

Christiana Christova; Dirk Förger: Lustration – Addressing the Consequences of the Communist Regime in Bulgaria

Bulgaria is not doing well in overcoming its communist past. It was only one year ago that the most comprehensive law so far was launched to open the records, and none of the leading politicians of the communist era has yet been brought to book. There is hardly any coming to terms with the past, called 'lustration'. The reasons for this are that the requisite institutions are lacking, that the general public shows a low degree of sensitisation, and that many former members of the secret services remain in leading positions until today. Yet clearing up the things that happened would not only promote democratic culture in Bulgaria. It would also help to track down organised crime by throwing light upon spectacular suspicious cases such as the assassination attempt on Pope John Paul II, for example. And it would contribute to clearing innumerable people of suspicion, who were listed as 'assistants' of the services without ever having been guilty of anything.

Bulgaria has always been a faithful ally of the Soviet Union, with the secret services of the two countries cooperating closely. After the fall of communism, extensive amounts of file material were destroyed systematically as it could have served to prove the crimes and breaches of the law committed by the perished regime.

In April 1990, the Bulgarian Communist Party (BKP) which had ruled until then turned into the Bulgarian Socialist Party (BSP). Before the eyes of the public, it denounced the crimes of communism, thus paving its way to winning the elections to the constituent assembly that took place in the middle of that year. When, at the end of 1990, the National Assembly decided to set up a board of inquiry to investigate the MPs' contacts with the state security service, nothing spectacular was expected, especially as a socialist, Mr Tambuyev, took the chair. The board promptly decided to dissolve itself when a teenage magazine listed the names of 33 convicted former members of the secret service that were still holding a seat in parliament. Shortly afterwards, the National Assembly resolved that 'malevolent' publication of sensitive names was illegal.

Similarly, nothing much came of the law on political and moral rehabilitation of the victims of communism adopted in 1990 which granted those affected a one-time compensation.

In 1991, the Union of Democratic Forces won the elections to the National Assembly. It was under this party that a lawsuit was filed against the former party leader and head of state, Mr Zhivkov, who was actually sentenced to seven years in prison for misappropriating state funds. He died in 1998.

In the subsequent years, non-socialist governments made several attempts to achieve a breakthrough for lustration, one example being the 'law on the decommunisation of science' which was to make it more difficult for incriminated persons to rise to leading positions in scientific institutions but was abolished in 1995. In October 1994, four days prior to its dissolution, the National Assembly passed a law that cleared information about the methods and means of the secret services for publication. Although this law is still valid today, it is not applied. On the one hand, the socialist government of Mr Videnov that took office in 1994 successively rejected all demands to open the records; on the other, the courts also obstructed the process.

New endeavours to investigate the secret-service activities of personages in public life were made only when the non-socialist government of Mr Kostov was elected in 1997. The so-called

Bonyev Committee published the names of 23 politicians, 14 of whom were parliamentarians at that moment. The decision to open the archives was resisted by the socialist opposition. While the constitutional court dismissed a related complaint, the judges did exclude their own files from being published as resolved. A law adopted in May 2000 declared the 'criminal character of communism' and the guilt of the former Bulgarian Communist Party, emphasising the moral justification of all those actions that aimed at overthrowing the totalitarian regime as well as the incapacity of human-rights violations to become statute-barred.

However, power in Bulgaria changed hands once again, and a new parliamentary majority rescinded much of what the non-socialists had achieved. In May 2002, the law on the protection of confidential matters was adopted which once again imposed restrictions on access to files of former state security members. It is remarkable that this initiative was taken at a time when the state was investigating the 'credit millionaires' who had taken out loans worth millions without paying them back, and who were now suspected of having caused the bankruptcy of diverse banks in order to enrich themselves.

In all this, Simeon of Saxe-Coburg-Gotha played a not-inconsiderable part. Given the civil-law name of Sakskoburggotski, he was banished by the communists in 1946 but did return from his Spanish exile to become prime minister in 2001. Although he was a victim of the regime himself, he opposed the opening of the archives. This position may be explained by the fact that, as became known later, he had worked for the KGB and as a spy abroad.

When in December 2006 the newly-elected socialist-dominated parliament passed another law on the opening of the state-security records, this probably had a great deal to do with the country's impending accession to the EU. Even though higher officials in the military intelligence department, the Ministry of Defence, and the foreign intelligence service employed after 1991 were excepted, this law is the most ambitious advance so far towards dealing with the past through its documents.

The Committee commenced its work in 2007, its goal being to secure unrestricted access to the records. However, its task merely is to inform; it is not authorised to remove any persons from office. Moreover, its working conditions are by no means ideal: There is a lack of space and equipment, citizens and scientists are still not allowed to do their own research, and the willingness of institutions and authorities to cooperate is unsatisfactory.

In view of all this, the record of 'lustration' in Bulgaria has so far been ambivalent. The non-socialist political parties keep seeking to clear up the country's communist past, but on the one hand, they are very weak, and on the other, their endeavours have systematically been undermined for many years by the successors of former rulers.

In this context, the fact gives rise to concern that the leaders remained the same as the BKP turned into the BSP, so that the old networks still exist. What also gives rise to concern is that the functionaries and secret service officials of the communist era still quote 'national interests' as the reason for their actions back then – an explanation which is reduced to absurdity by the realities in the perished system.

Now and then voices can be heard saying that disclosing the secret service activities of leading politicians makes hardly any sense any more as the fall of communism took place almost two decades ago. However, the opposite is true, as it is exactly the persistence of the old power structures, the continuity of their staff, and the survival of the network of corruption and egotism

that is the country's problem. It may be argued that coming to terms with the past is something Bulgaria still has to do.