.<sup>15</sup> In a recent discussion, a history teacher remarked that young people do not lack interest in the Communist period. Many times they are able to point out clashes between what they learn from the education system and their textbooks, on the one hand, and the opinions of their parents, on the other. The memory they get from home is most often made up not of stories, but of simple affirmations about the concrete situation of the Communist period. Aside from young people’s interest or lack of interest in a past that is becoming more and more *a foreign country*, opinion polls show that for a large part of the population, the Communist regime no longer signifies a trauma, and the regime is not passed on to the young generation as a traumatic experience. For some analysts, the Soros Foundation survey brought to light a fact that is, at least, worrisome: “A group of adolescents, abnormally cynical for their age, whose idealism seems to shatter when they hit the wall of reality. With the help of study, they describe a generation that is anti-system in the most conventional way possible, constructing their great adolescent utopia around dystopias inherited from their parents, including a nostalgia for Communism, instead of creating

15 [http://www.soros.ro/ro/comunicate\\_detaliu.php?comunicat=153](http://www.soros.ro/ro/comunicate_detaliu.php?comunicat=153), accessed 26.04.2011.

a great dream for the future, theirs or even their children’s. In 62% of cases where the parents have a positive attitude toward the Communist past, the children pick up this opinion, while 60% of those who believe information about politics is important get their political information from their parents. Where is this generation’s rebellion? Who is responsible for the fact that their spirit of protest capitulates, sometimes before it is even formed?”<sup>16</sup>

In recent years, the problem of Communism has become a major theme in Romanian films. If, in the beginning of the post-Communist period, films concentrated more on the 1950s and Stalinist repression, sometime in the middle of the second post-Communist decade attention began to shift toward the years of the Ceaușescu regime. In this context, films about the 1950s have not disappeared, but they have diversified their themes and approaches. This diversification is exemplified by the coexistence of films about the mountain resistance („Portrait of the Fighter as a Young Man”, directed by Constantin Popescu, 2010) with others that touch on the absurd affects of politics on daily life, as in the story of a wedding forced, by the period of mourning for Stalin’s death, to take place in silence („Mute Wedding”, dir. Horațiu Mălăele, 2008). Cristian Mungiu has set the tone for films based on the Ceaușescu period, proposing they treat, not the system, but personal stories within the system.

16 Victoria Stoiciu, Liceenii anti-rock&roll și imposibila schimbare la față a României [Anti-Rock&Roll High School Students and the Impossible Transfiguration of Romania], Critic Atac [CriticAttack], 25 April 2011, <http://www.criticatac.ro/6707/liceenii-anti-rockroll-si-imposibila-schimbare-la-fata-a-romaniei/>, accessed 02.05.2011.

Cristian Mungiu's award-winning „4 Months, 3 Weeks, and 2 Days“, honored at Cannes with the Palmes d'Or, opens what the director intends to be his *Trilogy of the Golden Age*. At first, the director intended to begin the project with a comedy, as he tells us: „I gave the script to some younger people to read, and they said, ‚Mamă, it must have been so wacky to live back then.‘ I said, ‚No, that's not what I wanted to say!‘ So I decided to begin my trilogy about this period with something more serious. I put the other project on hold. I began with ‚4 Months, 3 Weeks, and 2 Days.‘“<sup>17</sup>

„4 Months 3 Weeks and 2 Days“ (2007) engages an extremely sensitive issue, that of women's options under a regime that prohibited abortion. It is the story of two friends who attempt to resolve the problem of an unwanted pregnancy, and the individual (it is hard to call him anything else) who resolves the extreme situation, all of which takes place in a brutal and brutalized world, but one not depicted in political terms. The film takes a skeptical-neutral approach to the story of the many, tragic illegal pregnancy terminations, an issue also addressed in a film from the Communist period, Andrei Blaier's „Picture Postcards with Wild Flowers“ (1975)<sup>18</sup>.

Cristian Mungiu, this time as producer and co-director, gives another perspective on Romanian Communism in the 2009 film anthology *Tales from the Golden Age*, directed by Hanno Höfer, Răzvan Mărculescu, Cris-

tian Mungiu, Constantin Popescu, and Ioana Uricaru. The title is meant to evoke the Ceaușescu period, also called, pompously, The Golden Age. The script is based on a variety of sources: the film-makers' own memories, stories, articles from period magazines, even a contest for urban legends. The two sequences of 4 and 3 films were distributed under the titles „Comrades, Life is Beautiful!“ („The Legend Of The Official Visit“, „The Legend Of The Party Photographer“, „The Legend Of The Zealous Activist“, „The Legend Of The Chicken Driver“) and „Love after Hours“ („The Legend Of The Air Sellers“, „The Legend Of The Chicken Driver“, „The Legend of the Flying Turkey“)<sup>19</sup>. The director describes his aim: „I did not want to talk about the system. I think that the films made by our generation distinguish themselves from those made about Communism in the '90s by their tone, the fact that they do not talk about the system, that they talk about stories that did not happen to us. They are not commentaries on the system, they are stories“. *Tales from the Golden Age* is intended as „an homage to and a revisiting of that period“.<sup>20</sup>

A different approach to the Communist past is Andrei Ujica's film, „The Autobiography of Nicolae Ceaușescu“, a collage of archival images, without narration, in more or less rapid sequence. They are images of the Ceaușescus in various official and intimate states. As we learn from the website synopsis, „during his and his wife's summary trial, Nicolae Ceaușescu reviews his time in power: 1965 – 1989. We witness a panorama of the epoch, whose breadth recalls, for example,

19 <http://www.talesfromthegoldenage.com/>

20 <http://www.mediafax.ro/cultura-media/mungiu-vrem-sa-vedem-cu-amintiri-daca-o-comedie-despre-comunism-mai-adeuce-publicul-lacinema-4923115/>, accessed 01.05.2011.

17 Nicoleta Zaharia, Cezar Paul-Bădescu, Cristian Mungiu: „Poveștile din comunism au un potențial exploziv“ [Cristian Mungiu: „Stories of Communism Can Be Explosive“], „Adevărul/ [Truth], 22.09.2009, [http://www.adevarul.ro/cultura/Povestile-Cristian-Mungiu-potential-exploziv\\_0\\_121187908.html](http://www.adevarul.ro/cultura/Povestile-Cristian-Mungiu-potential-exploziv_0_121187908.html), accessed 15.04.2011.

18 <http://www.imdb.com/title/tt0071651/>

American film frescoes about the Vietnam war generation.<sup>21</sup> Because, the director concludes, „in the end, the dictator is nothing but an artist who gets the chance to put his egotism into practice. It's only a difference of aesthetics that makes him be called Baudelaire or Bolintineanu, Louis XVI or Nicolae Ceaușescu”.<sup>22</sup>

Although this approach to the Communist past would seem closer to the expectations of a large part of the population, one that seems to reject official anti-Communist discourse in the name of more nuanced family memories and frustrations with the present, in fact, the Romanian public has shown rather a small interest in these award-winning and critically praised films. „4 Months 3 Weeks and 2 Days” was seen by 89,339 people, in part because it benefitted from a special distribution strategy (a film presentation caravan), becoming the second most seen film in Romania 2007, after „Pirates of the Caribbean at the End of the World” (98,961 people).<sup>23</sup>

Tales from the Golden Age (parts 1 and 2) was seen by only 45,470 people in 2009 (28, 105 for Part 1, and 17, 365 for Part 2).<sup>24</sup> As for „The Autobiography of Nicolae Ceaușescu”, launched in October 2010, by the end of 2010 it had attracted only 12,013 people, placing it fourth among Romanian films in 2010<sup>25</sup>. These

21 <http://www.autobiografia.ro/#sinopsis>, accessed 03.05.2011.

22 <http://www.autobiografia.ro/#sinopsis>, accessed 03.05.2011.

23 [http://www.cncinema.abt.ro/Vizualizare-DocumentHTML.aspx?htm\\_ID=htm-378](http://www.cncinema.abt.ro/Vizualizare-DocumentHTML.aspx?htm_ID=htm-378) accessed 04.05.2011.

24 In 2009, at the top of the Romanian box-office was Ice Age: Dawn of the Dinosaurs, U. S. A. 2009, 334,217 people, ([http://www.cncinema.abt.ro/Vizualizare-DocumentHTML.aspx?htm\\_ID=htm-414](http://www.cncinema.abt.ro/Vizualizare-DocumentHTML.aspx?htm_ID=htm-414), accessed 01.05.2011).

25 <http://www.capital.ro/detalii-articole/>

numbers show a much lower level of interest than the public has for international films. The 2010 statistics for the top films for Romanian audiences: „Alice in Wonderland” (222,314 people), „Prince of Persia: The Sands of Time” (171,701), „Shrek Forever” (157, 149).<sup>26</sup>

Clearly, the new Romanian wave films about Communism interest only a small cultural elite, and not the deep levels of the population. In these conditions, we believe the anxieties provoked by the opinion polls of memories of Romanian Communism must be nuanced. Romanians in 2010 do not live in the past. Aggressively interrogated about Communism, they responded by expressing their frustration with contemporary society (the surveys were done during a severe recession and dramatic reduction in state salaries, and these employees make up a significant section of society), and their preference for a paternalistic state, one that provides their lives stability. But, beyond these preferences, for most Romanians today, Communism is not really a problem.

#### *About the author:*

Mirela-Luminița Murgescu is Professor at the Faculty of History, University of Bucharest. She has participated in several international projects in fields like textbook analysis, nationalism, memory, social and cultural history.

[stiri/cele-mai-vizionate-filme-romanesti-in-2010-142693.html](http://www.stiri/cele-mai-vizionate-filme-romanesti-in-2010-142693.html), accessed 01.05.2011.

26 Iulia Blaga, „Alice in Tara Minunilor”, lider de box-office 2010 in Romania [“Alice in Wonderland,” 2010 Romanian Box-Office Leader], 13 December 2010, <http://www.hotnews.ro/stiri-film-8124819-video-alice-tara-minunilor-lider-box-office-2010-romania-tron-asteptat-depaseasca-doua-saptamani-succesul-celui-mai-popular-film-romanesc-anului.htm>, accessed 02.05.2011.

She had a Mellon Fellowship (2000), DAAD Fellowship (2000), Korber Senior Fellowship, Institut für die Wissenschaften vom Menschen, Vienna (2006), various research stages at MSH Paris (2003, 2004, 2005), GWZO, Leipzig (2010).

Besides numerous academic studies and book chapters, she has edited 6 volumes (including *Nations and States in Southeast Europe*, Thessaloniki, 2005, also Serbian, Greek, Croat, Bosnian, Albanian and Macedonian editions, second edition 2009) and published

*Între "bunul creștin" și "bravul român". Rolul școlii primare în construirea identității naționale românești (1831-1878)* [*Between the "Good Christian" and the "Brave Romanian". The part of elementary school in constructing the Romanian national identity (1831-1878)*], Iași, 1999 and *Istoria din ghiozdan. Memorie și manuale școlare în România anilor 1990* [*History from the school bag. Memory and schoolbooks in Romania during the 1990s*], București, 2004.

e-mail: mlmurgescu@gmail.com

*Translation from the Romanian by Sean Cotter*

## The Official Condemnation of Communism in Romania and its Repercussions

by Martin Jung, Friedrich-Schiller University Jena

On December 18, 2006, seventeen years after the fall of Nicolae Ceaușescu and shortly before Romania's accession to the European Union, President Traian Băsescu condemned the Communist government as an "illegitimate and criminal regime." He based his condemnation on the final report of the "Presidential Commission for the Analysis of the Communist Dictatorship in Romania," which he had called for in April 2006 and to which he set the task of providing a scholarly foundation for this official position.<sup>1</sup> Intellectual circles had called for President Băsescu's condemnation several times since his election at the end of 2004, and nearly all the mem-

bers and experts of the commission had been recruited from their ranks. The convening of the commission also followed from the rivalry and tension between the President and the Premier. At the end of 2005 the Premier at the time, Călin Popescu Tăriceanu, had founded the "Institute for the Investigation of the Crimes of Communism in Romania" and for this reason the questions of the treatment of the Communist past and its condemnation were brought onto the political agenda.

The sought after condemnation of Communism certainly did not pass without controversy and it was criticized and dismissed by the Social Democratic Party (PSD) and the nationalistic Greater Romania Party (PRM). The condemnations of this sort were harshly polemical and contained little factual basis. The level of the PRM's opposition was demonstrated during the introduction of the report in

1 Comisia Prezidențială pentru Analiza Dictaturii Comuniste din România: Final report, edited by Vladimir Tismăneanu, Dorin Dobrinu, Cristian Vasile, București 2007

parliament in December 2006: members of the PRM disrupted the president's speech with placards, whistles, and heckling, personally insulted him and the commission members, and threatened them with physical violence.

In contrast, the criticisms expressed in intellectual circles were less on principled grounds than they were criticisms of the individual members of the commission. They directed their attacks first and foremost against Vladimir Tismăneanu, Professor of Political Science at the University of Maryland, whom President Băsescu had appointed as chairman of the commission and charged with the nomination of members and experts. A critical-substantive disagreement with both the condemnation of communism and the commission report was only found to a very limited extent, primarily in the collection "The Illusion of Anticommunism", to which authors from diverse scholarly disciplines contributed articles.<sup>2</sup>

Against this background the questions raised by the official condemnation of communism were confronted all the more. President Băsescu's speech in parliament gave the first indication of this: while he took up the outlined conclusions and theses of the almost 900 pages heavy final report on communism in Romania with only slight variation, he only partially followed the recommendations of the commission and completely disregarded some of its suggestions. It must however be admitted that the implementation of the recommendations did not depend solely on the will of the president, but rather fell into the jurisdiction of other state establishments and organs like the government, parliament, or in-

2 Ernu, Vasile/ Rogozanu, Costi/ Şiulea, Ciprian/ Țichindeleanu, Ovidiu (Hgg.): *Iluzia anticomunismului. Lecturi critice ale Raportului Tismăneanu*, Chişinău 2008.

dividual ministries.

The commission arranged its recommendations into five categories: 1. the condemnation of communism; 2. commemoration; 3. jurisprudence and justice; 4. research and archives; as well as 5. education. These categories combined together into two basic overall concerns. The first consisted of an official, explicit and categorical denunciation of the communist regime as "illegitimate and criminal." For the commission bringing this about meant an assessment of the resistance (however it had developed) to communism, an assessment of the victims of communist repression, and an expression of sympathy for the suffering of the Romanian people. It also meant, however, the determination of accountability, the identification of "culprits," and measures to apprehend and punish them. The commission's second concern involved issues of the placement, distribution, and dissemination of the report and its contents, which for the commission comprised the basic framework for a future deepening and broadening of its results.

With the first goal in mind the commission suggested official statements. They called on parliament to make a statement pursuant to the Council of Europe's January 2006 "Resolution No. 1481 on the Necessity for International Condemnation of the Crimes of Totalitarian Communist Regimes," but received no reply. President Băsescu, in contrast, followed the commission and in his speech condemned the communist regime in the form of the Romanian Communist Party and the Securitate intelligence service. Unlike the commission he did not name any specific individuals from ruling circles. The commission connected the thesis that the communist regime had only nominally come to an end in December 1989 with the explicit mention of Ion Iliescu, the

president of Romania from 1990 to 1996 and from 2000 to 2004, and the condemnation of his membership on the Central Committee of the Communist Party from 1968 to 1971. President Bănescu did not engage in this extremely politically sensitive and profoundly explosive theme and did not take up the recommendation of the Commission to recognize and investigate the officially “anti-communist character” of the events of December 1989 and the protests against Ion Iliescu in the period that followed. In addition, President Bănescu disregarded the call by the commission that the occasion be used to award persons detained at these events the status of political prisoners.

In April 2007, in the wake of his speech, President Bănescu assembled the “Presidential Advisory Commission for the Analysis of the Communist Dictatorship in Romania.” This body, with a mandate until December 31, 2006, was meant to implement the advisory recommendations and finalize appropriate strategies. Recommended measures for this purpose included an appraisal of the victims of communism, which President Bănescu took up and supported in his speech in December. The commission proposed the construction of a central monument in Bucharest, the establishment of a “Museum of the Communist Dictatorship” and the creation of a permanent exhibition in the Parliament House on the violations of civil liberties in Communist Romania. To date, none of these proposals has been realized, nor even the adoption of a commemoration day. The requests of the commission, and the frequently expressed public calls to the government that December 21 be declared as a “Memorial Day for the Victims of Communism in Romania” and August 23 as a “Memorial Day for Victims of Communism and Fascism” have not been carried out, nor has a proposed bill in the Senate on the declaration

of March 9 as a “Day of Anti-Communist Political Prisoners”.

In the view of the Commission, the assessment of the victims of communism should be conducted judicially in two ways: on the one hand through the annulment of politically motivated convictions; on the other hand through the grant of financial support and benefits for former political prisoners, either in the form of pensions or free public transportation and medical care. President Bănescu asserted in his speech that he supported the requests of former political prisoners for public acknowledgement of the distress they suffered, but this led to no concrete results. On the first point Parliament in June 2009 passed the “Act of Parliament No. 221 on Politically Motivated Convictions and Associated Administrative Measures for this Purpose in the Period from March 6, 1945 to December 22, 1989.” For this reason there now exists the possibility of judicial challenges, investigations and annulments of politically motivated convictions, and the ability to bring an action for compensation from the Romanian state. With the Emergency Decree No. 62 of July 2010 the government modified the provisions of the law and added limits to the amount of financial indemnity, the constitutionality of which the Constitutional Court must still clarify.

With a view to the “perpetrators,” the commission first and foremost proposed statutory provisions, including the immediate passage of a lustration law. Individuals who had been members of the power structure and repressive apparatus of the regime should be banned from employment in public functions and agencies for a set period of time. The blueprint for this was proposed in parliament in 2005 and was adopted by the Chamber of Deputies in May 2010. However, after an appeal by the Social Democratic Party (PSD) the

Constitutional Court ruled in the following month that the lustration law violated the constitution and annulled it.

The remaining suggestions of the commission for the handling of “perpetrators” remain unimplemented. These included the demand that the pensions of “former torturers” be cut and brought in accordance with the average level, as well as three recommendations that were marked by the experiences of the strenuous post-1989 legal proceedings. First, the commission requested an explanation of the “outrages and abuses of the Communist regime [...] for crimes against humanity” and to thereby make them known for all time; a major part of the post-1989 criminal prosecutions had been discontinued with reference to the statute of limitations for perpetrators. Second, the Commission recommended the invalidation of a decree by Nicolae Ceausescu from 1988 which had made possible amnesty or shortening of prison sentences for various post-1989 convictions. Third, the commission requested a review of medical reports that had led to the early release of individuals who had been convicted of politically motivated crimes. In parallel, the commission recommended criminal investigation and inquiry into these cases. This, however, had as little effect as the commission’s proposals for criminal penalties for the belittling of communist crimes, for efforts at the glorification of the communist regime and its leaders, and for the use of communist symbols and trappings.

On the other hand, in view of its second main objective, the commission took up the placement, dispersal, and transmission of the report and its results as well as the future adoption of a series of recommendations. The final report is available on the Romanian President’s official website, but contrary to the commission’s recommendation only in Roma-

nian. A series of lectures in the large university towns on the presentation of the report was not realized, but instead President Bănescu at the end of 2007 assigned a total of 250 printed copies of the report to over 130 university, district, and city libraries throughout the country.

In the middle of 2008 the Education Ministry implemented a course on the “History of Communism in Romania”, although it was not a mandatory part of the curriculum, as the Commission had intended. It remains, in fact, at the discretion of individual schools whether the course is offered. An analogous textbook was produced in 2008 by the “Institute for the Investigation of the Crimes of Communism in Romania.”<sup>3</sup> The creation of a “Lexicon of Romanian Communism” has, to date, not been realized, although a document collection of the years 1945 to 1965 appeared under the aegis of the commission, with further volumes to follow.<sup>4</sup>

The most explicit changes in the wake of the condemnation of communism concerned the archives. After the direct intervention of President Bănescu, a large portion of the archives of the Communist intelligence service was transferred to the “National Council for Research on the Securitate Archive” (CNSAS). In addition, the terms for use of the state archives have greatly improved since mid-2007, largely due to a change in their administration. The materials in the state archive are now available for research, and accordingly access is no longer as restricted as it once was.

3 Stamatescu, Mihai/ Grosescu, Raluca/ Dobrinu, Dorin/ Muraru, Andrei/ Pleșa, Liviu/ Andreescu, Sorin: O istorie a comunismului din România. Manual pentru liceu, Iași 2008

4 Berindei, Mihnea/ Dobrinu, Dorin/ Goșu, Armand (Hg.): Istoria comunismului din România. Documente. Perioada Gheorghe Gheorghiu-Dej (1945 - 1965), București 2009

These include archival records of the Communist Party which were taken over by the army and which were from 1993 onwards gradually handed over to the state archives. The government lifted restrictions on an entire series of decrees of the Council of State and the Presidents from the period up to 1989, and made them available for research. In this way the recommendation of the Commission that all archival materials associated with the communist period should be immediately declassified was only partially realized. In addition, the Commission had recommended a change in the legal framework of the State Archives. Indeed a plan for a new Archive law has been prepared, but has not yet come into effect.

As this example once again makes explicit, it is difficult to come to any clear conclusions. None of the recommendations have been implemented promptly and without changes as the commission formulated them in its almost 900 page final report – with the exception of the (verbal) official condemnation of the communist regime by President Bănescu. Of course he, too, only partly followed the commission's recommendations. The extent of the acceptance and implementation of the commission's recommendations and suggestions seems not only selective and severely weakened in practice, but also contradictory. While a legal provision on the annulment of convictions for politically motivated crimes was passed, the implementation of a memorial day or the erection of a central monument to the memory of victims of communist oppression is still pending. All in all, very few of the recommendations are likely to be carried out, although the commission viewed the December 2006 official condemnation of communism which they had recommended as a key turning point and major success. On the other hand, several things have changed in the time thereafter, so it has not been a complete fail-

ure. The official condemnation did not kick off a deeper and broader social engagement with the communist past – if this was even intended beyond rhetoric. The "Advisory Presidential Commission on the Analysis of the Communist Dictatorship in Romania" has hardly improved the balance sheet. At least President Bănescu was able to demonstrate to the outside world that he did not merely want to leave the issue with a (verbal) condemnation of communism, but wanted to make an absolute change.

*About the author:*

Martin Jung, born in 1976, studied Eastern European History, Romanian and Western Slavic Studies in Jena, Warschau and Poznań from 2000 to 2006. From 2007 to 2009 he worked for the „Institut für Auslandsbeziehungen“ as a cultural manager in the „Democratic Forum of the Germans in Bucharest“. Since October 2009 he has been a PhD fellow of the DFG Research Training Group (Graduiertenkolleg) 1412 „Cultural Orientations and Institutional Structural Order in Southeastern Europe“ at the FSU Jena.

Recent publications: Herta, Angelika/Jung, Martin (eds.): *From the Edge into the Center. The German Minority in Bucharest [Vom Rand ins Zentrum. Die deutsche Minderheit in Bukarest]*, Berlin 2011 (Forum: Rumänien, 9); Jung, Martin: *Civil Society as an Elite Event? The Sighet Memorial in Northern Romania as a Remembrance of Communist Crimes of Violence [Zivilgesellschaft als Elitenveranstaltung? Das Memorial Sighet im Norden Rumäniens als Erinnerungsort kommunistischer Gewaltverbrechen]*, in: *Südost-Forschungen* 67 (2008), 277-294.  
e-mail: euromar@gmx.net

*Translation from the German by John Kenney*

## A Brief History of Romanian Archive Access since 1989

by Dorin Dobrințu, A. D. Xenopol Institute of History Iași

### DESCRIPTION OF THE SITUATION PRE-1989

The archives found within the present-day boundaries of Romania were organized according to modern principles in the first half of the nineteenth century, producing the State Archives established in 1831 in Wallachia and 1832 in Moldova. In the period that followed, specialized archives were established for various state institutions, some of which were allowed to keep material without turning it over to the State Archives. Through the nineteenth century and the first part of the twentieth, archives were governed by regulations from 1869 and 1872, and by the law of 1925. The State Archives fell under the Ministry of Justice, Religion, and Public Instruction from 1862 until 1952, when it came under the jurisdiction of the Ministry of Administration and the Interior. After the Second World War, Romanian archive legislation was modeled on the Soviet example. All of this had important implications for document access in the decades that followed.

Following the Soviet model, a mania for secrecy enveloped the entire Romanian institutional system. The Communist regime encouraged a “siege mentality,” and this had extremely important consequences for public life, and for the rest of society, as well. We should clarify that from the middle of the 1950s until 1991, the State Archives were led exclusively by officers, specifically generals, of the Ministry of Internal Affairs, a fact which, without doubt, shaped the institution’s ethos, including, perhaps especially, its attitudes toward document access.

“Protecting state secrets” was made the official doctrine of the Romanian Socialist Republic (the country’s new name after 1965) through decree 430/1969, which became Law 29/1969, and through Law 23/17 December

1971. The more important law, for its content, duration, and effects, was the latter. Decree 472/20 December 1971 Regarding National Archive Holdings re-affirmed the party-state’s watchful control over the archives, more precisely its quasi-monopoly. Access to and use of documents was strictly regulated. Ordinance 00545/1974 created the Special Archives, which were held in secret. The documents in this collection referred to topics considered “sensitive.”

In the years of “triumphal Socialism/Communism,” several special archives were established in Romania: the archive of State Security, the archives of the Romanian Communist Party (which had a special place, of course, for the Archives of the Central Committee), the Archive of the History of the Party, etc. After 30 August 1948 (the date of its creation), the Securitate [Romanian Secret Police] established its own archive, which held not only documents from its own (of course, repressive) activity, but also “an important volume of documents from the archives of the former bourgeoisie, including those of the organs of the Ministry of the Interior.”

While scholars did still have access to the State Archives —beyond the broad restrictions of the legislation already mentioned, and the none-too-hospitable atmosphere for academic activity— access to certain other archives, such as that of the Armed Forces or [(it goes without saying)] you could cut that] the Securitate, was impossible. Despite all this, documents from the latter institution were used to discredit those people considered undesirable, either within the country (opponents, dissidents) or outside it (the Romanian exile community).

At present, there are several major archives in Romania, from state institutions to

various organizations, businesses or private individuals: 1. The National Archives of Romania, with branches across the entire country; 2. The Archives of the National Council for the Study of the Securitate Archives; 3. The Romanian Military Archives; 4. The Diplomatic Archives; 5. The Archives of the Secret Services. Likewise, there are many institutional archives which, by law, must turn their materials over to the National Archive, but for various reasons (lack of cataloging or storage space, etc.) have yet to do so.

#### STATE ARCHIVES/NATIONAL ARCHIVES

After the fall of the Communist regime in December 1989, the State Archives experienced a period of examination and reassessment. Many obstacles stood in the way of change and greater openness, including politics (we should not forget that the leaders of the new Romania were in large part former members of the nomenklatura and had held important posts in the Party and State), as well as the nature of the institution (the conservatism of the professional corps playing an important role). The archives remained part of the Ministry of Internal Affairs, even though reorganization was discussed, including the possibility of moving it to another ministry. For a good period of time, the restrictions on document access were more or less identical to those of the old regime. For example, at the end of 1991, those in charge of the Archives believed various categories of documents needed “special protection.” These included documents regarding borders and border conflicts that could cast Romania in a bad light, extremist movements and propaganda, irredentist propaganda, the status of enemy goods confiscated by the Romanian state, the Jewish problem (confiscated goods, deportations, massacres—what today we call the Ro-

manian portion of the Holocaust), lists of former members of the Legionnaire Movement (Romanian Fascism), Romanian colonization of territories incorporated after 1913/1918, mineral resources, military maps, the archive of the Romanian Communist Party, etc. There were many similarities between the restrictions in place during the National-Communist period and post-Communism. But there were some differences, which also must be contextualized. For example, some categories of documents from the former Special Archive regarding: the transit or stationing of German, Hungarian, or Soviet troops on Romanian territory, the situation of Romanian refugees in territories lost by the Romanian state during the Second World War, records of foreigners, school records from territories ceded in 1940, etc.

Archive legislation has been left wanting for a long time. A new archive law was put in place several years after the fall of the Communist regime. Law 16/1996 officially adopted a new name for the institution: The National Archives of Romania. This law was supposed to be followed by a modernization of the laws regarding the archives. In some respects this did happen. Still, because too much room for interpretation was left to those at the institutions holding the archives, access to documents continued to be severely restricted. Various pretexts were invoked, the most common connected to “state security” or problems of administration (poor condition of the holdings, uncataloged holdings, and so on).

To overcome these impediments, some researchers, Romanians and foreigners, accepted the system of privileged access to documents and even turned it to their advantage. This practice had negative effects, not only from a moral point of view, but also from a

practical one. Networks based on friendship or mutual interest (institutional, material, etc.) gravely affected the accumulation of knowledge about Romania, the public's ability to discuss ideas of interest, and so on.

The rules governing reading rooms continued to be restrictive. Foreign citizens encountered great obstacles in accessing documents, in both Communist Romania and the first fifteen years after 1989. There was an obvious difference in the treatment of Romanian and foreign researchers. The latter's requests were received by the regional branches of the National Archives, then sent to Bucharest, where they were judged according to already restrictive guidelines and approved or rejected. In every case, the responses took a long time to arrive, and often the respective person's time in Romania ran out without producing anything. Until a few years ago, in order to reduce access to documents for foreign researchers as well as Romanians, the research topics were controlled. From the moment in which a reader announced his topic, he received nothing but documents related to it, understood very strictly.

The military attitude, the caste mentality of most Archive employees, the belief that they are masters of the documents and not administrators in the public benefit, characterize the institution's relationship with the public. In fact, the idea that the archives are a "public good" was not even used in public in Romania until a few years ago.

In the year 2000, as part of preparations for entry into NATO and the European Union, Romania put its laws in accord with those two supranational entities. Access to information of public interest was one of the most important areas of change. *Law 182/2002 Regarding the Protection of Classified Information* stipulates that "the right to have access to information

of public interest is guaranteed by law" (art. 2). Important for our subject is the fact that it is expressly specified: "Information, data, or documents related to fundamental scientific research cannot be classified as state secret if they do not have a justifiable connection to national security" (art. 24, line 2). On the other hand, *Law 677-2001 for the Protection of People Regarding the Processing of Personal Data and Its Free Circulation*, in spite of the declarations of transparency and certain specifications (especially art. 5, let. g), became, through unilateral interpretation and willful misconstrual, a true "weapon" on the hands of those frightened by free and non-discriminatory access to archives. Thus, legislation that intended to be in harmony with the western world and principles of human rights was interpreted so as to restrict document access.

The National Archives today are organized according to the administrative organization of Romania: there are 5 offices that administer the documents created by the central institutions of the state, as well as those obtained through donations or acquisitions from private persons; 41 county services or offices; and a municipal service of Bucharest. In all, the National Archives hold in the entire country almost 37,000 deposits and collections, totalling approximately 320,000 linear meters of documents, from the eighteenth century to 1989. This also explains, in part, why the National Archives continue to be the most important point of attraction for researchers who study the history of Romania.

#### **FROM THE ARCHIVE OF THE FORMER POLITICAL POLICE FORCE TO THE ARCHIVE OF THE NATIONAL COUNCIL FOR THE STUDY OF THE SECURITATE ARCHIVES**

As was to be expected, after the fall of the

Communist regime, the attention of the Romanian public, including a good number of contemporary historians, turned toward the archives of the former Securitate. In 1990, limited access was possible to the documents of the former Securitate, housed mostly by the Romanian Information Service (the principal successor structure to the Securitate), arguments on this topic being a constant presence in Romanian society.

At the end of the first post-Communist decade, public interest in the archives of the Communist regime's former political police motivated the creation of an agency for their administration, following the German model (the "Gauck Commission"). *Law 187/1999 on Access to Personal Files and the Dismantling of the Securitate as Political Police Force* created the National Council for the Study of the Securitate Archives (*Consiliul Național pentru Studierea Arhivelor Securității* (CNSAS)). The law's prologue specifies: "Communist control, instated in Romania beginning 6 March 1945, exercised, especially through the organs of state security as a political police force, constant terror over the citizens of the country, curtailing their fundamental rights and liberties. This "justifies" the right to personal files and the dismantling of the Securitate as a political police force." One very important activity of the CNSAS was the review, upon request, of those who held or were candidates for (by election or appointment) various public positions, from the President of Romania to members of parliament, the Government, or even those leading regional administrative structures; church leaders and clerics of various religions could be reviewed, as could the leadership of foundations, associations, and chapters active in the territory of Romania (art. 2, let. a-z). Persons who held public positions were obligated by law to declare wheth-

er they had collaborated with the Securitate or not. Admissions of this fact had no legal consequence, while false declarations were considered infractions and punished according to law. The CNSAS Board analyzed evidence regarding the collaboration of officials or of people named by those given the right to do so under the law, and it could publish judgments of collaboration with the former political police.

One article (19) mentions scientific research on primary sources: "For the purpose of establishing historical truth, the Council Board makes available, to Council-accredited researchers, documents and complete information regarding the structures, methods, and activities of security agencies."

The creation of the CNSAS produced results, and not only in the area of researchers' access to documents from the Communist period. In 2000, the so-called "*dosariadă*" took place, which involved great public uproar over the new access to documents produced by the former Communist regime. Politicians, journalists, historians, state institutions became involved. Many former Securitate officers and informants (some holding important public positions) were judged as having collaborated. Some of these people challenged the decisions in court. Even beyond this, one person, a former officer of the Communist espionage service, now a leader of a political party and a member of parliament, challenged the legal basis of the CNSAS in the Romanian Constitutional Court. Paradoxically or not, he won his case, and Law 187/1999 was found unconstitutional on 8 February 2008. This occurred after the institution had already been at work for 9 years.

Having been pushed outside the constitutional framework, CNSAS was recreated through emergency ordinance 24/2008, re-

garding access to personal files and the dismantling of the Securitate, and approved with modifications and amendments by Law 293/2008. Even if the phrase “political police force” was removed from the title and content, the law allowed an institution to function, one with an important role to play in clarifying a key period of Romanian history. There were other provisions slightly different from the earlier form of the law, but these did not necessarily constitute steps backward. Historical research was given greater scope than in the earlier law.

The National Council for the Study of the Securitate Archives at this moment houses, in Bucharest, over 24,000 linear meters of documents. This archive is essential for understanding the history of Romania from 1940 to 1989, and not only for the history of repression. It is one of the most asked-for archives, for those who research recent history or would like to read their own files.

#### **MILITARY ARCHIVES**

Very important documents for understanding Romanian history, especially the twentieth century, are held in the Romanian Military Archives, meaning the History Service of the Army, headquartered in Bucharest, and the Center for the Study and Maintenance of the Military Historical Archives, in Pitești. Military historians, in particular, have used these official documents for writing military history. Civilian historians have complained recently about their difficulty in accessing documents regarding the involvement of the Romanian army in Eastern front operations, in particular in the Holocaust in Eastern Romania and Romanian administered Transnistria, but also its interactions with the Communist regime. The Romanian Military Archives contain approximately 7000 holdings and collec-

tions, in total roughly 91,000 linear meters of documents.

#### **DIPLOMATIC ARCHIVES**

These archives preserve documents created by the Ministry of External Affairs, in all over 8000 linear meters of documents. Interest here in these documents is very high, because they represent valuable sources for the study of the history of Romania in the nineteenth and twentieth centuries, and not only for the country’s international relations.

#### **ARCHIVES OF THE SECRET SERVICES**

This includes, in particular, the archives of the Romanian Information Service, the Foreign Intelligence Service, the Information Service of the Army, and the General Department of Information and Internal Protection of the Ministry of Administration and the Interior. According to Law 16/1996, this archive creates and keeps its own documents. The restrictions are explicit, like the public’s frustrations, keeping in mind the fact that the quantities of documents produced by these services is not public knowledge, as they function under a special set of laws. Since 2000, many of these services have turned over to the CNSAS documents created by the former Securitate, doubtless making important steps in this direction, but the work is still far from complete.

#### **PUBLIC DEBATES SINCE 1989 AND THEIR IMPLICATIONS FOR ARCHIVE ACCESS**

On the international level, the free circulation of information has become a principle various organizations have worked for: UNESCO, for example, and the International Council of Archives, etc. After 1989, Eastern and Central Europe have experienced what is often known as the “Archive Revolution.” This has involved, first of all, making the archives

open, and giving access to as many documents as possible to an ever growing public, be they researchers (professional or amateur) or citizens interested in re-establishing rights. All of this was obtained only as a result of public debate, with political and institutional implications.

The years 1990-2000 were marked by similar controversies in Romania, too, with regard to access to archives in general, but understandably (as the country had suffered under a Communist regime for almost half a century) to the archives of the former Securitate in particular, and the archives of the Romanian Communist Party, etc. The mass media devoted ample space to the release of documents, especially the most sensational. There were debates, symposia, studies and volumes of documents were published, there were exhibitions, and so on.

Institutional changes followed a more gentle tempo in the Romanian archives. For example, it is perhaps not unhelpful to remember that the last director general with a military rank (of general) left the State Archive in 1991, but the last deputy director general of the same stature left in 2006, a fact which explains a lot about the difficulties of institutional change in post-Communist Romania.

The restrictions on access to archives, especially those dealing with recent history, were so numerous that there were protests in the post-Communist period from researchers, both Romanians and foreigners.

In 2006, the President of the country created the Presidential Commission for the Analysis of the Communist Dictatorship in Romania, which published its *Final Report* in the same year. In his speech to Parliament on 18 December 2006, the President stated: "I support the modification and amendment of the body of laws regarding access to archives

connected to the Communist period. Seventeen years after the Revolution of December 1989, the time has certainly arrived for transparency and access to the archives of Communism. The obstacles encountered by members and experts of the Commission must be cleared, urgently and without hesitation. The National Archive Law must be changed immediately, with regard to the terms of access to archives of historical interest. Negligence toward fulfilling the obligation to modify the Archive Law demonstrates a lack of political will to give indiscriminate access to archives of interest for those researching the Communist regime. A democratic Romania is one in which access to history, and thus to archives, is free and unlimited."

Beginning in 2007, there have been major changes for document access in the National Archives. The fundamental points have been reform, democratization, and transparency. The germane laws (especially art. 20 and 22, as well as appendix 6 of Law 16/1996 of the National Archives) have no longer been interpreted restrictively, with prejudice toward the public, but rather in its favour.

*Recommendation 13/2000 of the Committee of Ministers of European Council Member Countries Regarding European Policy in the Area of Access to Archives* has played an important role in establishing free access to documents. Since 2007, this recommendation has been repeatedly cited as an argument for policies of institutional openness. This is needed because legislation, as well as important parts (at least, numerically speaking) of the professional corps, not to mention politicians, interested circles, etc., have constituted as many impediments to document access, especially to those regarding recent history, but also to others. The Romanian National Archives translated and published, in 2007, Recommendation

13/2000, ensuring adequate distribution of the document and promotion of its contents.

Because access had long been limited by various claims (sometimes justified, other times not)--that the archive in question had not inventoried its holdings and collections, that the conditions of preservation were precarious, that the files were unbound--some major changes have been made. Holdings that were inventoried but not approved for study were made available to researchers, important and long solicited holdings were processed and given to study or are in process. In all, hundreds and hundreds of holdings have been made available in recent years. To improve the functioning of the archives, records were checked, and where necessary, updated.

To make this process easier, large amounts of information have been posted on the websites of the Archives (lists of holdings and collections for each building in the country, inventories in electronic format, etc.). A new rule made it possible to order and consult triple the number of files per day (from 5 to 15);

it is now possible for researchers to request both bound and unbound files. Requests from foreign researchers no longer follow the troublesome system of the past. Romanian citizens and foreigners alike benefit from perfectly equal treatment, their access to documents being expressly stated in law. If, some years ago, it was impossible to imagine access to the Romanian National Archives with modern technology, today researchers may enter with their own laptops and may make copies with their own digital cameras, the costs being minimal. All this has represented a substantial benefit to researchers.

The following describes the evolution of access to reading rooms in Romanian National Archives in the two decades of post-Communism (Table 1):

Steps toward total archive access have included the completion of an Archive Law project, by a group of specialists from the National Archives in consultation with both other public archives and historians and experts from the Ministry of Culture. The new proj-

Table 1

Year	Number of researchers	Visits	Archival units (AU) and library units (LU) consulted	Copies (xerox and photographs)
1978	3,180	23,424	133,286	
1990	1,714	7,554		
1991	3,693	11,889	50,329 AU + 796 rolls + 13,442 LU	1,161
1992	2,835	12,684	49,887 AU + 723 rolls + 3,822 LU	744
1996	7,710		156,363 AU + 1,294 rolls + 48,200	10,236
2000	5,623		67,078 AU + 872 rolls + 7,792 LU	134,537
2001	5,889		74,225 AU + 863 rolls + 7,880 LU	247,093
2002	5,851		75,507 AU + 1,442 rolls + 10,373 LU	331,391
2003	5,366		71,987 AU + 2,268 rolls + 10,295 LU	470,399
2004	5,724		70,432 AU + 1,716 rolls + 8,477 LU	552,451
2006	7,807		103,170 AU + rolls + LU	approx. 220,000
2007	8,366		100,770 AU + rolls + LU	350,000
2008	11,100	32,500	over 139,000	over 745,000
2009	9,155	34,263	141,905 AU + 2,098 rolls + 11,068 LU	940,893
2010	12,619	35,500	151,476 AU + 2,009 rolls + 9,757 u.b.	1,254,007

ect defines archives as a *public good*, which for Romania is something new. Regarding access, the law prescribes shorter terms (25 years from the documents' creation), and making historical documents available for study (including those created by the Romanian Communist Party between 1921 and 1989 and by Communist state institutions between 1945 and 1989). There are, of course, criticisms of these prescriptions from various corners, in particular from those who are directly interested in limiting access to documents from recent history. Unfortunately, even though the Archive Law project is finalized and has been discussed in public for almost four years, the political and legislative situation has not favoured its passage by Parliament. Additionally, complicated procedures and inter-institutional competition explain, in part, the delays in the Archive Law's adoption. It is not, of course, the only problem Romania has to face in this moment, but it is certain that legislative omissions are an obstacle to the good administration of our archival patrimony. As yet, hopes that we may see the law adopted are not just legitimate, but based on fact.

Despite all the efforts in recent years to normalize Archive access, the mania for secrecy of the Communist years and the first post-Communist decade is still widespread. Even in these years, some quarters of the administrative or political system, unhappy with the opening of particular archives, have applied various kinds of pressure if not to close the archives, especially those for recent history, then at least to restrict access to them.

Romanian citizens have the right to memory, and this right includes access to archives. Romanian Communists (and many who followed them after 1989) tried to control the past, a past which produced most inhabitants of the country, for better or worse. Some have

argued that "it is not good" to know what was, but more to the point, some people prefer it not be known that they were part of the nomenklatura, that they benefited from all the advantages of participation in the totalitarian system, that they served the regime, that they continue to violate common morality and/or especially the law, even those laws in place before 1989. And then, rather than taking responsibility for the recent past, the post-Communist elites have preferred to control it, through destroying documents or blocking access to entire archives for years. Still, the past cannot be controlled forever within a society which—even if only in its most conscientious and civic-minded part—has had a small taste of the fruit of freedom and wants to know more about what happened in the more recent or distant past.

*About the author:*

Dorin Dobrinu is director of the National Archives of Romania (since 2007) and researcher at the A. D. Xenopol Institute of History in Iași. His interests lie principally in the political and social history of contemporary Romania. His recent publications: *Transforming Peasants, Property and Power. The Collectivization of Agriculture in Romania, 1949-1962* (Budapest, New York: Central European University Press, 2009), co-edited with Constantin Iordachi; and *The History of Communism in Romania. Documents. The Gheorghe Gheorghiu-Dej Period (1945-1965)* (Bucharest: The Presidential Commission for the Analysis of the Communist Dictatorship in Romania, Humanitas Press, 2009), co-edited with Mihnea Berindei and Armand Goșu. e-mail: ddobrinu@yahoo.com

*Translation from the Romanian by Sean Cotter*

---

The Online Journal 'Euxeinos. Culture and Governance in the Black Sea Region' is published by the [Center for Governance and Culture in Europe](#) (GCE-HSG), University of St.Gallen, Switzerland with the financial support of [Landys & Gyr Stiftung](#).

The opinions expressed in the online journal Euxeinos reflect only the views of the authors. Free download for noncommercial private, scholarly and educational purposes. Every other form of distribution is permitted only after consultation with the editors.

#### **Euxeinos Editorial Team**

Prof. Dr. Dirk Lehmkuhl  
Prof. Dr. Martin Müller  
Dr. Carmen Scheide  
Prof. Dr. Ulrich Schmid  
Maria Tagangaeva M.A.

#### **Contact**

Center for Governance and Culture in Europe (GCE-HSG)  
University of St.Gallen  
Gatterstrasse 1  
CH-9010 St.Gallen  
Switzerland

Phone: +41 (0)71 224 25 61

e-mail: [euxeinos@unisg.ch](mailto:euxeinos@unisg.ch)

URL: [www.euxeinos.ch](http://www.euxeinos.ch), [www.euxeinos.info](http://www.euxeinos.info)

<http://www.gce.unisg.ch/euxeinos>

ISSN 2296-0708

© Center for Governance and Culture in Europe, University of St.Gallen