Политичка мисла

20 години по падот на Берлинскиот ѕид

20 years after the fall of the Berlin Wall

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Есента 1989-та година падна Берлинскиот ѕид. Како симбол на вештачката поделба помеѓу Западна и Источна Европа, помеѓу демократијата и комунизмот, ѕидот падна мирно, без пролевање крв, а со тоа слободата повторно почна да се шири низ нашиот континент. Дваесетина години подоцна, НАТО започна да се трансформира од алијанса на Студената војна во проширен безбедносен клуб, кој започна да се соочува со глобалните предизвици; а Европската Унија инкорпорира многу источноевропски земји, овозможувајќи им на многу граѓани да си ги подобрат животните стандарди и слободно да патуваат. Во Германија, дваесет години по падот на ѕидот, луѓето од Исток и Запад ја слават годишнината од своето повторно обединување како и основањето на Федералната Република, чиј демократски и економски успех беше во голема мера обликуван од првиот канцелар Конрад Аденауер. Во Западен Балкан, дваесет години по настаните во 1989-тата, политичкиот пејзаж драматично се про-

In the autumn of 1989, the Berlin wall fell. A symbol of the artificial division between western and eastern Europe, between democracy and Communism, the wall was torn down peacefully: no blood was shed and freedom could spread again across our continent. 20 years later, NATO has transformed from a cold-war alliance to an enlarged security club trying to meet challenges across the globe and the European Union has incorporated many East European states and enabled their citizens to improve standards of living and experience the freedom to travel. In Germany, 20 years after the fall of the wall, people from East and West celebrate their anniversary of re-unification and the foundation of the Federal Republic, whose democratic and economic success was in significant parts shaped by its first Chancellor, Konrad Adenauer. In the West Balkans, 20 years after the events of 1989, the political landscape has changed dramatically and an independent Macedonia (as well as its other neighbours) is on the doorstep of EU-integration. The citizens of the

мени, а независна Македонија (како и другите соседни земји) се на прагот на евроинтеграцијата. Граѓаните на земјите од Западен Балкан сакаат да се приклучат кон ЕУ што е можно поскоро. Особено големиот број млади луѓе сакаат да придобијат од можностите што ги нуди живеењето во рамките на европската заедница. Многу од нив не биле родени во времето кога Берлинскиот ѕид беше рушен. Но последиците од тоа сè уште можат да се почувствуваат низ цела Европа, а настаните од тоа време сè уште претставуваат вредни лекции за сите нас, како и за политичарите кои донесуваат одлуки, а кои ги водат земјите во регионот низ демократска транзиција. Првин тука е лекцијата за наследството од периодот на комунизмот и социјализмот во земјите од Источна Европа. Со поранешното авторитативно еднопартиско владеење, многу луѓе страдале поради тоа што имале различно политичко убедување или ги критикувале актуелните власти. Многу лидери и соработници со старите режими имаа придобивки од транзицијата низ која минуваше земјата и сè уште влијаат на политичките процеси на донесување одлуки. Некои од институциите на поранешните режими сè уште функционираат нереформирани во новите државни структури и влади. Но денешна Европа има високи демократски стандарди како и владеење на правото.

На тој начин, како второ, настаните од пред дваесет години нè обврзуваат, а истовремено нудат низа можности за земјите: да го истражуваат минатото и да учат од направените грешки, со цел да не се повторат пак, така што авторитарноста и

countries of the West Balkans want to join the EU as soon as possible. Especially the overwhelming majority of the young people want to benefit from the opportunities and possibilities of life in the European community. Many of them were not even born at the time of the fall of the wall. But its consequences still reverberate across Europe and the events still hold lessons for us and for the political decision-makers leading the democratic transition of the countries of the region: first, there is the lesson of the legacy of the Communist and Socialist regimes in East Europe. With former authoritarian one-party rule, many people suffered for having dissenting political views or just criticizing the authorities. Many leaders and collaborators of the old regimes have benefited from the country's transition and are still influencing political decision-making. Some of the institutions of the former regimes continue to operate virtually unreformed in the new state structures and governments. But today's Europe has high standards of democracy and rule of law.

And thus, secondly, the events of 20 years ago hold an obligation, but also an opportunity for these countries to investigate the past and learn from previous mistakes in order to make sure that they will not be repeated, that authoritarianism and conflicts between states and peoples remain history. Democratic transition is not only a change of symbols, government institutions and names. It is, above all, a change in mind of the people living in the former Communist countries – and their elected leaders. Because young democracies need not repeat the mistakes made by the old, the democracies of East Europe - by understand-

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дите да останат историја. Демократ-
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на на симболи, владини институции
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Поради тоа што младите демокра-
тии не би требало да ги повторуваат
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те на Источна Европа – со разбирање
на минатото – имаат можност да се
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работка кон заедничката цел на ев-
роинтеграција.

ing the past – can move more direct-
ly and in joint cooperation towards the
goal of European integration.

Редефинирање на македонскиот етнокултурен идентитет

Ивица Боцевски

Во овие денови кога започнуваат подготовките за последниот голем проект на расчистување со македонското тоталитарно минато – лустрацијата – нужно е во името на македонската политичка наука да се отвори уште една дебата која е клучна за современата македонска историја. Имено, време е да се напуштат популарните митови кои ја врзуваат Македонија и посебно македонскиот етнокултурен идентитет со комунистичкиот режим. Отфрлувањето на тоталитарното минато не значи и не може да значи и негирање на македонскиот етнокултурен идентитет. Напротив, токму критичкото толкување на периодот од 1945 до 1991 година ќе ни овозможи повторно да си го освоиме и да го редефинираме македонскиот етнокултурен идентитет, бидејќи оптоварени со овие идеолошки „окови" не можеме да се снајдеме во новиот свет, ниту на глобално ниво во „новиот светски поредок" дефиниран со предностите и предизвиците на глобализацијата, ниту на национално политичко ниво во услови на либерално-демократски политички систем, ниту, пак, на микрониво кога се соочуваме со економските и социјалните последици на економ-скиот систем, дефиниран со пазарната економија.

Повторното освојување на слободата и повторното „ограѓа-нување" на општеството во сите посткомунистички држави под-разбираше една цела серија мер-ки за расчистување со баластот на тоталитарното минато, како и за повторно соочување со ско-решното минато. Во суштина, клучни процеси беа денационализацијата, лустрацијата, отворањето на архивите на службите, како и рехабилитацијата на жртвите. Во Македонија, сите овие процеси се одвиваа мошне тешко, а беа проследени и со многу контроверзии во дебатата, додека, пак, процесот на лустрацијата воопшто и не започна, а отворањето на архивите беше мошне скромно, па јавноста не успеа да ја согледа магнитудата на проблемите и „чудовиштата" скриени во нашите архиви. А, токму информирањето на јавноста е клучно за расчистувањето со тоталитарното минато како и за повторно освојување на слободата и воведувањето на принципот на владеење на правото во Македонија.

Во нашите историски читанки, како и во учебниците за граѓан-ско образование, мора да се за-

бележи дека на граѓаните на Македонија систематски им биле кршени човековите права со децении, дека легалноста како принцип била сериозно нарушена во минатиот режим, како и дека институциите биле само еден параван, бидејќи биле целосно дренирани од моќта која реално им припаѓа, според уставните и законските норми. Една паралегална и парауставна организација – Сојузот на комунистите на Македонија, како и тајните служби во функција на режимот, биле срцевината и центарот на моќта. Откривањето на овие црни и сиви практики од минатото е клучно и за новиот либерално-демократски поредок што го градиме.

Вистината и борбата за вистината се темел на секоја либерална демократија. Тие, наедно, претставуваат и единственото орудие што му стои на располагање на граѓанството за одбрана на неговите човекови права и одбрана на неговото човеково достоинство од активностите на државата и нејзините служби. Наедно, вистината му служи и на цивилното општество да ја контролира власта и да се обезбеди дека одговорноста и активностите на владините органи се фиксирани да му служат на јавниот и националниот интерес.

Лустрацијата ќе ни овозможи да се испрати силна порака дека сите активности на секој носител на јавна функција еден ден ќе бидат поднесени на увид на јавноста, како и дека таа индивидуа ќе подлежи на политичка (можеби и кривична) одговорност за своите

активности. Притоа, процесот на лустрација ќе овозможи и да се индивидуализира вината за историските неправди од периодот на македонскиот тоталитаризам, како и да се покаже дека новиот либерално-демократски поредок расчистува со лошите практики од минатото низ институциите и со стриктно почитување на принципот на владеењето на правото, а не преку „револуционерна правда" и систематско кршење на човековите права од страна на тајните служби. Доколку, пак, избереме и овој пат да ја скриеме вистината за нашето минато, тогаш и натаму ќе лебдиме во меѓупросторот каде што јавната дебата е изместена и каде што носителите на јавните функции не му служат на јавниот и на националниот интерес.

Ете, токму од овие причини историското сеќавање на злосторствата направени во име на тоталитарниот режим во Македонија мора да се вреже во етнокултурниот идентитет на Македонците, како и во етнокултурниот идентитет на сите други етнички групи во Македонија. Тоа ќе овозможи и поинаков квалитет на меѓуетничките односи, како и темелно редефинирање на политичката сцена, но и конечно создавање услови (слобода) за да се раскрилат сите креативни енергии на пазарната економија, како и на цивилното општество во Македонија.

Дека редефинирање на националниот идентитет е клучно зборува и постојниот јавен дискурс во Македонија. Не може да

се концептуализираат предизви- ците на современото општество со постојниот јавен дискурс каде што се инсистира на „нормалнос- та" во целосниот континуитет по- меѓу македонскиот тоталитари- зам и актуелната македонска ли- берална демократија во сите сфе- ри на идеологијата и културата. Оваа „нормалност" во дискурсот мошне брзо станува „ненормал- ност" во политиката, економија- та, културата, науката и цивил- ното општество, како и со „не- нормално" согледување на себе- си, на сопствените потенцијали и на сопствената иднина.

Раскинувањето на вештачки и идеолошки креираната врска помеѓу македонскиот етнокулту- рен идентитет и комунистички- от режим, наедно, ќе создаде и поздраво втемелување на маке- донската историја. На историски- те факти мора да се гледа како на историски факти, а за нивно- то толкување потоа јавно ќе де- батираме.

Затоа, клучно е Македонија организирано и институционално да се зафати со реализацијата на процесот на лустрацијата. Свеста за тоталитарното минато и за не- правдите направени врз нашите сограѓани нужно ќе заврши со ре- дефинирање на македонскиот ет- нокултурен идентитет што ќе ни овозможи да се видиме себеси и светот од една поинаква перспек- тива – перспектива на силна на- ција, подготвена сериозно да се соочи со сите предизвици на ид- нината и подготвена зрело да се грижи за себе и за својата идни- на. Демократскиот и економски- от развој на Македонија, како и етнокултурниот развој на Маке- донците веќе не смеат да бидат робови на ниту една организи- рана група ниту, пак, некој има право да го киднапира и узурпи- ра овој процес. Време е за реде- финирање на македонскиот ет- нокултурен идентитет.

Abstract

The time has come to abandon the popular myths linking Macedonia and, especially, the Macedonian ethno-cultural identity with the Communist regime. Therefore it is crucial for Macedonia to start the process of lustration. The conscience of the totalitarian past and the injustices our citizens have suffered will definitely end with the redefining of the Macedonian ethno-cultural identity. It will enable us to see ourselves and the world through a different perspective – the perspective of a strong nation, prepared to seriously face all the challenges of the future and mature enough to take care of itself and its future. The democratic and economic development of Macedonia should not be hostages to any organized group anymore. The time has come to redefine the Macedonian ethno-cultural identity.

Долгиот пат на процесот на лустрација во Албанија

Невијана Дости

Албанија за време на целиот пост-комунистички период на транзиција не успеа еднаш засекогаш да расчисти со минатото. Политиката се движи меѓу старите и новите погледи, но без да може да ги затвори темните поглавја на минатото.

За разлика од другите поранешни комунистички земји во Источна Европа, како на пр. Источна Германија, Чешка, Словачка, Романија, Бугарија, Полска итн., Албанија никогаш не успеа јавно да ги осуди комунистичките злосторства. И актите на државната безбедност, верното оружје на диктаторот Хоџа, до сега не се отворени.

Иако изборите во 1992 година ги доби Демократската партија, никогаш не беа осудени злосторствата на комунистичкиот режим. Не се успеа во тоа поранешните тајни агенти и функционери на диктатурата да бидат исклучени од политичкиот живот. Иако демократската партија пропагира вакво нешто и осуда на функционерите, не оствари ни една од овие цели.

Во Албанија не беше анализирано ниту минатото ниту, пак, се работеше на него, а немаше ниту истражувања за начинот на кој се употребувало насилството за време на диктатурата. Напорите на одредени групации да се работи на минатото беа безуспешни. Темата е повторно актуелна, бидејќи Советот на Европа бара од секоја земја членка согласност за резолуција, која се бави со оваа тематика.

Од 2006 година во Собранието се доставени три предлог-закона, изработени од трите главни политички групирања: ДП (Демократска партија), СП (Социјалистичка партија) и ПДК (Демохристијанска партија). ДП работела на четврт предлог кој, според портпаролот на ДП, ги вклучува сите досегашни предлог-закони. Законот всушност требаше да биде усвоен во јули 2008 година; дискусијата во парламентот беше одложена за октомври 2008 и се сметаше на согласност на почетокот на ноември 2008. Но, и оваа иницијатива на ДП беше проследена со голем сомнеж. Искуството со законите на ДП во 1995 покажа дека таа истите ги користи првенствено како средство за напад на политичките противници, тогаш левоориентираната опозиција.

Во септември 1995 парламентот, во кој ДП имаше мнозинство, започна некои правни иницијативи за да го придвижи напред процесот на екскомунизација на функционерите од државата и од општеството. Демократите иницираа два казнени закона под слоганот „сузбивање на кому-

низмот" и „црвен фронт", со кои требаше да се регулира исклучувањето на поранешни комунистички функционери, соработници на тајната служба и други важни учесници од понатамошните ангажмани во разни области на режимот.

Парламентот усвои „Закон за геноцид и злосторства кон човештвото, направени за време на комунистичката диктатура од политички, идеолошки и религиозни мотиви".

Уште еден закон беше донесен во ноември истата година. Тој се бавеше со „проверка на невиноста на личноста на високи функционери како и на лица кои се во некаква врска со заштитата на демократската држава". Опозицијата ги одби двата закона.

Член 3 од Законот бр. 8001 од 22 септември 1995 за геноцид и злосторства кон човештвото им забранува на лицата, кои пред 31 март 1991 биле членови на политбироата, на Претседателскиот кабинет или Централниот комитет или извршувале функции како министри, пратеници во Народното собрание, претседатели на Врховниот суд или генерални јавни обвинители да бидат активни во централните и локалните органи на управа, како и во правниот систем и масовните медиуми. Истото важеше за првите секретари во окрузите или соработниците на тајната служба како и за лицата кои настапиле како лажни сведоци во политичките судски процеси.

Кампањата за ексскомунизација имаше како последица низа апсења и судски процеси во 1996. Раководителот на тајната служба во периодот од 1991 до 1992 и поранешниот министер за внатрешни работи беа обвинети за уништување на важни тајни документи. За друг случај државното обвинителство бараше казна затвор од 20 години за двајца високи функционери, поранешни соработници на политичките канцеларии и 20 години затвор за еден прв партиски секретар.

Советот на Европа во еден мониторинг извештај од јануари 1996 за Албанија оцени дека колективното надминување на минатото е неприфатливо, бидејќи во споредба со другите земји се забранува и поднесувањето на кандидатура во парламентот.

Во јануари 1997 Советот на Европа донесе построга резолуција за оваа точка и побара целосно укинување или барем темелна промена на двата закона, за да можат да соодветствуваат на основите и стандардите на Советот на Европа.

Извештајот на набљудувачите на изборите на Канцеларијата за демократски институции и човекови права (ОДИХР/ОБСЕ) за парламентарните избори во 1997 година ја критикуваше Комисијата за проверка, чиишто одлуки и севкупна активност би имале силно влијание врз подготовката и текот на изборната кампања.

Набљудувачите на изборите известуваа дека именуваната комисија отпишала 200 кандидати од кандидатската листа, главно кандидати на опозицијата. Мнозинството биле поранешни соработници на тајната служба. Од листата на ДП биле избришани само три имиња.

По изборите во јуни 1997, на кои победи левата коалиција, двата закона беа одново преработени и променети, повеќе членови дури и целосно.

Со промените од јули 1997 во „Законот за геноцид и сторени злосторства против човештвото за време на комунистичката диктатура" целата бивша политичка елита беше прогласена за невина и ослободена. Законот подоцна немаше веќе никакво влијание и остана во фиоките на собранискиот архив. За разлика од него, другиот закон беше променет и овој пат од страна на левичарската влада употребен за осуда на шпионите и соработниците на претходниот претседател.

Едно од најспектакуларните суспендирања врз основа на соработката со тајната служба беше отпуштањето на претседателот на Уставниот суд. За време на нивната тригодишна служба, социјалистите отпуштија повеќе од 400 наводни шпиони кои соработувале со поранешниот претседател Бериша.

Во оваа смисла, Законот за проверка на функционерите беше искористен од двете политички сили само за политички напад на противникот. Но, ниту еден од двата табора не покажа волја категорично со закон да ги осуди злосторствата на комунизмот и да овозможи отворање на актите на тајната служба.

ПДК изработи предлог кој, за разлика од предлозите на двете големи партии, беше во согласност со резолуцијата на Советот на Европа. Сите три предлога ѝ беа изнесени на претседателката на парламентот од 2006, но тоа прашање оттогаш падна во заборав.

Во сите три предлог-закони не се бараше ниту навистина целосна транспарентност на отворање на актите ниту, пак, правна осуда за злосторствата причинети за време на комунизмот, за на тој начин да се создадат вистинска дистанца од минатото и нов општествен морал.

И насловите и содржините на трите предлога беа слични: предлогот на ДП го носеше насловот „Невиноста на личноста на високите функционери во управата, како и на пратениците". Предлогот на СП гласеше „Проверка на можните соработници на албанската тајна служба пред 31.03.1992", додека ПДК својот предлог го именуваше „За проверка на личноста на официјално избраните функционери или претставници на важните државни органи".

На сите предлог-закони им беше заедничка намерата да се исклучат поранешните соработници на тајната служба од парламентот, владата и управата. Овие предлози не предвидуваа исклучување за инкриминирани лица кои имаат приватни бизниси или не извршуваат важни функции во управата. Минатото на овие лица требаше да остане и понатаму тајно.

Главната разлика на предлозите се состоеше во концептот и организацијата на проверката. Во предлогот на ДП, на пример, доминантноста на членовите на комисијата именувани од оваа партија требаше да доведе до тоа, комисијата одново да може да биде злоупотребена за политички цели.

Другите два предлога беа така конципирани за комисијата да може политички да биде избалансирана. Сите членови на комисијата мораше да бидат потврдени од страна на парламентот.

Во парламентот не се дебатираше за трите предлога, не беше прифатен дури и предлогот на еден пратеник

на ДП, кој за основа ги имаше искуствата од другите поранешни комунистички земји. ДП го ополномошти поранешниот министер за правда и портпарол на пратеничката група да изготви нов предлог закон. СП реагираше преку портпаролката на својата пратеничка група дека овој закон не треба да биде „блиц закон“ и дека е потребен консензус од сите политички сили, како и правна асистенција од домашните и странските експерти. И ОБСЕ го делеше истото мислење, кое го соопшти преку својот претставник во Тирана, дека е неопходен консензус од сите страни за овој закон.

Содржината на овој предлог долго време не беше позната и опозицијата гледаше со недоверба на неговото влијание. Се очекуваше дека и новиот закон нема да создаде транспарентност за злосторствата на диктатурата. Најголемиот страв не само на опозицијата, туку и на цивилното општество беше дека законот за лустрација повторно ќе биде злоупотребен за „лов на вештерки“ како во периодот од 1996 до 2000 од страна на ДП и СП.

Аналитичарите, претставниците на цивилното општество и политичарите сметаа дека треба да се отворат само актите на политичарите и претставниците на правните институции. Но, имаше мислења, како тоа на поранешниот министер за надворешни работи Мустафај, кои бараа актите на тајната служба да може да бидат отворени од идната генерација.

Мнозинството во парламентот, како и опозицијата беа под притисок на Советот на Европа, кој бараше донесување ваков закон, кој треба да создаде лустрација на политиката, на правните институции и на управата.

На 22 декември 2008 албанскиот Парламент со мнозинство гласови го донесе новиот Закон за „невиност на личноста на високите функционери во јавната управа и народните избраници“, наречен и Закон за шпиони.

Законот му беше доставен на Парламентот како предлог изработен од ДП и беше одбиен од опозицијата. Главната спорна точка, која предизвика остра критика не само од страна на опозициските политички сили, туку и од меѓународната страна, се однесуваше на широката област на употреба, на функционерите на сите нивоа во правниот систем. На тој начин се става во опасност независноста на правниот систем. Помеѓу многуте јавни обвинители и судии, кои мораа да ја напуштат својата служба, имаше и такви кои работеа на политички сензибилни случаи: на пример, истрагите против актуелниот министер за надворешни работи или против босанскиот бизнисмен Фазлич, близок пријател со актуелниот премиер. По изгласувањето на Законот во Парламентот произлегоа остри дискусии и дебати во електронските и печатените медиуми, дојде дури до протести на младински организации и политички здруженија со намера преку претседателот на државата да се спречи потпишувањето на декретот за новиот Закон. Под голем притисок од двата табора, претседателот Топи се реши да молчи и така Законот стапи на сила. Крајот на јануари 2009 стапи официјално во сила, а кратко потоа следеа првите реакции од страна на Советот на Европа и чешкото претседатство со ЕУ.

Генералниот секретар на Советот на ЕУ, Тери Дејвис, го критикуваше Законот со објаснување дека не е во согласност со резолуцијата на Советот на ЕУ. Тој не е споив со „европските демократски, човечкоправни и правнодржавни стандарди", затоа што има широка област на употреба во однос на функционерите на сите нивоа и се однесува и на оние кои штотуку стапиле на должност. Исто така беа критикувани сооднос от на процесот на лустрација, строгоста на предвидените санкции и недостигот од временско ограничување, како и недостиг од запазување на европските прописи и Резолуцијата на Советот на Европа за укинување на наследството на тоталитарните комунистички системи.

СП изјави дека ќе се обрати до Уставниот суд и во февруари го достави соодветното барање. Премиерот Бериша побара повлекување на членовите на Уставниот суд со образложение дека станува збор за конфликт на интерес. Судиите не би можеле да донесат одлука затоа што некои од нив се директно погодени со Законот. Им се закануваше со објавување на нивните акти доколку не се повлечат. Владиното мнозинство го поздрави повлекувањето на еден висок функционер на Генералното јав-

но обвинителство, кој беше погоден од овој Закон. Според барањето на СП, новиот Закон го повредува член 28 од албанскиот Устав и не е во согласност со него. Портпаролката на Европскиот комесар за проширување на Европската Унија објави дека ЕУ многу скоро ќе разговара со Тирана на оваа тема и дури тогаш ќе го изнесе својот став. Независноста на правниот систем и дијалогот со сите политички сили остануваат важни предуслови за интеграцијата на Албанија во ЕУ. По сите критички забелешки на опозицијата, на меѓународните организации во земјата и во странство и изјавите на двајцата известувачи на Советот на Европа, премиерот Бериша му даде зелено светло на Уставниот суд да се изјасни. Одлуката на Уставниот суд (16.02.2009) се состоеше од суспензија на употребата на Законот сè до конечна одлука.

Официјална Тирана сега мора да чека на ставот на Комисијата на Советот на Европа во Венеција.

Заклучокот е дека во земјата со најсилната диктатура во времето на комунизмот, дистанцирањето од сталинистичкото минато е тежок процес, кој ја носи вечната опасност, минатото да биде злоупотребено во политичкото секојдневие.

Abstract

This article discusses the slow and difficult lustration process in Albania. Besides the historical chronology of the process, it describes the efforts of the politicians to exploit this issue to serve their own purposes. This political mentality is strongly related to the past that follows us even 20 years after the fall of Communism. We still do not have any positive results and it seems that it will take several more years to deal with this issue.

Зошто соочувањето со минатото е актуелно и 20 години по падот на ѕидот?

Мариа Михалк,
пратеничка во Бундестагот

Осврт

На оној што не си ја познава сопствената историја ќе му биде потешко да ја гради својата иднина. Иднината има потекло. Затоа беше неопходно да се анализираат и евалуираат идеолошките корења, историските причини и рамковните услови за создавањето и зацврстувањето на социјалистичката диктатура во ГДР. По падот на ѕидот и воспоставувањето на германското единство постоеше голем јавен интерес да се отворат овие прашања. Подоцна интересот опадна, откако на преден план се најдоа преструктурирањето на економијата и обезбедувањето на работни места. Сепак, на одбележувањето на дваесетгодишнината од падот на ѕидот може да се констатира дека оваа тема сè уште ги придвижува луѓето и дури сега многу од нив собираат храброст да поднесат барање за увид во актите за нив, за да се соочат со сопствената историја.

И љубопитството малку ги поттикна луѓето, затоа што големината на личната одговорност на моќниците беше непозната. Диктатурата не се придржува до транспарентност, тие не одат заедно. Затоа и сомневањата, шпекулациите, па дури и нападите се измешаа со желбата, соочувањето да биде организирано според правнодржавни критериуми за,

од една страна, да биде јасна одговорноста, а, од друга страна, да се овозможи правен мир. Мнозинството не сакаше на самоволието да се одговори со самоволие. Трибунал не доаѓаше предвид.

Зошто и како функционираа механизмите на репресија на Социјалистичката партија на единство на Германија мораше да биде биде предмет на анализа. За таа цел беа потребни структури. Се донесе одлука да има правно, политичко и научно разгледување. На врвот на агендата беше рехабилитацијата на жртвите.

Според мене во 1990 многумина сметаа дека соочувањето брзо ќе заврши и тогаш целосно ќе може вниманието да се посвети на процесот на изградба. Но тоа беше заблуда. Брзата анализа би подразбирала учество на дотогашните моќници. Тие, пак, со мали исклучоци, дури и денес го признаваат само тоа што може да им се докаже црно на бело. А докажувањето е можно само ако обезбедувањето на актите, увидот во нив и нивната евалуација бидат сфатени како целина. Затоа беше нужен законот за обезбедување на документите на државната безбедност и формирањето на служба која ќе се бави со документите на државната безбедност.

Факти

Луѓето кои речиси шест децении биле изложени на диктаторски форми на владеење мора да сторат многу за да ги разберат, прифатат и живеат начелат на правната држава во секојдневниот живот. Оваа работа не е завршена ни 20 години по падот на ѕидот.

Луѓето во своето сеќавање се навраќаат на она што лично го доживеале, што им се случило и како се чувствувале во тој момент. Тие своето опкружување не го вреднуваат според настаните на 100 или 200 км оддалеченост во Ерфурт, Дрезден, Росток или Берлин. Многумина не знаеле ништо за случувањата во Хоеншенхаузен или Баутцен. Тие не познавале жртви, а и да познавале жртвите биле обврзани да молчат. Ако се иззвме тоа дека во времето на ГДР немаше Интернет и медиумите беа цензурирани така што објективната вистина можеше да се прочита само меѓу редови, на човека не му е драго кога го потсетуваат на неомилени работи. Позитивното во нашето сеќавање во животот преовладува. Во основа тоа е добро. Но од аспект на соочување со минатото тоа е повеќе извор на правење легенди. Затоа и јавното тематизирање на оваа тема е исто толку важно како и претходно.

Луѓето се споредуваат со другите. И иако социјалистичките диктаторски структури на моќ според советскиот принцип беа распространети низ целиот источен блок, во споредба со другите земји, соочувањето во Германија беше изведено многу темелно и консеквентно. Со причина и денес законот за документите на др-

жавната безбедност, формирањето на сојузна служба за зачувување на овие документите, како и проверката на персоналот во државните институции, вклучително и носителите на мандати на сите нивоа, е од голем интерес за нашите соседи. Се гледа всушност како на пример вреден за преземање.

Но, и денес може да доживееме консталации кога луѓето, кои порано во државните институции ги изложувале останатите на репресии, сега владеат во економскиот живот или во медиумите, додека многу жртви се борат со невработеност. Тоа доведува до фрустрација. Затоа и прашањето за денешните вредности и функционирањето на свеста се составен дел од дебатата за соочување.

Последици

Паушалната анализа е полесна, не толку обемна, со помалку трошоци и, пред сè, брза. Но таа причинува нова неправда. Затоа и одлуката да се спроведат проверки на поединечни случаи беше правилна. Таа е понапорна, бара повеќе персонал и повеќе време. Проверката на поединечните случаи всушност не престанува сè додека има живи луѓе од оваа генерација. Со постојаното обработување на актите, составувањето на уништените документи и откривањето на нови акти, на масата има нови факти кои мора да влезат во евалуацијата.

На почетокот на 90-тите години на општините им беше препорачано да побараат изјава од своите службеници по однос на евентуалната активност за Министерството за државна безбедност. Оценувањето на изја-

вите и одлуката за евентуални работноправни последици останаа исклучиво надлежност на општините. Централната помош за вреднување наменета за општините содржеше клучни точки за оценување на личната способност за извршување на јавна служба. Заклучоците во поединечните покраини не беа единствени и до ден-денес се отвораат дискусии дали начинот на анализа бил оптимален.

Еден инструмент за надминување на последиците на насобраната проверка – настанати поради процесот – прво да се вработат лицата, а потоа да се проверат, беше законот донесен од парламентот за временско ограниченото право за отказ во посебни случаи. Ова право се употребуваше во практиката. Како последица на поделбата на власта одлуките беа преиспитани и делумно укинати од судовите, што често водеше до општо неразбирање и дискусии за смислата на правната држава. И оваа страна од соочувањето е битна.

Во крајна линија, на младата генерација, која за среќа не го запозна тоталитарниот режим, ѝ останува постојаната задача да ги објасни структурите на моќ и секојдневието за да не се повторат грешките. Задачата за образование никогаш не се исцрпува.

Изглед

Во Германија не се намалуваат барањата за увид во актите. Тоа јасно произлегува од извештајот за ак-

тивност на Сојузната служба надлежна за документите на државната безбедност. На луѓето им треба време за сеќавањата. Мора да си го дадеме тоа време.

Одземањето на слободата применето за секого во диктатурата не беше присутно во секојдневниот живот. Така може да се објасни што моментално многу луѓе слободата ја сфаќаат лично како апсолутна слобода за себе. Во јавноста ни е потребна посилна перцепција дека слободата за поединецот истовремено значи одговорност. Оваа политичка задача не е исполнета и функционира само во контекст на понатамошното соочување во целина. Работата на историчарите, колку и да е важна, допира до мал број луѓе.

Слободата и демократијата се двете страни од истиот медал. Демократијата живее од учеството, исто како и изборите. Намалениот одсив на гласање е показател и опоменува да не се прокоцка демократијата. Наједноставната можност е да се знаат поединечни судбини и да се раскажат, бидејќи луѓето не се ориентираат според глобални искази, туку според поединечни лица. Соочувањето мора да направи присутни многу животни приказни и тоа на најразличен начин. Книгите, театарските дела и филмовите сè подобро го разбираат тоа во поново време.

Соочувањето со најновиот дел од историјата на германската историја е и сега, како и порано, од големо значење за разбирањето на нас самите во рамки на нашето општество.

Abstract

One has to know his own history in order to best shape his own future. For this reason it was necessary to understand the Socialist dictatorship in Eastern Germany, to analyse and evaluate its ideological roots, the historical causes and circumstances which led to its creation and consolidation. After the fall of the Berlin Wall and German reunification, there was great public interest in finding answers to the questions as to why and how the mechanisms of repression of the Socialist regime could work so well. To properly deal with these issues of the past, German decision-makers decided to investigate these issues on a judicial, political and scholarly levels. The rehabilitation of the victims of the regime was the highest priority. In this context, one has to consider that a general, superficial investigation would have been much easier, cheaper, faster and much more painless. But this would have led to renewed injustice for each victim of the former system. That is why the decision to investigate individual cases thoroughly has proven so successful in understanding the character and the actions of the system. This was the right decision. Explaining the injustices done to an individual helps each one of us to better understand the inhumanity of the past – and more effectively reminds us not to repeat the mistakes of the past.

Lustration in Serbia: form without content

Vladimir Petrović

Summary

The contribution provides an overview of the attempts to overcome the authoritarian past in Serbia through the process of lustration. Specificities of transition in Serbia after 1989 are analyzed as a major stumbling block for such an attempt. Belated debates on the lustration, uncertainty whom to lustrate and what for are seen as symptoms of the overall absence of certainty over the meaning and direction of transition within the political elite. Promulgation of lustration legislature and the absolute absence of its application, as well as the failure to connect this issue with opening of the archives of secret services and complete regulation of the access to information of public importance are perceived as an evidence of perpetuation of such confusion to this very date.

Keywords: lustration in Serbia, secret service archives, information of public importance

Introduction

After the fall of the Berlin wall and immediate or gradual dissolution of the Socialist regimes of Eastern Europe, lustration was at one of the keywords in the region. Whether applied or discarded, successful or failed, fair or unfair, it presented one of the central points of departure in the debate on overcoming the bad past. In this respect, however, the successor states of Socialist Federal Republic of Yugoslavia present a dramatic exception, as in this region lustration was not seriously thematized, let alone conducted. Some of the reasons of this divergence are fairly obvious. The Communist system of Yugoslavia enjoyed comparatively more popular support than its European neighbors, and there was absence of the strong pressure needed to create a momentum for lustration. More importantly, unlike the other countries of the eastern block, Yugoslavia transitioned into warfare, not into a democratic system. Cohesion of political elites around achieving national goals, masked under the guise of pluralistic or multiparty political setting in the beginning of the 1990s, was effectively blocking the process of lustration. Personal and structural continuity with the Communist regime presented a mighty obstacle, and warfare brought about crimes and destruction which made breaches of human rights from the Communist period fall into insignificance. After the wars, with all the successor countries declaratively set onto achieving full democratization and integration into European Union, with a recent exception of Macedonia,

lustration is still not even near the top of the agenda. War added to the desire of the decision makers to conceal, rather than reveal, sensitive and damaging facts of recent and distant past. The ultimate result of this dichotomy was a set of token gestures and feeble attempts to simulate lustration, which nonetheless serve as an important example how not to make one. This contribution particularly focuses on the development in this area in Serbia. It focuses on the failure of lustration, but also on the possibilities of transforming it into a meaningful process in the years to come.

Specificities of transition in the Serbian context

It is frequently noted in literature concerning transitional justice in general (Kritz: 1995), and Eastern Europe in particular (Borneman: 1997) that the pace of legal dealing with the bad past is directly connected to the nature of transition. Therefore it does not constitute a major surprise that Serbia was not in the forefront of this process in 1989. Stabilized under the firm leadership of Slobodan Milošević, who assumed unparalleled power in this Yugoslav republic in 1987, the regime was seemingly untouched with the fall of the wall and the unparalleled global change provoked with the dissolution of the Warsaw Pact (Pavlović: 2008). Concessions were seemingly made – a new democratic constitution was created enabling the establishment of a multiparty system, but the elections affirmed the domination of the former League of Communists of Serbia, renamed into Socialist Party of Serbia, as well as the reign of its leader, Serbian president Slobodan Milošević. With the security situation in Yugoslavia speedily eroding, Milošević was gradually coining a new political outlook, taking over a national cause and leading the country into a war by proxy in Croatia and Bosnia, intertwined with a firm policy of ignoring the demands of representatives of the Albanian population of the Serbian province of Kosovo and pushing them into parallel organization through repressive measures. Sets of wars and crises which were the main traits of political life in Serbia from 1991 until 2000 made any possibility of legal dealing with the past distant, as it was obvious that the state is not transitioning into democracy, but into a sort of authoritarian pseudo-democracy, in which not only the bad past, but criminal present and uncertain future were at stake. Waging war in the neighboring countries, yielding political repression within, the regime was a constant threat to regional security and an increasing burden to its own society (Antonić: 2002; Lazić: 2000, Ramet: 2000).

The maintenance of such a regime needed a strong security apparatus, the police and the military, but above all, the secret service which became the embodiment of the black operations of the regime. Keeping a tight connection with the booming organized crime, the secret service was deeply involved in organizing, supplying and facilitating warfare. Whereas elsewhere in the region secrete services were keeping their profile low, put under civilian control or even temporarily discontinued, the Serbian secret service grew to become one of the backbones of the regime. Its activities ranged from illegal export and import

from the country stricken with international trade embargo, to drug trafficking. In terms of political control, it exercised surveillance of the opponents of the regime, and was not shying away from organizing assassinations. Naturally, under such conditions, it was virtually impossible to envisage any sort of support for the concept of lustration, whose proponents were coming solely from the fringes of the civil society. Serbia had spent almost a decade in this sort of an organized anomie and state sponsored atmosphere of impunity, whose scope is only now revealing itself in the course of various trials and in sporadic recollections of former servicemen (Mijatović: 2005).

After the October change: Whom to lustrate and how?

In late September 2000, Milošević was unpleasantly surprised to realize that he was at all probabilities beaten at the Yugoslav presidential elections by the candidate of the Democratic Oposition of Serbia (DOS), Vojislav Koštunica. In the haphazard days to follow, the regime attempted to annul and repeat the elections, but was met with wide demonstrations that peaked on the streets of Belgrade on 5 October. Milošević attempted to use the security forces in order to maintain his position, but was left out of support and forced to step down from the position of President of the Federal Republic of Yugoslavia. By the end of the year the elections for Serbian Assembly brought about a sweeping victory for DOS, which held more than two thirds of the seats. It seemed that the way was opened up for meticulous dealing with the inherited injustices of the previous regime (Bujošević: 2003).

Yet, this was not to be. No sooner did DOS come to power than cleavages within this wide coalition appeared, embodied in the antagonism between the Yugoslav President Vojislav Koštunica, leader of the Democratic Party of Serbia, and the Serbian Prime Minister Zoran Đinđić, leader of the Democratic Party. One of the main cracks in their views on the future of Serbia was directly related to the relationship to its past. The reformist wing of Đinđić was opting for swift reforms, whereas traditionalists were assembling around the more cautious Koštunica, whose ideology of legalism offered a refuge for the proponents of the fallen regime. In this cleavage, the momentum for a swift lustration of the security system and the judiciary was irretrievably lost, the more so as the new rulers were fortifying their positions by relying on Milošević's security officials. As a drastic example, it took more than several months for the deposal of Radomir Marković, Milošević's head of the Secret Service, from his position. This time was in all probability used to conceal the evidence of misconduct of the services and its officials. Token measures, such as giving a limited entry to the files to people, were introduced by the Ministry of the Interior, regulated by the decision of the government in 2001, but the persons who had an actual access to their files were under the impression that much was left out. Instead of investigating the crimes of the former regime, the Serbian political life was still characterized by kidnapping and murders. The weakness of the Đinđić gov-

ernment was painfully revealed in November 2001, when the Unit for Special Operations of the Secret Service of Serbia went on strike, blocking the main highway to Belgrade, demanding the resignation of the Minister of the Interior and a change in the policy of cooperation with the International Crime Tribunal for the Former Yugoslavia. As the military was commanded by Vojislav Koštunica and controlled by the officers from the Milošević era, it did not intervene and the government was forced to negotiate with this armed wing which, in effect, took control of the entire Service (Mihailović: 2005; Jovanović: 2005). In such a context, lustration proponents from the smaller parties and from the civil society were alone in their warnings that this compromise could not last. (Zidar: 2001)

After the March assassination: The Lustration Law and infrastructure

It took the shots which assassinated the Serbian Prime Minister Zoran Đinđić in March 2003 to awaken the country. The trigger was pulled by the active officer of the Unit for Special Operations of the Secret Service, supported by the shady environment of secret servicemen, organized crime and Milošević loyalists (Vasić: 2005). The assassination, however, failed short of toppling the government, as a state of emergency was declared and the state finally attempted to put a stop to the systemic influence of criminal groups. Among many of the measures which were hastily introduced during the state of emergency, the long awaited draft of the Law on Lustration appeared as well in the Serbian Parlia-

ment. Drafted by a group of lawyers assembled around the Centre for the Advancement of Legal Studies, it was endorsed by the government and passed on 30 May 2003. Under the name "Accountability for Human Rights Violations Act" (Zakon o odgovornosti za kršenje ljudskih prava „Službeni glasnik RS", br. 58/2003), it was voted in by 111 out of 127 present MPs. As Serbian parliament has 250 MPs, the tight margin was reflecting the lack of political consensus on the issue. The community of legal experts was also divided on the nature and the purpose of the draft (Hereticus: 2003). Some were evoking the effectiveness of lustration in stabilizing the transition in Czechoslovakia and GDR (Teitel 2002: 163-169), whereas the others cautioned against the volatility and arbitrary application of lustration or were advocating stricter measures of full-blown criminal justice. Still, the law came into effect on 7 June 2003.

The Act was providing for a screening mechanism of the candidates for public functions (President, Prime Minister, cabinet members, Judges of the Supreme and Constitutional Court, MPs, University Deans, heads of security forces, the police, the military, managers and board members of public institution) which was to be conducted by the Commission for the Inspection of Accountability for Human Rights Violations, composed of nine members. Three members were to be judges of the Supreme Court of Serbia, three members were prominent legal experts, one member the Deputy Public Prosecutor of the Republic of Serbia and two members were deputies of the National Assembly holding a degree in law, elected from dif-

ferent electoral lists. The Commission was supposed to inspect the data on the candidates coming from the security services in order to determine if he/she was in any way involved in the human rights breaches. The point of departure for the screening point was the year 1976, in which the Pact on Civil and Political Rights was ratified by Yugoslavia. Once the Commission would reach the decision, the candidate could appeal it to the Supreme Court, but only in the light of new findings. If a candidate would not resign or withdraw the candidacy within seven days, the Commission would inform the public on the violation of human rights. If this "naming and shaming" would remain fruitless and the candidate would persists in remaining in political life, the Constitutional Court would review the Commission's decision and prohibit the candidate from holding public office in the period of five years (Hatschikjan: 2005).

The absence of application

On a normative level, the situation regarding lustration seemed too good to be true in Serbia in summer 2003. And indeed it was. The first problems appeared in the autumn, as it proved to be impossible to finalize the appointments of the Commissionaires. The opposition refused to nominate its representative into the Commission, whose work was harshly criticized in some of the media even before it actually began its work. Worse still, the Parliament showed no intention to ease the burden of the Commission as it failed to provide it with the means and facilities. It seemed that even the government is not willing to see the Act actually im-

plemented. In late December 2003, the government of Zoran Živković, Đinđić's successor, lost the power after the elections, and the new Prime Minister Vojislav Koštunica formed the government. His conservative political agenda, insofar as the legal dealing with the past was concerned, was very much to the contrary of the lustration course. Therefore, even the rump Commission simply withered away and the Act remained completely unapplied. The Commission was never fully composed. However, even if composed, it would be a mystery how it would have operated, as the implementation of screening would call for full a cooperation of military and civilian security services, and the Ministry of the Interior in providing the Commissioners with information on the candidates. However, the access to the security information is notoriously unregulated, both on a normative and factual level. The Law on Free Access to the Information of Public Importance (Zakon o slobodnom pristupu informacijama od javnog značaja, *„Službeni glasnik RS"*, br. 120/2004) was supposed to be the first measure in strengthening the rule of law in this realm. However, the stubborn fight of the Commissioner for Information of Public Importance, Rodoljub Šabić, to implement the authority of his office is met with equally stubborn resistance of some of the most sensitive institutions (Youth: 2005) as well as with the inability of the state to finish the regulation in this area, incomplete in the absence of the Law on Secrecy.

Twenty years after 1989, lustration is still not in sight in Serbia. The dormancy of the Lustration Act stands as a proof that even the best legislation on this sensitive issue cannot be put

into effect without significant public support, strong political will and professional consensus. In contemporary Serbia, there is neither. Lustration is at this point advocated only by the opposition Liberal Democratic Party, which has 13 out of 250 MPs, and, at times by, the Serbia Renewal Movement, which is a small fraction within the ruling coalition. The public is not pressuring the government towards the implementation of the lustration act, and neither is the international community. Parts of the civil society still advocate the implementation of the law, but as the time passes, the enthusiasm is withering away. It seems that lustration in Serbia remained content without a form and it will remain as such until the Parliament elects new members of the Lustration Commission, and the government fully endorses its work. On a brighter side, as the Act is passed, the hope remains that future improvements in human rights sensitivity of political environment in Serbia might put an end to its dormancy.

Keywords: *lustration in Serbia, secret service archives, information of public importance*

Резиме

Текстот претставува преглед на обидите да се надмине авторитативното минато во Србија преку процесот на лустрација. Анализирани се спецификите на транзицијата во Србија по 1989 како главни пречки за ваквите обиди. Задоцнети дискусии за лустрацијата, несигурноста кој да биде лустриран и за што да се биде лустриран се всушност симптоми на целокупниот недостаток на сигурност за значењето и правецот на транзицијата во кругот на политичките елити. Донесувањето на Законот за лустрација и неговото апсолутно непримену-вање, како и пропустот да се поврзе ова прашање со отворањето на архивот на тајните служби и да се заврши регулативата поврзана со пристапот до информации од јавен карактер се јасен знак за продолжувањето на ваквата конфузија и во сегашноста.

Клучни зборови: *лустрација во Србија, архивите на тајните служби, информации од јавен карактер*

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Rebranding the "89 Model" in Slovenia and Estonia

Ivana Tomovska

Introduction

The events that took place in Central and Eastern Europe in 1989 with no doubt made a huge historical mark and still represent a subject of analysis for many political scientists and scholars. One could argue that the fall of Communism in 1989 was not only the end of an era and the beginning of another for the Central and Eastern European countries, but it also represents a phenomenon in the study of political science. There still remain a number of questions that need to be answered regarding those particular events in 1989.

The events in the countries of Central Europe such as Poland, Hungary, former Czechoslovakia, as well as Bulgaria and Romania could be considered to a certain degree as revolutions. Those countries were transforming themselves from the inside, in some cases using different means to achieve the transformation. On the other hand, the cases of Slovenia and Estonia represent transitions rather than revolutions, not only due to reasons such as using non-violent means, liberal fractions within the regime or social movements, but also because of the fact that those two countries performed a rather successful transition to democracy, "The transition is not merely a change of regime, but the creation of a whole new social order, including the formation of a new middle class and a transition from a relatively socially equal society to a system of an increased social inequality" (Harris 2002, 13). In order to support the aforementioned argument and also point out some specific features of Slovenia and Estonia which have not been detected in the "revolutions of 89", one needs to take into consideration three main factors such as: simultaneous exit from Communism and federalism, the relationship between self-determination and democracy and the importance of smallness of states.

The paper starts with general literature and explanation of the terms *revolution* and *transition* and explains the concepts of the "revolutions of 1989" model of new class of revolutionary conduct through non-violent means. The section "Exits from Communism and Federalism" describes the process which took place in the late 1980s and early 1`990s, where both Slovenia and Estonia were fighting a double battle – exit from Communist rule and exit from federalism. This section touches upon another important issue, the role and attitude of elites in the processes of exits from Communism and federalism in those countries. The next section "Transition and National Liberation Movements" explains how transitions at the same time represent-

ed movements for national liberation for number of countries, including Estonia and to certain degree Slovenia. Furthermore, this section depicts the importance of the civil society and alternative social movements in Slovenia and Estonia, which to a great degree contributed to national cohesion and gaining statehood. The section "Is Small Beautiful?" the factor of smallness of states is taken in account. Here, the argument in favour of smallness is that smallness makes better democracy. This argument can be supported with two standpoints: the self-perception of small countries and the international point of view regarding integration. The final section "Conclusion" highlights the main argument from the text and main elements of transition to democracy in the cases of Estonia and Slovenia.

How transitory are transitions?

In order to determine possible traits of revolution and/or transition, firstly one needs to examine the existing explanations of those terms. Skocpol has the following definition of revolution: "Social revolutions are rapid, basic transformations of a society's state and class structures; and they are accompanied ... by class-based revolts from below." (Skocpol 1979, 4). Samuel Huntington's definition is perhaps broader and includes elements such as leadership, values and myths, but it also points out that it is a violent change (1994, 38). One can argue that the revolutions or reforms in 1989 in CEE were aimed at transformation of society, new leadership and liberty; however they were relatively peaceful in comparison to other Great Revolu-

tions, such as the French Revolution, the Bolshevik Revolution, etc. Timothy Garton Ash argues that "if the symbol of 1789 was the guillotine, that of 1989 is the negotiation round table" (2000). In line with this discussion, one can argue that the "revolutions of 1989" introduced a new class of revolutionary conduct through non-violent means. This can be regarded as a small victory in the history of human kind, where rational negotiations are taking the place of uncontrolled violence. However, Garton Ash points out a problem with the "1989 model"; namely, he argues that because of this relatively peaceful conduct of the 1989 events, the people missed the "sense of revolutionary catharsis" (2000). Further on, one could argue that the people in the CEE societies after 1989 were not only deprived of the 'revolutionary catharsis' but also left in a grey zone of transition for the years to come.

Exits from Communism and federalism

One can argue that in the late 1980s and early 1990s both Slovenia and Estonia were fighting a double battle – exit from Communist rule and exit from federalism, which is the foremost factor that needs consideration. The exit from federalism or, more specifically, the outcome of the federalism in Slovenia and Estonia differed essentially due to the differences of the Communist regimes in each respective country. One of the most important determinants for the extent of successful transition is the nature of the Communist regime and the degree of its oppressiveness. Decentralization in the Yugoslav context was much great-

er than in the Soviet one, in terms of granting greater autonomy to its constituent republics and a much lower degree of regime penetration in the private sphere of life. If categorized, Slovenia had the following modes of Communist rule: national – accommodative Communism, highly mobilized, intermediate levels of formal professional bureaucratization, low-medium corruption, lower degree of repression and higher degree of cooptation (Kitschelt 1999, 36). In the frameworks of federal Yugoslavia Slovenia had the opportunity to interact with western countries and had access to the Yugoslav market in which it held a leading position. However, Slovenia, being the most advanced economic country in Yugoslavia, viewed itself as being exploited by the central government in order to fill in the loses that were made by some of the underachieving constituencies in Yugoslavia. As Harris argues, "Democracy in Slovenia started long before independence, but due to the increasingly centralizing policies of Serbia it could not continue further within the given constitutional arrangement" (Harris 2002, 66). This perception soon led to the rise of the local grievances in Slovenia and it gave an incentive to certain social movements to rise.

In the case of Estonia, there is a degree of similarity when it comes to its status in the Soviet Union. The Baltic countries, including Estonia, were also regarded as "more prosperous at the moment of the breakup" even though Estonia was poorer than Slovenia; however, in the Soviet framework it was considered as one of the more prosperous countries (Nodia 2001, 28). Estonians also had a great sentiment of injustice that has been done to them

and they literary perceived the Soviet rule as a highly oppressive regime accompanied by an uneasy feeling of imprisonment by the Sovietization or Russification: "Soviet life was like a saw which cut everything down to one level, or a tailor who forced everyone to wear a grey overcoat" (Lieven 1993, 83). As in Slovenia, in Estonia there was also a local Estonian Communist party which wanted to negotiate at least greater autonomy for Estonia; however, the Soviet regime once again proved the Estonians' anti-Soviet sentiment "local party's resistance to Moscow policies broken in a purge of 1950/1 replacement of all native Estonians by Russians" (Lieven 1993, 96). In this case Estonia has one unique trait: history of independent statehood prior to the entrance of Communism. The Estonian independent state was in ways similar to Finland and rather prosperous which strengthened the sentiment of Estonians once again to have an independent state. According to the argument of the Estonian scholar, Taagepera, "As a nation with definite cultural-linguistic self-identity, Estonia always continued to exist, despite a long period of political submergence"(Taagepera 1993, 1). If democratization goes hand in with transition and since in Slovenia and Estonia democratic transformation started to take place even prior to the disintegration of Communist rule and federal arrangement one can certainly argue that "the reason for the disintegration of the three socialist federations in the first place was the fact that one of the first democratic rights to be exercised was that of ethnic self-determination" (Fink-Hafner and Robbins 1997, 279).

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Transition and national liberation movements

Harris argues that "Eastern European transitions were at the same time movements for national liberation – either from an oppressive regime, or from Soviet tutelage, and mostly from both" (Harris 2002, 13). This argument certainly applies to Estonia and to a certain degree to Slovenia as well. In both countries transition to democracy or democratization has become a national project (Harris 2002, 155). A peculiarity which makes the cases of Slovenia and Estonia different, if not unique, from others is the importance of localisms: local nationalism, local social movements and the role of local elites. After the collapse of the Communist regime, all Central and Eastern nationalistic strife usually implies a pejorative meaning; however, in the cases of Slovenia and Estonia is has been observed as exactly the opposite. As Harris argues, "it is a specific type of nationalism which combines all elements of classical 19th century nationalism with entirely new features, previously not associated with nationalism but rather with internationalism" (Harris 2002, 215). In both Slovenia and Estonia one can observe a case of useful nationalism for transition to democracy. The national identity and the need for national self-determination fostered prompt recuperation of the Slovenian and Estonian states and economy and aid their path to democracy.

In the case of Estonia the aim was "peaceful restoration of statehood" and the popular longing in Estonia was restoration of the Estonian state as it existed prior to 1940 (Taagepera 1993, 157). There were similar perceptions in Slovenia as well; the Slovenians de-

sired a return to liberal, Catholic values that were deeply rooted in Slovenian culture since the time of the Austro- Hungarian Empire (Rupnik 2002). If one refers to the aforementioned argument that nationalism in those cases was associated to internationalism, one can conclude that in the case of Slovenia and Estonia it was a positive driver closely tied to democratization and democratic rights of self-determination. However, this type of nationalism could not have been successful without the support of the alternative social movements and reformed elites.

In both Slovenia and Estonia there were alternative social movements, which not only contributed to the development of civil society, but also contributed to the victory of gaining statehood. In Estonia, for example, in the 1960s there were protests with ecological background, but the true meaning of those protests were attempts to stop new Russian settlements, i.e., to stop further Russification (Lieven 1993, 103). In Slovenia, on the other hand, there was the punk movement which was actually very much supported by the intellectuals in Slovenia: "a number of intellectuals lined up behind the prosecuted punks, suspending their ideological divisions" (Mastnak 1994, 94). Whether it was the case of Estonian's "green peace" movement or the punk-fans of the band "Leibach", behind both alternative civil movements there was an essential ideological message – one of strife for liberal democracy.

This notion was also supported by the local elites. Namely, both in Slovenia and Estonia there were reformers in the regime, or more likely, fractions within the regime that were pushing for reform. In the case of Slovenia, it was the League of Communists of

Slovenia under the leadership of Milan Kučan who started demands for confederation. In the case of Estonia, there were also demands for greater autonomy and tradition of local party's "resistance to Moscow policies" (Lieven 1993, 83). The local parties were also there to accommodate nationalist sentiments and they co-opted social movements, especially in the case of Slovenia. The importance of the elites can be seen in the following argument: "A nation's politics is 'tamed' only when broad support for democratic procedures and institutions, as well as a shared acceptance of norms of accommodation and cooperation, develops among political elites" (Higley et al 1996, 133). One can argue that in the case Estonia, and certainly in the case of Slovenia, democratic norms were not only accepted by the local reformed elites, but also internalized, which was extremely crucial when it came to the question of international recognition. The positive nationalism which was fostered by the elites was also very important not only to mobilize the population, but also to legitimize its future governance.

Is small beautiful?

Describing and defining a small state should not be an arbitrary task. There are few reliable criteria in order to make an objective decision which country can be considered "small" and under which criteria. The approach can include quantitative parameters, such as size or population; however, it can also take account of the state's behavior and its relations in the international or regional political arena, such as the European Union. Including the second criteria, conceptual and relational contexts where small states and their

policy may acquire broader research. The extent to which opportunities and analysis by both small states and other international actors are interconnected is an important issue in constructing national identity. For the purpose of this analysis the quantitative criteria shall be taken in consideration as described by the Minority Rights Group International.

Both Estonia and Slovenia can be classified as small states with population smaller or approximate to 2 million citizens (Minority Rights Group International). Here, the argument in favour of smallness is that smallness makes better democracy. This argument can be supported with two standpoints: the self-perception of small countries and the international point of view regarding integration. Self-perception is a quite important variable channelling the state actors' behaviour in the international political arena. In the case of Slovenia, it seems that smallness did not represent an important role in the self-perception of Slovenes (Sabic and Brglez 2002, 82). Nevertheless, some scholars argue that there could be some advantages of being a small state, such as adaptability in decision making, accommodating cultural diversity, faster inclusion in international processes (Jazbec 2001, 54-56). This argument can be applied to both Estonia and Slovenia, since both countries have proven, for instance, that their 'smallness' has come as an advantage in the integration in the European Union. The status of "smallness" as an independent variable, affecting the development of the Slovenian and Estonian national identity in terms of other potential identities, for example the "European" one, appears to be relevant. The local political elite appeared

willing to accept the option of Slovenia and Estonia to become part of a larger, economic and regional structure, which is the European Union. The progress which was made by those two countries during the approximation process seems to further encourage their local political elites in pursuing accession.

As Tim Haughton argued, small states have more open economies, and therefore foster integration and pro-collective decision making (2006). This notion can be also shared by other countries which are relevant international actors and perhaps give them incentive to patron small and relatively prosperous countries (for example Finland- Estonia and Austria/Germany- Slovenia). Moreover, even though Slovenia and Estonia are small countries, they have relatively strong and differentiated national identity, which makes them even better candidates to be embraced in international structures, such as the European Union (Sabic and Brglez 2002, 69). The entry of Estonia and Slovenia in the European Union can be considered as the final confirmation of their successful transition to democracy and embracement of the liberal values.

Conclusion

Slovenia and Estonia, both manifest features that cannot be detected in the other countries in Central and Eastern Europe which were previously labelled as "the revolutions of 89" (Garton Ash 2000). The analysis took into consideration three main factors: simultaneous exit from Communism and federalism, the relationship between self-determination and democracy and the importance of smallness of states. By analysing these factors one could trace the distinctive traits of Slovenia's and Estonia's transitions, rather than revolutions, to democracy. The regime change in these societies (and by 'regime' one implies the entire socio-political and economic system) can be explained to a certain degree by using conventional theories of revolution/transition; however, not all societies can be put in moulds, since they all posses a degree of uniqueness. The same applies to the case of Slovenia and Estonia, which can be also characterized as perhaps the most successful transitions to democracy, considering the fact that they faced a very important task of state-building as well.

Using the argument that "democratic transition engenders nations" clearly depicts the processes that took place in Slovenia and Estonia (Harris 2002, 7). It is interesting to note that as one obstacle for successful transition to democracy was the problem of "temporal co-ordination, i.e., synchronization of changes of different aspects of social life" where the main problem is "'time-lag' between the transformation of the political system and the emergence of an adequate political culture" (Bernik et al 1997, 57). The fortunate developments in both Slovenia and Estonia were the facts that the civil society, including a distinct socio-political culture, started even prior to the process of transition. Therefore, democratization and embracement of liberal values by the Estonian and Slovenian societies prior to transition is yet another distinct feature which served as an aid for their successful transformations as liberal democracies.

Key Words: *revolution, transition, communism, federalism, statehood*

─ **Резиме** ─

Целта на овој труд е да ги разгледа процесите на транзиција и демократија во Словенија и Естонија преку акцентирање на заедничките елементи. Двете земји манифестираат карактеристики кои не можат да се детектираат во другите земји од Централна и Источна Европа кои се етикетирани како „револуциите од 89". Анализата е конструирана околу три фактори: симултаниот излез од комунизмот и федерализмот, односот помеѓу самоопределувањето и демократијата и важноста на „големината на земјата". Може да тврдиме дека случаите на Словенија и Естонија повеќе претставуваат транзиции отколку револуции, поради причини какви што се ненасилен излез од минатиот политички систем, либерални фракции во режимот, социјални движења итн., но, исто така, поради фактот што овие две земји поминаа низ успешна транзиција кон демократија. Промената на режимот во овие општества може да се објасни со употребата на конвенционални теории на револуции/транзиции, т.е. литературата по „транзитологија".

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Lustration and the Vetting Process in Bosnia and Herzegovina

Jakob Finci

In recent years, Bosnia and Herzegovina has been the site of some of the most comprehensive vetting efforts in recent decades. Two experiences stand out: the removal of abusive police officers, and the hiring or re-appointment of judges and prosecutors. In the former case, the UNMIBH vetted approximately 24,000 police officers between 1999 and 2002. In the latter case, three High Judicial and Prosecutorial Councils screened the appointments of approximately 1,000 judges and prosecutors between 2002 and 2004.

Of the two vetting experiences, the vetting of police proved the most challenging. Police officers were deployed as soldiers during the 1990s wars, often serving at the front lines of ethnic cleansing alongside military and paramilitary battalions. A thorough purging of the country's police forces was, therefore, necessary in the post-Dayton era. Helpfully, the Dayton Accords provided that civilian law enforcement agencies would have to operate "in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms."[1] It also required the parties to the Agreement to ensure the "prosecution, dismissal or transfer" of police officers and other civil servants responsible for serious violations of minority rights.[2]

By the end of the war, there were tens of thousands of police officers in the Federation and the Republika Srpska – far more than at the beginning of the wars and far more than are needed in a democratic state the size of Bosnia and Herzegovina. In the early post-Dayton years, police officers continued to operate with relative impunity in ethnically homogeneous forces that served nationalist agendas. Although there were some early efforts by the UNMIBH to vet police in the Federation, the results were disappointing and were ended by 1998. In the Republika Srpska during the same period (i.e., 1995-1998), there was essentially no vetting at all due to resistance by the Republika Srpska authorities.

Subsequent vetting efforts were far more successful. The UNMIBH Human Rights Office established a fifty-person Local Police Registry Section made up of international police officers, local lawyers and administrators, and two UN professional staff, all of whom were supported by the Human Rights Office and by two ICTY liaison officers. The vetting process itself consisted of three steps: mandatory reg-

[1] Annex 4, Constitution of Bosnia and Herzegovina (Art. III Para. 2(c)) and Annex 11, Agreement on the International Police Task Force (Art. I Para. 1).

[2] Annex 7 Art. I Para. 3(e).

istration (which involved completion of a detailed registration form), pre-screening (which in most cases resulted in provisional authorization to continue law enforcement work) and certification (which involved more extensive background checks, performance monitoring and a final determination on whether there were "grounds for suspicion" of wartime violations). Anyone decertified was barred from serving in law enforcement anywhere in Bosnia and Herzegovina. Decertification decisions were subject to an internal appeal only and no oral hearing was provided. In the end, approximately two-thirds of those vetted were granted provisional authorization to exercise police powers. Of those provisionally authorized, over 90% were granted full certification.[3]

Though generally regarded as successful – the police force are smaller and more diverse now and attacks on minority returnees are less common – public perception of the process appears to be mixed. The process has been criticized as having been too slow and too closed. Within the police service itself, opinion is less charitable. Many, but particularly those decertified, question the fairness of the procedures, and as many as 150 former police officers challenged their decertification in domestic courts after the departure of the UNMIBH.[4] Regrettably, the vague and non-legislated criteria employed by the UNMIBH and the fact the vetting files were sent away for storage at UN headquarters in New York City have complicated the resolution of these cases. In his March 2004 briefing to the Security Council, High Representative Lord Paddy Ashdown, discussing the legal challenges to certification, stressed that there was a danger that the UNMIBH's vetting efforts could unravel and endanger the rule of law. It is, however, rather late to sound such an alarm. The vetting procedure needed greater scrutiny during its operation.

The other major vetting process in Bosnia and Herzegovina concerned the appointment of judges and prosecutors. In the early post-Dayton years, the state of the judiciary was especially weak, given the absence of an independent judiciary during the prior Communist era, the ensuing years of war, and the continuous influence of organized crime and nationalist leaders. In May 2000, the High Representative promulgated laws on judicial and prosecutorial services to improve the independence of both.[5] These laws established commissions comprising Bosnian judges and prosecutors who assessed the performance of their peers over a period of eighteen months. But the process was never adequately resourced and ended in failure. The vast majority of complaints were dismissed as unsubstantiated.

In late 2001, the Independent Judicial Commission, the lead agency on judicial reform, developed a new strategy for reform. It aimed to reduce the number of judges and make the judicial and prosecutorial services more ethnically diverse through a formal re-application and appointment process. Three High Judicial and Prosecutorial Councils

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[3] *Report of the Secretary-General*, U.N.S.C., U.N. Doc. S/2002/1314, Para. 11 (2 December 2002).

[4] OHR, *Speech by the High Representative for Bosnia and Herzegovina Paddy Ashdown at the United Nations Security Council* (3 March 2004), available online at http://www.ohr.int. The European Union Police Mission replaced the UNMIBH in 2003.

[5] The laws are available online at http://www.ohr.int.

– one for each of the Bosnia and Herzegovina, the Federation and the Republika Srpska – were created by the High Representative in 2002. The Councils are permanent bodies comprising, for the most part, elected and appointed members from the legal and judicial professions. The High Representative also appointed international members to serve during a transitional period. The Councils have jurisdiction to appoint, transfer, train, remove and discipline judges and prosecutors.

Under the re-application and appointment process, judges and prosecutors were required to submit detailed application and disclosure forms which included, among other things, questions about wartime activities. A considerable number of complaints were also received from the public. Once a file was considered complete, a Council nomination panel would review the application, interview the applicant and make a recommendation. Unsuccessful applicants could file requests for reconsideration.

Because the re-appointment process concluded only a few months ago, it is too early to assess its overall impact. Some initial concerns may, however, be noted. The most significant concern is that the goal of restoring the multi-ethnic character of the judicial and prosecutorial services appears not to have been fully achieved, particularly in the Republika Srpska where there was an insufficient pool of minority candidates. Another concern has to do with the limited nature of the investigations conducted into applicants' alleged or suspected wartime activities. This leaves some doubt about the sufficiency of the purge. Lastly, the exceptionally high cost and staff size de-

manded by the procedure encouraged public criticism.

On the positive side, however, the procedure has the virtue of permanence. With the completion of the re-appointment process, the Councils will continue to operate as the standing appointment and discipline bodies for judges and prosecutors, and will be run entirely by nationals of Bosnia and Herzegovina.

The Law on Civil Service in the Institutions of Bosnia and Herzegovina, imposed by High Representative in May 2002, and after that adopted by the Bosnian Parliament, Article 64, stipulates that all existing civil servants are subject to a review process by the Civil Service Agency. The review is basically an instrument of control whose purpose is to assess whether the civil servants have been appointed in accordance with the Law on Public Administration and whether they meet the requirements foreseen by this law.

The process of the verification of the currently emplyed civil servants on the state level was completed in September 2004.

Even with all the procedures already completed, there are still voices asking for more. Their main goal is to prosecute individuals who have worked for the secret police during the Socialist regime or those who have been involved in the persecution of opposition leaders at that time.

Taking into acount that the Berlin wall fell almost 20 years ago and that in the menatime Bosnia was a place of unthinkable suffering and crimes againt humanity, including genocide, is hard to believe that there are still a voices asking for the punishment of the people who sent others to Goli

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Otok in 1948/49 while the war criminals from the last war in Bosnia are still at large.

Unfortunately, even today, in the most democratic countries around a world, working for the secret police under some other name is not a crime. So, why should people who used to work for UDBA (Directorate of State Security/State Secret Police of the People's Federative Republic of Yugoslavia*) should be punished? They were engaged in accordance with the laws enforced at that time, and to try to find the thruth after 50 years is practically imposible.

With all these activities, it is clear that Bosnia and Herzegovina has finished the most important part of lustration and is ready for the next step toward European integrations. If we are not ready to accept this as a fact, we will have an incessant internal war which will hardly help us solve any of our contemporary problems, as well as the problems in our future.

Abstract

The author points out that the lustration process in Bosnia and Herzegovina was completed in three spheres of public life: in the police force, in the judiciary and in the civil service. All this was done after the end of a remorseless war, with the extensive help of the international community. At the same time, nothing was done in regard to the lustration concerning the Communist period, the explanation being that now it is too late to deal with events that took place 60 years ago, and that is much more important to deal with crimes committed during the recent Bosnian war.

Superpower détente as threat for 'minor' powers
Romanian perceptions of superpower détente during the 1970s

Елена Драгомир

1. Different interpretations of détente

The term *détente* is defined in different ways and describes different periods according to different authors. It was used for the first time on 17 August 1908 edition of *The Times* to describe the 'relaxed' international state of affairs of that moment. But the term was especially related to the Cold War era, when it was primarily used in reference to the general reduction of tension between the USA and USSR.[1] In Cold War common sense language, *détente* was understood as reduction of tensions, relaxation. A policy of détente referred to actions which were intended to produce such relaxations or which had such consequences whether intended or not. Détente as an international phenomenon was extensive and had different stages. According to some 'old Cold War history' authors[2], the 'second détente' in terms of time covered not less than 13 years (1962-1975) while the number of actors involved was not less than 40.[3] 1962-time lim-

it is explained in this case by the relevance the Cuban Missile Crisis had for the East-West relations. Realizing that the world was on the verge of nuclear war, both superpowers decided 'relaxation' was in the interest of the entire world and therefore, together with NATO and Warsaw Pact states, initiated and implemented a 'variety of policies' known as 'détente', 'a complex process, describing a whole range of economic and political relations'.[4] According to other authors, the real beginning of détente is dated to the Communist Party of the Soviet Union (CPSU) 24th Congress of April 1971, when Brezhnev outlined his *Peace Program*[5]. There is also the view that "the real détente started only in the mid-1960s".[6]

Many of the 'new Cold War history' authors[7] tend to place the beginning of détente in 1967 when the *Harmel report* was published[8] or in 1969, when

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[1] Thomas Parish, *Enciclopedia Războiului Rece [The encyclopedia of the Cold War]*, Bucureşti: Univers Enciclopedic, 2002, 91-92

[2] Those who wrote about the Cold War during the Cold War.

[3] Osmo Apunen, 'Understanding détente', in Osmo Apunen (ed.), *Détente: A Framework for Action and Analysis*, University of Tampere, Department of Political Science, Research reports, 61/1981, 4-34;

[4] Dan Smith, *The Defense of Realm in the 1980s*, London: Taylor & Francis, 1980, 58

[5] Rosalind J. Marsh, *Soviet Fiction since Stalin: Science, Politics and Literature*, Totowa, N.J.: Barnes & Noble, 1986, 199

[6] Csaba Békés, *Cold War, Détente, and the 1956 Hungarian Revolution,* Working Paper no. 7, Project on the Cold War as a Global Conflict, New York: International Center for Advanced Studies, New York University, 2002, 5

[7] Those who wrote about the Cold War after the end of the Cold War.

[8] Mary Halloran, 'A planned and phased reduction: the Trudeau government and the NATO compromise, 1968-1969' in Christian Nuenlist and Anna Locher (eds.), *Transatlantic Relations at Stake. Aspects of NATO: 1956-1972,* Center for Security Studies, ETH Zurich, ZÜRCHER BEITRÄGE ZUR SICHERHEITSPOLITIK, NR. 78, 2006, 126

the US President Richard Nixon started the negotiations with the Soviet Union for a strategic arms limitation treaty (SALT). Détente, in this case, is defined as "decreasing political and military tensions between the Soviet Union and the United States, and by extension between the Soviet Union and China, and between the United States and China."[9] The end of détente, according to this line of interpretation, is generally placed in 1979 and is related to the American response to the Soviet occupation of Afghanistan.[10]

In Garthoff's perceptual interpretation, the end of détente was accompanied by new perceived threats. 'In the latter half of the 1970s both sides perceived growing threats from the military programs and political actions of the other', says Garthoff. According to him, 'if international tension is seen as the product of perceived threats, détente can be characterized as the reduction of threat perceptions'.[11] In other words, détente was a period characterized by the reduction of threat perceptions and it was possible in the context of the reduction of threat perceptions. Garthoff's analysis focuses on the cases of USA and USSR, the 'both sides' being in his study the two superpowers.[12] But, as 'we now know'[13], the role of the superpowers in the Cold War history has been overestimated and the new Cold War studies question the in-

itial assumption that only the superpowers influenced the 'small states'[14] or the Cold War evolution in general. Even though the study of Cold War superpowers is extensive and the study of the Cold War minor powers continues to develop, few are those who have studied – more or less directly – superpowers' perceptions of detente[15] and even fewer those who showed interest in the minor powers' perceptions of détente. In this context, the present article is interested in the relation between détente and threat perceptions in the case of one non-superpower actor, namely Romania. In this case, détente was in itself a threat. But, what *détente* means for the Romanian decision makers and why is it important to know that perception?

In explaining the foreign policy of Romania during the Cold War, the previous studies emphasized the role of the external and internal conditions, and used an objectivist approach. This article starts from the assumption that, in the process of explaining or understanding Cold War phenomena, ideas and ideology must be also taken into consideration. Therefore I use a perceptual approach, which means that I consider that decision-makers' decisions, acts, behaviors are explainable and understandable in a great extent through their beliefs, values, ideas and perceptions of the world. The study accepts the idea that it was not relevant if their perceptions were 'real',

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9   Ronald E. Savoy, *Origins and Growth of the Global Economy: From the Fifteenth Century Onward*, Westport, Connecticut, London: Greenwood Publishing Group, 2003, 209;

10 Raymond L. Garthoff, *Détente and Confrontation, American-Soviet Relations from Nixon to Reagan*, Second revised edition, Washington DC: Brookings Institution Press, 1994, 1076-1081

11 Ibid., 1140

12 Ibid, 36-37; 57-58; 1143

13 John Lewis Gaddis, *We Now Know. Rethinking Cold War History*, Oxford: Oxford University Press, 1997

14 John Lewis Gaddis, 'On starting all over again: a naive approach to the study of the Cold War', in Odd Arne Westad (ed.), *Reviewing the Cold War Approaches Interpretations, Theory*, London Cass, 1998, 27-42;

15 See for instance, Raymond L. Garthoff, 1994; Raymond L. Garthoff, 'The failure of détente in the 1970s', in Klaus Larres (ed.), *Cold War: The Essential Readings*, Oxford: Blackwell Publ., 2001, 159-180; Lawrence T. Caldwell, *Soviet Perceptions of Détente*, Adelphi Paper, London: Institute for Strategic Studies, 1972;

justified or according to the others' intentions or plans. Therefore I am not interested in establishing if they were 'real perceptions' or 'misperceptions'. It was important and relevant that the leaders decided and acted on the basis of these perceptions. This is why we need to know the perceptions and interpretations of the decision-makers. I do not intend to analyze here the relation between perceptions and decisions or how perceptions took shape. The purpose of this particular paper is only to reveal how the Romanian decision-makers defined and perceived détente during the 1970s.

Defining *détente* is, hence, a difficult, complex and controversial task. The term has been seen by scholars from different perspectives as a process, condition, factor, policy, strategy, etc. But most of the studies by *détente* firstly understand "reduction of tensions between the 'two sides'" of the Cold War[16] where the two sides are usually (represented by) the two superpowers. This is how many scholars define Cold War détente. How about practitioners, decision-makers, diplomats, etc.? How did they define, perceive and understand détente? How did their perceptions of détente influence the policy making process, the foreign policy of different states, the evolution of the Cold War as a general phenomenon? This article, as previously stated, tackles few of these questions, focusing on the case of Romania. It uses the term *détente* in the sense the Romanian decision-makers used it: as describing the low level of tension between the USSR and the USA. In Romania, during the 1970s, détente meant firstly superpower détente and superpower détente was perceived as a threat.

2. Détente: threat or opportunity for 'small' states?

According to Paul Kennedy, the détente process provided more flexibility in the East-West division; consequently, some signs of multi-polarity appeared between 1960 and 1980. Now, different elements of the East-West relation "made the international power system much less bipolar than it had appeared to be in the earlier period, …and significant fissures occurred in what had earlier appeared to be the two monolithic blocs dominated by Moscow and Washington".[17] In other words, the 'minor'[18] powers of the international relations found in this 'less bipolar world' more space of maneuver to act independently and freely. Or, as many international relations scholars consider, "superpower détente gave smaller states a chance to act more freely than had been possible during the periods of more tense great power rivalry".[19]

Of course, this is not the only interpretation about the relation between

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[16] David R. Stone, *A Military History of Russia from Ivan the Terrible to the War in Chechnya*, Westport, Conn.: Praeger Security International, 2006, 231.

[17] Paul Kennedy, *The Rise and Fall of the Great Powers : Economic Change and Military Conflict from 1500 to 2000*, London : Fontana Press, 1989, 512.

[18] The term 'minor powers' in this article defines all the states that are not 'great powers' or 'superpowers'. The Romanian leaders of the time used to name the 'minor powers' through the wording 'small and middle states'. All the states that were not 'superpowers' or 'great powers' were in the Romanian political language of that time, according to the Communist archive sources, 'small and middle states'. For a detailed analysis on the 'minor powers' term, see for instance Martin Wight & Hedley Bull, *Power Politics*, New York: Continuum, 2004, 61-66 or John Rennie Short, *An Introduction to Political Geography*, Routledge, London, second edition, 1993, 76.

[19] Ole Elgström, Magnus Jerneck, 'From adaptation to foreign policy activism: Sweden as a promoter of peace', in Arie Marcelo Kacowitz, Yaacov Bar-Siman-Tov, Ole Elgstrom, Magnus Jerneck (eds.) *Stable Peace among Nations*, Lanham: Rowman & Littlefield Publ., 2000, 190.

the level of the degree of tensions and the foreign policy of a small state in a world dominated by two superpowers. According to the deterrent theorists' school, 'small and middle' states have more space of maneuver in times of tension and not in periods of relaxation. In this interpretation, when the degree of tension increases, the superpowers focus their interest on each other and small states can act more freely to promote their strategy and independence.[20] The stronger and tighter the bipolarity, the greater the influence enjoyed and freedom exercised by small states. Thus, bipolar tensions allow small states to escape great power hegemony. The need of great powers for an even number of small allies could also transform the small states into a bargaining instrument, granting them entrance to international influence which they otherwise would have been denied by the system. As tension increases, so does small states' freedom as these states move "to explore the conflict between the strong".[21]

Discussing Romania's foreign policy during the détente period, many scholars consider that decreasing international tensions provided the Romanian state with more favorable conditions for developing and implementing a foreign policy line independent from Moscow. In her 2007 book, Mioara Anton,

analyzing Romania's post-war foreign policy, considers that "the decrease of tension between Soviets and Americans allowed autonomous actions of two of the Soviet satellites, Romania and Albania".[22] This means that in Anton's interpretation the détente was a favorable factor for the more independent foreign policy line of Romania. Her stand suggests the idea that without détente, their autonomous actions would not have been 'allowed'. For Romania, détente was also an opportunity for developing its relations with the West, according to Anton. "Taking advantage of the East-West détente, the leaders in Bucharest launched a program of opening towards the West".[23] Egbert Jahn underlines the idea that the Soviet satellites, and especially Romania, began to develop independent tendencies only *after* the détente emerged in 1963.[24] In other words, détente "marked the diplomatic debut of the East-European socialist states as actors, albeit with limited roles, on the international stage".[25]

This is the most common objectivist interpretation concerning the relation between détente and Romania's foreign policy during the 1960s and 1970s. It implies the idea that a 'small' state's foreign policy is determined by the international factors. Détente was the 'opportunity', the condition, the cause, the favorable context that, among other external factors, allowed/

[20] David Vital, *The Survival of Small States: Studies in Small Power/Great Power Conflict*, London, Oxford University Press, 1971.

[21] Ann-Sofie Dahl, 'To be or not to be neutral: Swedish security strategy in the post-Cold War era' in Efraim Inbar, Gabriel Sheffer (eds.), *The National Security of Small States in a Changing World*, London, Portland, or Frank Cass, 1997, 178-179; On the other hand, the polarization theory views the situation from a different angle, emphasizing the great power's need for tighter control of other states (allies and others) as bipolar tension is on the rise. According to this interpretation, for those small states that live within the sphere of influence of a great power, freedom of action may appear quite limited in times of high tension.

[22] Mioara Anton, *Ieşirea din cerc. Politica externă a regimului Gheorgiu-Dej [Disturbing the Circle: The Foreign Policy of the Gheorghiu-Dej's Regime],* Bucureşti:INST, 2007, 116.

[23] Ibid., 15.

[24] Egbert Jahn, 'The foreign-domestic nexus in Gorbachev's Central and East-European policy', in Patrick M. Morgan, Keith L. Nelson, G.A. Arbatov (eds.), *Re-viewing the Cold War: Domestic Factors and Foreign Policy in the East-West Confrontation*, Westport, Connecticut: Greenwood Publishing Group, 2000, 166.

[25] Robert Hutchings, *Soviet-East European Relations*, Madison, Wisconsin: University of Wisconsin Press, 1983, 97.

determined Romania to develop and implement an independent foreign policy. Romanian leaders had the ability to identify this opportunity and to take advantage of it and so they did. But, as the Romanian archive documents reveal, the Romanian leaders decided in many cases on the basis of their beliefs, perceptions and interpretations of the conditions of the external environment. And there is a great difference between these perceptions and the scholars' objective description of those factors. Decision-makers did not perceive détente the same way as scholars today do, as an opportunity, as a favorable condition, but rather as a threat. I do not say that détente did not influence – positively or negatively – the international position of the Romanian state in those years. I do not say either that the Romanian leaders did not see the possible benefits it could bring in the international relations' field. I only question the idea that the Romanian leaders saw détente only or firstly as a positive international phenomenon or process, only as an opportunity for reaching their goals. I question their conscious decision to take advantage of this opportunity because, in my opinion, and according to the archive sources, for them, détente represented firstly a threat. I also contest the objectivist approach used by now and propose a new perceptual approach in dealing with this issue, showing how important the ideology[26] was.

The objectivist approach considers that the researcher can describe the environment in terms that are objectively accurate and that the actors correctly see objective incentives in this environment. This approach does not closely examine the process of decision-making and the perceptions of the decision-makers and it assumes that they perceive the constraints of the international system relatively accurate and similarly. Thus, in the words of Frank Ninkovich, "the objectivist approaches have had serious problems in describing what goes on inside the heads of policy-makers" and consequently, "they have failed in their attempts to use objective and structural realities to explain why events in the twentieth century turned out the way they did".[27] The main problem with the objectivist approach is that decision-makers may perceive the environment differently than indicated by the objective measurement. In addition, the perceptions of the external conditions may vary between leaders and between decision-makers. The perceptual approach therefore focuses on the perceptions and world views held by the actors rather than searching for explanatory factors in an objective incentive structure of the system. The perceptual approach also assumes that an actors' action will follow from the actors' perceptions and not the scholars' perceptions, no matter how objective scholars claim their view to be. The perceptual strategy doubts that the scholar's view of the situation and the actor's view of the situation are likely to be the same. It does not contend that perceptions are unaffected by objective material forces, it contends that "factors affecting the formation of an actor's images and understandings of the world are so complicated with so many possible causes that it is not ade-

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[26] Ideology in a broad sense, as ideas, norms, values, beliefs, perceptions, etc.

[27] Frank Ninkovich, *The Wilsonian Century: U.S. Foreign Policy Since 1900*, University of Chicago Press, 2001, 8-10.

quate in scientific terms to assume the scholar can know what the actor thinks about direct empirical investigation on this matter".[28]

Going back to the Romanian leaders' perceptions of détente, in my opinion, in Romania, perception meant firstly close relations between the two superpowers, and everything else was secondary. Détente was accepted as a favorable general international condition only if its threat dimensions could be previously avoided or eliminated. For the Romanian leaders, détente meant firstly Soviet-American relaxation of tensions – 'normalized relations', 'close relations'. Détente had for Romania two levels. Firstly, détente was superpower détente, a dangerous phenomenon for "all the other small and middle states", Romania included. Secondly, détente was a general international phenomenon involving all the world states, having a beneficial potential only if the danger represented by the first level could have been avoided or eluded. My focus in this paper is on the first level.

Now, how did the Romanian decision-makers defined, perceived and interpreted the American-Soviet détente? The answer is, in my opinion, related to the so-called 'Yalta Syndrome'.

3. The 'Yalta Syndrome' and détente

When discussed, Romania's 'independence' in the Eastern 'Bloc' is, in many cases, compared with De Gaulle's

France – 'independent' of the Western 'Bloc' – and considered a Yalta Syndrome state. According to Bernstein, for De Gaulle, the 'Yalta Syndrome' defines the "refusal to accept the global balance of power that had emerged out of the Second World War and that gave the two superpowers the responsibility for determining the fate of the world", a situation that was for De Gaulle, according to Bernstein, the result of the Yalta Conference.[29] In my opinion, for Romania, the 'Yalta Syndrome' defines one's discontent towards the existence of that particular international system that 'gave' the superpowers the responsibility for determining the fate of the world. It includes the accusation that superpowers were those which created such a system as a result of the Yalta type agreements and contests therefore their special responsibility in international matters. In addition, it sees the 'Yalta-type' threats as still present or imminent.

Without saying that Romania's independent foreign policy line emerged from Romania's rejection of the 'Yalta spirit', I consider though that this anti-hegemonic factor was one of the most important elements that explained the phenomenon. Continuing the comparison with De Gaulle's France, in my opinion, Romania's rejection of the 'Yalta spirit' has often been considered as anti-Sovietivism; only 'independence' or 'autonomy', only a policy against the

28   Richard K. Herrmann, 'Linking theory to evidence in international relations' in Walter Carlsnaes, Thomas Risse-Kappen, Beth A. Simmons, Thomas Risse, Contributor Walter Carlsnaes, Thomas Risse-Kappen, Beth A. Simmons, *Handbook of International Relations,* London: SAGE, 2002, 120-124.

29   According to Berstein, in the case of France, "the rejection of the Yalta spirit did not simply mean denying the United States the right to speak in the name of France. It also meant the desire to establish direct relations with the satellites of the Soviet Union." Inevitably, considers Berstein, the 'Yalta syndrome' of France evolved into a desire for a more independent French foreign policy, and since the Americans dominated the Western Bloc, French policy was often considered as 'anti-Americanism'. Serge Berstein, *The Republic of De Gaulle, 1958-1969*. *The Cambridge History of Modern France*, 8, Cambridge, Cambridge University Press, 1993, 177-179.

hegemonic Soviet Union. But, in my opinion, Romania's 'independent' foreign policy line which began to develop in the early 1960s, was not a policy headed only against the USSR. It was a policy against hegemonic tendencies in general, against the idea of the superpowers' responsibility in international matters, against the 'Yalta spirit'. Paul Niculescu-Mizil, an important Communist figure[30], considered that Romanians, by promoting an independent line in the 1960s "were not fighting against the Soviet Union, or against the Soviet people. We [Romanians] fought against some principles that were promoted: principles of domination, subordination and hegemony, principles promoted by one state over the other; and these characteristics belonged not only to the Soviet Union".[31] The other hegemonic power is the United States. A relaxation of tensions between two hegemonic powers was also perceived in Bucharest as an opportunity for repeating history, the perfect moment for the hegemons to agree again upon the fate of 'the others'.

It may seem paradoxical that although it was against the policy of the blocs, Romania was not very confident in the positive aspects of the détente process in regards to the American-Soviet relations. But it is not paradoxical, since accepting the bloc to bloc relations would have meant accepting the leading line of the leader of the 'bloc'.

Détente may seem a favorable moment for minor powers' interests to be achieved in the international arena. But for Romania it was a sign that the USSR and the USA were again in the situation to negotiate and decide together the 'fate of the world', a return of Yalta type threats.

Détente, in my opinion, was seen in Bucharest through the glass of this 'Yalta Syndrome', a system of ideas, beliefs, values, convictions. Their perceptions of détente were highly influenced by these beliefs. Romanian leaders considered that, in Ceausescu's words, "détente was a positive international phenomenon as long as it is based on the principles of equality, non-interference and independence", and especially as long as "it does not lead to a distribution, in one form or another, of the spheres of influence".[32] In the Romanian perception, during détente, the Soviet Union and the United States continued to be very much the basic regulators of the East-West relation. In addition, détente favored new Soviet-American negotiations and agreements designed to further their own interests in the Cold War world. The American-Soviet agreements of the détente period worried Romania "not because they are a menace for the military pacts – because we [Romanians] have to militate for their abolition – but because they [the Americans and the Soviets] try to solve [in this way] some [international] problems without taking into consideration the interests of the other states" (Nicolae Ceausescu).[33]

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[30] Paul Niculescu-Mizil was the head of the Propaganda and Agitation Section of the CC of RCP (1956-1968); Minister of Education (1972-1976); Minister of Finances (1972-1981); Vice-Prime Minister (1972-1981); member of the CC of RCP (1955-1989) and member of the Executive Committee of the CC of RCP (1965-1989).

[31] 'Convorbire cu Nedic Lemnaru. Televiziunea Română. Emisiunea "Pro-Memoria" [Dialogue with Nedic Lemnaru. Romanian Television. The broadcasting 'Pro-Memory']', in Paul Niculescu Mizil, *O istorie traita, I, Memorii* [A lived history, I, Memoirs], Bucuresti: Enciclopedica, 1997, 43.

[32] *The Minutes of the Meeting of the Executive Committee of the Central Committee of the Romanian Communist Party (CC of RCP)*, from 2nd of July 1973, Arhivele Naţionale Istorice Centrale [the Romanian National Central Archives], hereafter ANIC, Fund CC of RCP, Cancelarie [Office], File no. 120/1973, 16.

[33] Ibid., 22.

The opposition that the Romanians saw between the Americans and Soviets on the one hand, and the all 'the other states' on the other hand is evident in this quotation.. For Romania, the East-West opposition seems to exist only in terms of political ideology. In terms of security threats and state policy the opposition is not perceived as an East-West one, but rather as a 'superpowers/great powers'-'the other states' one.[34] In the Romanian archive documents of the 1960s and 1970s all the non-superpower states are named 'small and middle states' or 'the other states', while the term 'great powers' was used to designate usually the USA and USSR, sometimes France and 'England'[35] too.[36]

To exemplify the Romanian fears and perceptions of the hegemonic tendencies, I use the case of the Conference on Security and Cooperation in Europe (CSCE), one of the most important moments of the East-West events of the 1970s. Analyzing Romania's participation in the CSCE, one could easily observe that for Romania, the Soviet-American relations within this frame were perceived as the expression of the still alive 'Yalta spirit'. Thus, one of Romania's major goals in the context provided by the conference was to propose and impose new 'rules for the game', rules that would have secured the interests of the 'small and middle states' against the hegemonic tendencies of the two superpowers.

In the CSCE, Romania proposed ten fundamental principles of the international relations. Two of them were directly related to the idea that the superpowers should not have had the right to decide by themselves without consulting the other actors on matters of general interest. The fourth principle in the Romanian proposal stated "the total equality in rights of all states, regardless of their size, potential, social-economic system, and level of development". The fifth principle stated "the right of every state to participate in conditions of total equality to the examining and solving of the international problems, respecting the interests of all sides".[37] In this way Romania opposed the 'special role of the superpowers' that the USSR and USA (sometimes supported by the other two great powers, France and England) tried, according to their perceptions, to affirm within the conference,[38] and not only within the conference. Romanian delegates at the CSCE many times identified the proofs that their fears concerning the Soviet-American intensions for continuing 'the Yalta spirit' were justified. According to the perceptions of the Romanian leaders and diplomats, in the CSCE the Soviets wanted to impose their will, having the Amer-

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[34] See, for instance, M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.360 of 6th April.1973 from Helsinki to George Macovescu, Arhivele Ministerului Afacerilor Externe [the Archive of the Romanian Foreign Affairs], hereafter AMAE, Problema [Problem] 241/1973-9.S.7, file 5146, 99; George Macovescu, *Informare referiroare la încheierea CSCE* [Information concerning the conclusion of the CSCE], addressed to the CC of RCP, dated 25 March 1975, AMAE, Problema 241/1973-9.S.7, file 5953, 36-37, V. Lipatti, *Nota de propuneri* [*Proposal Note*] addressed to G. Macovescu, dated May 1975, AMAE, Problema 241/1973-9.S.7, file 5953, 111.

[35] The term 'England' designates in the language of the epoch the United Kingdom of Great Britain and Northern Ireland.

[36] See the next subchapter.

[37] *The principles of security and cooperation. Romania's working document*, dated November 1972, ANIC, CC of RCP – Office, File no 126/1972, 28.

[38] Sergiu Verona, Leon Talpa, *Conferinta pentru Securitate si Cooperare in Europa. Analiza Comparativa* [The Conference on Security and Cooperation in Europe: A Comparative Analysis], Institutul de Stiinte Politice si de Studierea Problemei Nationale, Uz intern, November 1973, 9-15.

icans' blessing.[39] Just to give a few examples, in March 1973, the Romanian delegates reported to Bucharest that the American delegates "use the same arguments as the Soviet delegates and openly support the Soviet proposals and points of view, trying to explain and justify them [the Soviet proposals]".[40] The Romanian delegates at the conference reported often about the "American-Soviet understandings and common attitudes in the conference". In a telegram dated March 1973 Valentin Lipatti reported to Bucharest that "other small states (GFR, Switzerland, Greece, and Poland) seemed also worried about the Soviet-American cooperation and about the Yalta spirit manifested by the two superpowers in the conference". According to Lipatti, "the Soviet Union and the United States had reached in March 1973 an agreement as a result of secret talks, according to which at Helsinki the discussions would not exceed the limits of Europe; any reference to other regions would be only general and without engaging the two sides in any way; any settlement at the conference must have started from the present situation and must not imply wordings such as 'the creation of a new system of relations', 'the abolishment of the blocs', 'the adoption of concrete measures meant to exclude the use of force', 'the sapping of the existent alliances'".[41] Whether or not this agreement was real, Romanian diplomats interpreted its [possible] existence as a proof that Roma-

nia was still threatened by the 'Yalta spirit' that the superpowers continued to manifest.

The American-Soviet collaboration in the CSCE was for Romania only one example, one proof that its perceptions were justified. In his memoirs and in some of his articles, Valentin Lipatti emphasized the main gain of the conference from the Romanian point of view, showing how important these perceptions were for the decisions Romania made in its foreign policy. The first working document of the Dipoli Consultations (22 November 1972 – 8 June 1973) was the one presented by Romania and concerned the rules of proceedings. The rule of consensus for adopting all the decisions was the core of the rules of proceedings. "Defined as 'lack of any objection expressed by a representative of a state and presented by him/her as an obstacle for adopting a certain decision', the consensus placed all the participating states, big, middle, or small, on equal positions". Romanians were very satisfied that "thanks to this rule, any representative could block up the adoption of a proposal if he/she thought that the proposal was affecting the state's legitimate interests. All the participants in the CSCE disposed thus of a *right of veto*, Malta and USSR, Liechtenstein and the USA alike". This tactic was conceived by Romania, according to Lipatti, because it feared the fact that the CSCE may have become a forum where the great powers would decide by themselves for everybody else. According to Lipatti, attempts, especially of the great powers[42], to evade the consensus or to vitiate it by refusing negotiations did not lack during the

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[39] V. Lipatti, 'Dipoli, bătălia pentru consens' [Dipoli – the battle for consensus], in *Magazin istoric* (serie nouă), nr.11, noiembrie 1997, 48-51.

[40] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.256 of 20.03.1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 60-61.

[41] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.198 of 11 March 1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, f. 34-48.

[42] 'Great powers' in the language of the epoch meant firstly 'superpowers'.

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CSCE process.[43] According to Lipatti, "the battle for the rules of proceedings started during Dipoli Consultations meant a gain for making the international relations more democratic, for the affirmation of the personality and capacity of small and middle states in order to protect their legitimate interests and to create a possible European security system."[44]

Dennis Deletant and Mihai Ionescu maintain that the Romanian leadership perceived détente as a danger because it created the possibility of achieving "a new Yalta-like agreement and the establishment of new spheres of influence in Europe and in the world, among the USSR and the West".[45] In my opinion, the 'West' was in this case the USA only – in some cases USA, 'England' and France.[46] In other words, the hostile 'West' meant the great powers of the West. Only superpowers/great powers represented a threat for Romania and not the other Western 'minor' powers.[47] On the other hand, détente was

not perceived as a danger only because it would have favored or determined a (re)distribution of the spheres of influence. The perceived danger went far beyond the spheres of influence issue and also included any type of superpower cooperation that would have affected any interest of the non-superpower states.

An idea often identified in the CSCE related studies is that Romania tried to gain at the conference the support of the occidental world, especially the support of the USA in order to gain more independence within the Eastern Bloc. Mihai E. Ionescu, for instance, argues that Romania wanted to obtain in the CSCE the recognition of its independent status in international politics and in order to achieve this goal cooperated with the United States or sought the cooperation of the United States.[48] But, as the previous examples show, Romania did not trust the USA more than it trusted the USSR. And it did not seek the support of a superpower for counterbalancing the other superpower. Romania was rather interested in establishing a cooperation with the other 'small and middle states', Socialist or capitalist, according to its perception, all victims of the 'Yalta spirit', victims of the practice according to which the superpowers had the recognized right to decide for the entire world. Among the directives for the Romanian delegation at the CSCE, the important one was "to act in order to obtain support for Romanian proposals". "The [Romanian] delegation will establish contacts and consultations with those delegations that seem favo-

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[43] Valentin Lipatti, 'Rotaţie şi consens la Cercul Polar. Din secretele CSCE' ['Rotation and Consensus at the Polar Circle: From the Secrets of the CSCE'], in *Magazin istoric,* 1 Ianuarie 1999, 58-60. See also M.Balanescu, V. Lipatti, C. Vlad's telegram no. 0035.122 of 11 February 1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 43-46.

[44] Valentin Lipatti, 1999, 58-60.

[45] Dennis Deletant, Mihai Ionescu, *Romania and the Warsaw Pact:1955-1989*, *Cold War International History Project Bulletin,* Woodrow Wilson International Center for Scholars, Working papers no 43, April 2004, 88.

[46] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 0035.122 of 11 February 1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 58; M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.360 of 6 April 1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 101

[47] Superpower détente was perceived as a danger also by the Western world. In 1966, for instance, the NATO Secretary-General Manlio Brosio regarded the US policy of détente with its attempts to reach an agreement with the Soviet Union to stop nuclear proliferation as dangerous because "in this way, the Americans revealed their aim to reduce NATO to a simple instrument of their own policy of détente, which would finally lead to a bilateral dialog between the superpowers behind the back of the European countries." Cited in *Bruna Bagnato,* "NATO in the Mid-1960s: The View of Secretary-General Manlio Brosio", in Christian Nuenlist and Anna Locher (eds.), 172.

[48] Mihai E. Ionescu, "Romania, Ostpolitik and the CSCE, 1965-1975", in Oliver Bange, Gottfried Niedhart (eds.), *Helsinki 1975 and the Transformation of Europe*, New York, Oxford: Berghahn Books, 2008, 129-141.

rable to the Romanian proposals in order to obtain their support in promoting those proposals or to persuade them to present proposals similar to ours".[49] Since the great powers' proposals were seen as against the interests of Romania or of the other 'small and middle states', those delegations were especially delegations of the minor powers.[50] *A proposal note* of the Romanian Minister of Foreign Affairs dated May 1975 proposed that in the CSCE "the Romanian delegation should continue to insist together with the delegates of the other small and middle states for a wording that would avoid the recognition of the conception that great powers have a responsibility towards the other states and can conclude agreements concerning the other states"[51]. In Romania's interpretation, one of the most important goals of 'the small and middle states' in the CSCE was to secure in Europe a new type of relations that would exclude the hegemony of the great [powers] and the policy of the sphere of influence.[52] The small

and middle states do not want "to be maneuvered by the great powers".[53] The opposition great powers/all the others is again very visible.

4. Romanian perceptions and definitions of superpower *détente:*

The documents from the Romanian Communist archives offer a very interesting picture concerning the way the Romanian leaders used the terms 'superpowers', 'great powers', 'middle and small states'. It is also very interesting to see who was in their perception a small, middle or great state. The terms are used by the Romanian politicians or diplomats empirically and without any theoretical basis. Nevertheless, the usage of these terms is relevant in an analysis of their perceptions and interpretation of the international system. Most of the documents divide the states in two categories: the category of "the two great powers: USA and USSR" and the category of 'the small and middle states".[54] Few documents however discuss "the three great powers: USA, USSR and France" or "the four great powers: USA, USSR, France

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[49] *The completion of the directives for the Romanian delegation to the preparatory reunion of CSCE (stage III), Helsinki, 15.01.1973*, in ANIC, Folder CC of RCP – Office, File no 2/1973, 37-38.

[50] Romanian delegates at the CSCE indirectly appreciated that this objective has been reached. In October 1973 in a telegram sent from Geneva to Bucharest, Valenti Lipatti wrote: "small and middle countries of NATO and EEC react more actively at the pressures of the USA which wants them to abstain from approaching the matter of the military aspects of security. These states are influenced in some degree also by the position of the neutral and non-aligned states such as Sweden, Finland, Austria, Switzerland and Yugoslavia. Many occidental delegates have told us that they have informed in positive reports their capitals about the Romanian proposals and asked for permission to support our proposals, especially our proposals concerning the military aspects of security. The Finnish delegation supported Romanian and Yugoslav proposals on this matter." Valentin Lipatti's telegram no. 031188 of 26 October 1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5126, f. 65-67.

[51] V. Lipatti, *Proposal Note* addressed to G. Macovescu, dated May 1975, AMAE, Problema 241/1973-9.S.7, file 5953, 111.

[52] See, for instance, M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.360 of 6 April 1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 99-102.

[53] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 0035.122 of 11 February 1973 from Helsinki to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 47.

[54] See for instance, M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035190 of 10 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5138, 84-90; M. Balanescu, V. Lipatti, C. Vlad's telegram no. 035160 of 2 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 22-25; M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035198 of 11 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 34-48; M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035043 of 21 January 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 10-11; M. Balanescu, V. Lipatti, C. Vlad's telegram no. 035084, of 30 January 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 34-35; M.Balanescu, V. Lipatti, C. Vlad's telegram no. 0035195 of 11 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 76-81; M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.360 of 6 April 1973 to George Macovescu, Problema 241/1973-9.S.7, file 5146, 95-101.

and England."[55] 'The four great powers' are the victorious states of the Second World War.[56] 'The two great powers' is, in my opinion, a wording that in the Romanian documents should be read as 'the two superpowers'. Nevertheless, when used in a Romanian document, the wording "the two great powers" means USSR and USA. In the Romanian archive documents the word "superpowers" is very rarely used[57], but the distinction in terms of power between the USA and the USSR on the one hand, and France and 'England' on the other is somehow inferred and expressed. Usually, France and 'England' are named "great powers" when they support some proposals or plans, or as "the two great powers".[58] In many cases they have views and proposals similar to those of the "small and middle states"[59] and in these cases they are not named "great powers" – France is even enumerated among the "small and middle states" in some documents[60] – but they end up by giving

in to the pressures of the "two great powers".[61]

Among the "small and middle states" the documents enumerate Switzerland, Belgium, Spain, Denmark, GFR, Austria, Finland, Poland,[62] Holland, GDR, Czechoslovakia,[63] Luxemburg, Malta, Cyprus, San Marino, Lichtenstein, Italy, France, Greece, Ireland,[64] the Vatican, Yugoslavia, Norway, Turkey,[65] Romania,[66] Portugal, Canada.[67] In rare cases the "small states" are exemplified with Malta, Switzerland, Liechtenstein,[68] but usually they came together as "small and middle states" and one cannot say exactly which were perceived as a small or as middle by the Romanian leaders or diplomats and in what terms the distinction was made –in term of size, of power, of their capacity to influence the world politics, etc.

Despite this ambiguity, it is clear that the USA and the USSR were perceived as superpowers. For Romania, both highor low degree of tensions between superpowers meant danger.

[55] M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035198 of 11 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 46-47; M.Balanescu, V. Lipatti, C. Vlad's telegram no. 0035.122 of 11 February 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 52.

[56] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.360 of 6 April 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 98; Informare referiroare la încheierea CSCE, singed George Macovescu, to CC of RCP, dated 25 March 1975, AMAE, Problema 241/1973-9.S.7, file 5953, 37.

[57] The Minutes of the Meeting of the Executive Committee of Central Committee of the Romanian Communist Party (CC of RCP), from 2 July 1973, ANIC, CC of RCP – Office, File no 120/1973, 118-11.

[58] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.360 of 6 April 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 95, 97- 98; George Macovescu, Information concerning the conclusion of the CSCE addressed to CC of RCP, dated 25 March 1975, AMAE, Problema 241/1973-9.S.7, file 5953, 32.

[59] Nicolae Ecobescu's telegram no. 0084015 of 11 January 1973 from Washington to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5124, 128-133.

[60] M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035043 of 21 January 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 10-13.

[61] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.160 of 2 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 23, 26; M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035198 of 11 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 47.

[62] M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035198 of 11 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 34-48.

[63] M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035433 of 3 May 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5145, 118-119.

[64] M. Balanescu, V. Lipatti, C. Vlad's telegram no. 0035043 of 21 January 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 10-13.

[65] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 0035.122 of 11 February 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 47.

[66] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.360 of 6 April 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 95.

[67] V. Lipatti, Proposal note addressed to G. Macovescu, dated May 1975, AMAE, Problema 241/1973-9.S.7, file 5953, 111.

[68] M.Balanescu, V. Lipatti, C. Vlad's telegram no. 035.195 of 11 March 1973 to George Macovescu, AMAE, Problema 241/1973-9.S.7, file 5146, 78.

High degree of tensions meant possible war and Romania's possible involvement in the war. In the early 1960s, the Romanian-American relations were, in the words of the former US ambassador in Eastern Europe Raymond L. Garthoff, "minimal". A high degree of tensions registered by the Soviet-American relations at the end of 1962 was perceived in Bucharest as a threat to the interests of the Romanian state. Romania did not want to be brought into a war over the issue of Soviet missile in Cuba or over any other issue by the leader of the Eastern alliance. Therefore, the Romanian Foreign Minister Corneliu Manescu assured the Secretary of State Dean Rusk that Romania would remain neutral in any conflict generated by such actions as the Soviet deployment of a nuclear missile in Cuba and sought assurance that the United States in the event of the hostilities arising from such a situation would not strike Romania on the mistaken assumption that it would be allied with the Soviet Union in such a war.[69]

A low degree of tensions was perceived also as a danger since détente meant for Bucharest an opportunity for the superpowers to mutually decide over its fate, against its interests. In the interpretation of the Romanian leaders, détente was not or should not be accepted as a phenomenon due to the improvement of the American-Soviet relations or to the conclusion of some East-West treaties, such as the treaties between USSR and GFR or Poland and GFR. The détente was, according to the Romanian Communists, an international phenomenon to which all the states of the world contributed. Accepting the idea that the détente was due only to the Soviet-American cooperation would have meant accepting the idea that superpowers had a special role in the international politics. At the meeting of the Political Committee of the Warsaw Treaty Organization countries in Berlin held on 2 December 1970, Ceausescu showed that the USSR did not improve the international situation by itself. All the Socialist countries had their part in this process. According to Ceausescu, détente in Europe and normalizing the relations with the GFR had started a long time ago as a result of the Bucharest Conference of 1966.[70] This type of discourse is not explained, in my opinion, only by the typical Socialist propaganda. It is also a way of saying that the role of superpowers in international relations is overestimated and by doing the USSR a special role in establishing the European détente, Romanian leaders were also rejecting the idea concerning the special role and responsibility of the superpowers in international politics.

Nicolae Ceausescu declared in his speech at the Meeting of the Political Consultative Committee of the WTO states (Prague, 25 January 1972) that "Europe will be able to live in a climate of real détente only if one could completely renounce the use of force and threatening with the use of force, and the pressures designed to intimidate one state or the other".[71] This para-

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[69] Raymond L. Garthoff, *A Journey through the Cold War: A Memoir of Containment and Coexistence*, Washington DC: Brookings Institution Press, 2001, 149-150.

[70] *The minutes of the meeting of the Executive Committee of the CC of RCP from 3 December 1970 Concerning the Political Committee of the WTO countries*, Berlin, December 2nd, 1970, ANIC, CC of RCP – Office, File no 110/1970, 2-13.

[71] *Nicolae Ceausescu's Speech* at the Meeting of the Political Consultative Committee of the WTO States (Prague, 25 January 1972), ANIC, CC of RCP – Office, File no 9/1972, 23.

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graph is relevant because it says that for Romania, the détente was not a 'real détente' at that time. It also says that Romania continued to identify 'real' pressures and threats. As long as these pressures and threats continued to exist, the détente was not a 'real' one.

In the internal party debates, the analyses on détente are more accurate and detailed than those expressed in the Warsaw Treaty Organization's gatherings. In the meeting of the Executive Committee of the Central Committee of the Romanian Communist Party from 2 July 1973, for instance, among other problems of the 'international situation,' the Romanian leadership analyzed the détente phenomenon. Thus, the détente is considered as a positive international phenomenon that, in Nicolae Ceausescu's words, "creates more favorable conditions for the affirmation of the activities of the democratic forces, for the affirmation of the forces for the national liberation, for the affirmation of the policy of national independence." "This is way," said Ceausescu, "Romania has to continue to support and actively act for the development and strengthening of the détente course." But this phenomenon "is a positive one as long as it does not lead to the strengthening of the policy of domination and interference in the internal affairs of the others."[72] Détente for Romania means "the collaboration of all states", "the collaboration between the USSR and the USA, China and the USA, Romania and capitalist countries, including the USA, other Socialist countries and capitalist

countries." Romania supports the development of these relations as long as they respect the principles of equality, independence, non-interference in internal affairs, as long as "these relations do not damage the interests of other Socialist countries or other countries in general and as long as they do not lead, in one way or another, to the distribution of the spheres of influence. Thus, we [Romanians] must stay vigilant; we support the détente and act for détente, but these relations should not damage [the interests of] the other states; they should contribute to the affirmation of new relations in the international life."[73] According to Paul Nicluescu-Mizil, at that time, "we [Romanians] do not understand by international détente any type of policy, but rather a certain type of policy; the policy that does not damage the other states, the policy that does not lead to the distribution of the spheres of influence. The history has taught us that only this type of détente policy that involves all the interested states, that is not the result of an agreement between two or few, but the result of an agreement that takes into considerations the interests of all, must be supported".[74] Concerning the Nixon-Brezhnev negotiations, Ceausescu considered that relations of good collaboration between the USSR and USA are desirable, but to decide on global issues without taking into consideration the other interested parts is blamable and dangerous.[75] This is how Emil Bodnăraş[76] analyzed

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[72] *The Minutes of the Meeting of the Executive Committee of Central Committee of the Romanian Communist Party (CC of RCP)*, from 2 July 1973, ANIC, CC of RCP, Section: Office, File no 120/1973, 17.

[73] Ibid., 15-16.

[74] Ibid., 57-58.

[75] Ibid., 16-22.

[76] Emil Bodnăraş was an important Communist figure, member of the CC of RCP, Minister of National Defense, Minister of Transportation and Communications, Vice-President of the State Council, Vice-President of the Council of Ministers .

in July 1973 the American-Soviet good détente-time relations:

"Concerning the relations between the US and the USSR we can say that the manner to talk with the doors bolted was settled in the last time and, as far as possible, between four eyes. When somebody talks between four eyes he usually wants to avoid publicity around some delicate aspects of things. In this case, those delicate things can only be about the spheres of influence or about some mutual concessions in their global politics. Global politics always means where do I give in and where do I win? And, if we talk in terms of giving in and winning between two great powers, someone else always pays for both, gain and loss. The collaboration between Soviets and Americans does not date from a day or two, it is old, they have agreed on other occasions upon reparations and spheres [of influence], and it is hard to presume that they have given up to do it any longer, influenced by their preoccupation for détente or for respect for others' rights. They don't even talk in their agreements about others' rights, but they talk about the respect for the mutual interests of the USSR and the US."[77]

Détente might have seemed a favorable moment for small states' interests to be achieved, but for Romania it was mainly a sign that the USSR and the USA were again in the position to decide alone 'the fate of the world'. Again, Emil Bodnăraş:

"The term *détente* has one sense in Bucharest or in other capitals of the countries that try to affirm their per-

sonalities, and other sense in Moscow or in Washington. (…) For us détente means independence, sovereignty, non-interference in internal affairs, equality, respect for one's interests and, where there are mutual relations, advantage."[78] (…) "For others, détente means also military occupation. The superpowers want to settle the other concept of détente. For us détente means to be left alone to develop, to co-operate, and to collaborate with all on the basis of equality. For the other party [USSR], détente means when I talk to you, you shut up. And, to be certain, I send you internationalist help under the form of tanks and I negotiate with the Americans when to withdraw them. You are not the one I talk to."[79]

Thus, the 'good' American-Soviet relations, in other words, the superpower détente, represented a threat for Bucharest from at least two perspectives. On the one hand, détente would offer again the USA and the USSR the opportunity to negotiate together and to mutually decide the fate of the world as they did with the Yalta-type agreements. The Soviet-American understandings of détente, Romanians thought, would probably lead to a redistribution of the spheres of influence and would negatively affect the general interests of all the other 'minor' powers in one way or another. On the other hand, the close American-Soviet relations would have meant a new opportunity for the Soviet Union to act freely and without any compulsion in its own sphere of influence, in Lipatti's words, 'with the Americans' blessing'.

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[77] *The Minutes of the Meeting of the Executive Committee of Central Committee of the Romanian Communist Party (CC of RCP)*, from 2 July 1973, ANIC, CC of RCP – Office, File no 120/1973, 115-116.

[78] Ibid., 112-113.
[79] Ibid., 117-119.

5. Conclusions:

To conclude, for Romania, *détente* meant firstly superpower détente, while general international détente came second. The latter was seen as a positive phenomenon only if its threat dimensions could be previously avoided or eluded. According to the Romanian perceptions, in times with low degree of tensions between the superpowers, 'all the other states' were threatened by the danger to become victims of the bilateral 'Yalta-type' agreements concluded by the superpowers. Thus, in terms of state politics and securi-

ty threats, Romania saw the Cold War opposition not as Socialist states versus capitalist states, but rather as superpowers/great powers versus all the other powers. Concluding that for Romania détente was firstly a threat and not an opportunity, the article also reveals the limits of the objectivist approach in dealing with the second Cold War détente issues, and proposes a perceptual approach. It also opens further discussion on how these perceptions influenced the decision making process within the foreign policy of Romania during that time.

Резиме

Многу истражувачи го сметаа детантот како елемент на позитивен прогрес во релацијата Исток-Запад за време на Студената војна. Интерпретацијата ја вклучува воедно и идејата дека во време на детант „малите и средни" држави наоѓаат повеќе простор за маневар за посамостојно и послободно делување на меѓународната сцена. Луѓето од практиката, пак, од друга страна, во многу случаи гледаа на детантот не како на можност, туку како на закана. Овој текст се обидува да одговори на прашањето дали романските политичари за време на 70-тите го восприемале детантот како можност или како закана и нуди перцептуален приод за разлика од традиционалниот објективистички приод кога станува збор за надворешната политика на Романија за време на Студената војна.

Овој текст се заснова на од поново време достапни докази од романските архиви и на мемоари и интервјуа на водечки политички фигури од тоа време. Анализата на овие извори покажува дека во Романија детант првично значело суперсила детант, а дури споредно генерален меѓународен детант. Во Романија детантот ги фаворизирал односите и преговорите меѓу СССР и САД. „Блиски и пријателски" односи меѓу овие две суперсили биле восприемани како резултат на „духот од Јалта". За романските лидери неповолната меѓународна позиција на Романија се должеше на договори од типот на оној во Јалта и се плашеа дека детантот ќе создаде нови можности за суперсилите повторно да делуваат во духот на Јалта против интересите на помалите сили, тука вклучувајќи ја и Романија.

Клучни зборови: *Романија, детант, закана, 1970-тите, суперсили, ОБСЕ*

Coming to terms with the past: The phantom of the former Securitate in post-Communist Romania

Sergiu Gherghina
George Jiglau

Two decades after the breakdown of Communism and the official disband of Securitate, the ghost of the latter haunts the Romanian society. The recent cases of well-known public figures who acted as collaborators cast doubts on their moral integrity and often determines their withdrawal from the public sphere. The exposure process is similar for most public figures who did not admit their previous ties with Securitate and it is mostly realized by the media. For example, the most recent case represents a typical example in this respect. On 29 June 2009, two major Romanian newspapers published as their top story that Gheorghe Popescu, a living symbol of Romanian football, has collaborated with the Securitate, the former secret police of the Communist regime. The news came as a shock for the Romanians. Popescu is the legendary player of the so-called "Golden Generation" of Romanian football, which obtained the best result in the country's football history at the 1994 World Cup in the United States, when it reached the quarter finals. Popescu was also the captain of FC Barcelona, when the team won the Cup Winners Cup in 1997, and later became a legendary player for Galatasaray Istanbul.

The two newspapers presented as evidence a file from the archives of the Securitate, containing an agreement signed by Popescu when he was 19 years old to collaborate in order to protect the "national interest". The file also contains a few notes given by Popescu about team-mates or other members of the team staff and details given by the officers who supervised him about the meetings that Popescu organized at his home with other collaborators of the Securitate. Popescu denied all allegations and claimed that, apart from the initial agreement, all the other statements were false and blamed the appearance of this file on people in the world of Romanian football who feared that he may run again for the presidency of the Romanian Football Federation. A few weeks later, the National Council for the Study of the Securitate Archives established that Popescu cannot be considered a collaborator of the former secret police.

The case stirred public emotions and brought once again on the public agenda the fuzzy part of the Romanian Communist history. The system put in place by the Securitate was evil, yet brilliant. It penetrated all the spheres of society, all fields of activity and even all families. No person could be sure that his or her husband or wife or neighbor was not a collaborator or at least an informer. It was almost impossible to hold a meeting or an activity

that might be considered as opposing to the regime without the Securitate keeping an eye on it. During the Communist years, everyone knew how the system worked, but no one could talk about it. This created a feeling of insecurity at the level of the entire society and a sense of atomization of individuals. No one could completely confide in anyone. Following the fall of Communism, when more and more information about the Securitate, its leaders and its archives started to appear, it became more and more clear what the magnitude of this system was. It was obvious that the Securitate had penetrated the fabric of the entire Romanian society and that the process of Romanians coming to terms with their recent past would be a painful and long-lasting task.

In this article, we show the dynamics of this process, the societal debates, the political actions, the institutional measures that have been taken in Romania in order to facilitate (or, on the contrary, prevent) the complete disclosure of what the Securitate meant for the Romanian society. Our article will illustrate that the former Communist secret police is still a powerful actor in the Romanian society and processes, 20 years after it was officially disbanded.

The popular enthuziasm brought by the fall of Communism throughout Central and East Europe was quickly overshadowed by the hardships faced by almost all the countries in the region on the road to transition, to democracy and market economy. These states soon discovered that rebuilding the economy and the political system are not the only challenge they face. The Communist legacy left deep marks

over the fibre of the society, which later became visible in the behavior of the citizens. The first months following the fall of Communism were marked by political, social and economical turmoil. From the days of the 1989 December revolution, until the first parliamentary and presidential elections in May 1990, the country was led by the Provisional Council of National Unity, which gathered members of all political forces, but was dominated by the National Salvation Front, composed of members of the second echelon of the former Communist Party, led by Ion Iliescu. The widespread confusion that marked the first months of post-Communist Romanian politics made it easy for the former leaders of the Securitate to escape public attention. The Securitate was officially disbanded on 30 December 1989 and it seemed that the entire institution vanished. No public attention was given at the time to the archives of the former secret police, to its logistics or to the system put in place and working for it. The new Romanian Service of Information was established on 26 March 1990, and only then the new institution took control over what was left behind by the Securitate. Nevertheless, the three months of uncertainty allowed for the disappearance of many traces that could have proven valuable in the future for shedding light on what the Securitate meant.

The first public statement on the Securitate was made in March 1990, at a public gathering in Timisoara, by a representative of the National Peasants' Party. In the "Timisoara Proclamation", George Serban included "Article 8" in which he asked that all former Communist activists and officers of the

former Securitate be banned from running for public office in the next three elections. Serban's statement was the first to remind Romanians what the Securitate meant for them and also helped crystallize the two sides, still visible today, in the debate regarding the former secret police: the side that favors the public exposure of all names and acts of the Securitate and the side which claims that the Securitate is a tool for protecting public interest and national safety and that those who signed agreements did it "for the country". Without a lustration law, as initiated in GDR and the Czech Republic, Romania kept secret archives from the beginning of the transition. This constitutes the main reason why the shadow of the past reappears from time to time.

This Article 8 had an important symbolic significance because it laid the foundations of every subsequent discussion about the elimination of former Securitate collaborators from the realm of public function. Until 1996, the former Communists controlled the state power; thus there was no interest in promoting such a harsh measure against a group of people who had an intrinsic connection with the political elite. Between 1996 and 2000, when the right-wing forces controlled the governing coalition, a first legislative initiative regarding the so-called "lustration" was proposed precisely by George Serban, a deputy of the National Peasant Party in 1999. The project was buried in the drawers of the Parliament, after the party failed to pass the electoral threshold in the 2000 elections. However, a significant measure was taken also in 1999, when the Parliament decided to establish a Nation-

al Council for the Study of the Securitate Archives. The Parliament gave the Council the right to determine if a person was a collaborator or not and also authorized the council to be the administrator of the files contained in the archives. Nevertheless, the initiator of the law which set the foundation of the Council, a former political detainee during Communism, was unsatisfied with the outcome, because the Parliament did not oblige the existing secret services to hand over the entire archive to the new council. It was estimated that the council was handed only around 10% of the archives, while the rest remained secret. Also, the council was led by a college of 12 people, each of them appointed by the political parties represented in Parliament, by the government and by the presidency. Hence, the strong political interests of each party in the process of unmasking or burying the grim past were present at the top of the council. Also, the decision if a person had collaborated or not was taken through majority voting; hence the political balance at a certain point determined the decision of the college.

During 2000-2004, the former Communists, converted into the Social-Democratic Party, regained power, and any discussion about the past of the former Securitate was again pushed under the rug. The National Council for the Study of Securitate Archives was basically blocked, because the left wing forces held the majority in the leading college. Also, no legal step was taken in the direction of adopting a lustration law. Things seemed to be changing again in 2005, after Traian Basescu became president and a right-wing coalition came in power. The structure

of the college of the council changed again and Basescu struck a deal with the secret services for handing over to the council the entire archive. However, a number of files remained secret and there has been widespread suspicion that the informative files of significant politicians were either kept secret, or destroyed in the 15 years that had passed since the fall of Communism. Basescu himself is suspected to have hidden on purpose his file, because no file with his name was found in the archives, although he led a Romanian marine mission in Belgium during Communism and the Securitate kept track of the people representing Romania abroad.

In 2005, a group of three members of Parliament initiated the adoption of another law on lustration. This one was more successful. It was adopted by the Senate, the Upper Chamber of the Romanian Parliament, with just a one vote margin, but was then abandoned by the Chamber of Deputies in 2006 which had the final word on it, although the adoption of the legislature was only half way through. At this point, the law is still waiting the report of two committees in the chamber. Nevertheless, the law, also based on Article 8 of the March 1990 proclamation, sparked another round of debate. Its opponents argued on two grounds. First, they claimed that it is too late to apply such a punitive law almost two decades since the 1989 Revolution to a group of people who acted according to the rules existing in the Romanian society at that time. Second, they argued that the law would violate the right of a citizen to be elected or appointed to a public function, with only a judicial court having the right to restrain these

rights. The advocates of the law insisted on the symbolic significance of such a law and claimed that it is never too late for a nation to face its past.

During the debate, the discussions became very technical. The former activists of the Communist Party were also subject to the ban imposed by the legal initiative and the Senate took a great deal of time in establishing what categories of former Party members would be affected by the law. They decided that the ban would affect even former leaders of high school Communist clubs, which included even the then very young Minister of Foreign Affairs, who did not hold any other position in the higher hierarchies of the Communist Party afterwards.

This is the chronological development that allows the Securitate to play a great, even though quiet role, in the Romanian society two decades after its official disbanding. Following the opening of the Securitate archives, even though it was only partial, many Romanians who were curious enough to consult their informative file discovered that close family members, neighbors, friends or co-workers constantly gave information about them to the state organs. Few of these stories came out in the public sphere. The general public was greatly interested if high-ranking politicians had collaborated or not with the Securitate. However, very few important names were made public. The archives became a tool of political influence and certain files did come out of nowhere in the media, some of them generating major surprises. Such was the case of the former Liberal Member of Parliament and Minister of Culture between 2004-2006, Mona Musca, a respected politician. Musca's file con-

tained a signed agreement with the Securitate, dating from the time when she was a young university professor, by which she was obliged to procure information on foreign students which came to study in Romania. Her file also contained informative notes about two co-workers, which contained only positive words about them. Musca's file did not contain any evidence that she harmed anyone in any way through her actions on the basis of her collaboration with the Securitate. Nevertheless, the label of 'collaborator' stuck to her public image and the fact that she denied having signed the agreement and admitting later on that she did so, when the file was made public, ended her political career. The college of the National Council for the Study of the Securitate Archives confirmed her statute of former collaborator and her attempt to clear her name in a civil court was left without any result.

Even the owner of a media chain and active politician was recently discovered to have been be a collaborator. Dan Voiculescu, the founder and a long-time the leader of the Conservative Party (the former Humanist Party of Romania), was confirmed by the same Council that investigates the Securitate archives as a former collaborator. His party governed together with the Social-Democratic Party in 2000-2004 and participated in joint lists in subsequent elections as part of the coalition government starting from December 2008. His image as politician was severely tarnished and he stepped down from office, but unlike Musca, he remained an influential figure in politics and the media.

Such episodes, to which we can add that of Gheorghe Popescu detailed at the beginning of the article, show that the former Securitate is still alive in the Romanian society. Its legacy has been abruptly brought back into the public sphere and the ease with which they are delivered to the media shows that the archives are still controlled by a group of people who use the files as a weapon. Popescu's file appeared in the media at a time when he was considering the possibility of running for the presidency of the Romanian Football Federation. As in the case of Mona Musca, his file showed that he did no harm anyone and the verdict reached by the council in his case was facilitated by the fact that several of the notes found in his file were proved to be fake.

In this context, Romania is a coutry of visible paradoxes with complex causes. Although it immediately punished the Communist dictatorship by sentencing to death and executing the "sultanistic" couple on 25 December 1989, the country never carried out a collective moral punishment of all those who collaborated with the previous regime. Despite the 1990 extensive talks, especially generated by the former, now banned parties, to ban from political life all collaborators of the Securitate, the former Communists from inferior echellons who remained in power rejected the proposal. The proposal was brough tback on the public agenda several times, but the implementation of such a lustration law has been postponed each time. The most recent development is the media campaign taking place in Romania to make public the names of former collaborators coming from the world of sports. Romania is yet to completely come to terms with its recent past. The nation is suddenly confronted with it from time to

time, either through a legal debate or through the emergence of the files of notorious people, but the subject falls again into oblivion. Within such a background, the Romanians are still sensitive to issues related to their past and continue to blame all collaborators that did not publicly reveal their past. The last 20 years made at least one thing clear. Romania's past cannot be seen in black or white, because the shades of gray that can be found in it are so numerous that they may never be fully grasped.

Резиме

Во текстот двајцата автори се обидуваат во конкретниот случај на Романија, скорешен (и задоцнет) член на Европската Унија, да ја разоткријат врската која постоела во романското општество за време на комунизмот со поранешната државна полиција *Securitate*. Во 1990-тите се водеа разговори, особено од страна на партиите кои порано беа забранети со закон, да се забрани можноста за учество во политичкиот живот на поранешните соработници на *Securitate,* но поранешните комунисти кои останаа на власт ги одбија ваквите предлози. Предлогот беше вратен на јавно разгледување неколку пати, но до денес имплементацијата на ваквиот закон за лустрација е секогаш одложуван. Најсвежо случување на ова поле е медиумската кампања во Романија за обелоденување на поранешните соработници од светот на спортот. До сега најпознато име изложено од страна на медиумите е поранешниот романски фудбалер, легендата Георге Попеску. Овој случај отвори распространета дебата во романското општество со оглед на тоа што Попеску е жива легенда на романскиот спорт. Авторите се обидуваат да дадат анализа на процесот на соочување на Романците со сопственото минато, ставајќи посебен акцент на дебатата поврзана со поранешните соработници на *Securitate* по падот на комунизмот. Текстот покажува дека иако *Securitate* престанале да постојат пред две децении, сè повеќе од присутни како актери во романскиот социјален и политички живот денес.

Regime Change and Transition - the case of the Republic of Macedonia

Simonida Kacarska

Introduction

The relationship between the type of regime change and the subsequent transition has been on the academic agenda since the 1970s as a result of the transformation of the countries of Southern Europe. In the early 1990s, the link between the mode of regime change and the transition gained additional attention with the fourth wave of democratisation of the post-communist countries. The debates on the issue have ranged from examination of the potential of comparison of the countries of the former Soviet bloc with Latin America and Southern Europe to discussions whether theories of democratisation are at all applicable in the post-communist world.[1] The different progress in the transition of the

post-communist countries raised additional questions for academic deliberation, namely, whether these countries need to be considered as a single unit or they should be divided into separate groups according to their progress in consolidating democracy. Many analysts have in turn, advocated country-based approaches due to the numerous contextual differences between the post-communist countries.[2]

In light of these debates, this paper deals with the impact of the mode of the regime change on the post-communist transformation in the case of Republic of Macedonia. The paper argues that the elite driven regime change in the Republic of Macedonia has contributed to the procrastination of the transitional reforms, thus decreasing the pace transformation process. In order to substantiate this argument, the paper first provides the theoretical framework reflecting on the academic debates on the relationship between the type of regime change and subsequent democratisation processes. In setting the theoretical boundaries of the analysis, the paper draws upon authors of both the third wave of democratisation and the post-com-

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[1] For different approaches to democratisation, see Guillermo O'Donnell G., Phillipe Schmitter , Laurence Whitehed L, *Transitions from Authoritarian Rule: Southern Europe* (Baltimore: Johns Hopkins University Press, 1996); Geoffrey Pridham and Tatu Vanhanen (eds) *Democratisation in Eastern Europe* (London: Routledge, 1994); Samuel Huntington, *The Third Wave: Democratisation in the Late Twentieth Century* (Oklahoma: University of Oklahoma Press, 1991); Peter Kopecký and Cas Mudde "What Has Eastern Europe Taught Us about the Democratisation Literature (and vice versa)". *European Journal of Political Research* vol. 37. no.4, 2001; Terry Karl and Phillipe Schmitter, "Concepts, Assumptions & Hypotheses about Democratisation: Reflections on 'Stretching' from South to East". - Paper prepared for the Workshop on Regime Transitions: Transitions from Communist Rule at the Center for Democracy, Development, and the Rule of Law Institute for International Studies Stanford University Stanford, California, 2002. Available at: <http://iisdb.stanford.edu/pubs/20263/ RegimeTransitions%5B1%5D.workshopreport.1-30-04.pdf>.

[2] For a discussion, see Jacques Rupnik J, "On the two models of exit from communism: Central Europe and the Balkans" in Sorin Antohi and Vlad Tismaneanu (eds), *Between past and future-the revolutions of 1989 and their aftermath* (Budapest: CEU Press, 2000).

munist transformations. The theoretical framework is followed by an analysis of the case study of Macedonia examining the impact of the elitist regime change on the transformation process in the conditions of the Western Balkans. In the end, the paper draws conclusions on the impact of the type of regime change upon the transformation of the Republic of Macedonia.

Theoretical framework regime changes and transitions

Theoretical debates on the impact of the nature of regime change upon the democratisation process are a common element in the literature on the third and fourth wave of democratisation. Analysts of the South European transitions claimed that there is a causal relationship between the mode of transition and the type of democracy on the basis of the choices made at critical junctures as well as the relationship between the various groups of actors in the transition. The primary and universal condition for democratisation was territorial unity as stipulated by Rustow.[3] Kart and Schmitter identify four major sets of actors in the transition: soft liners and hardliners within the ruling elite and the moderates and radicals within the challengers to the ruling regime.[4] In light of this division, literature has considered that democratic outcome is most likely when the soft liners and the moderates enter into pacts that dictate the terms of the transition process.[5] Transitologists argue that pacting is the best way to exit the regime because violent revolutions often result in another one-party government and since a successful pact involves compromise as it offers something to everyone. As a result, pacted transitions have received the most of the scholarly attention, singling out Spain as the most common example.

Analysts that have focused on the experiences of the post-communist transitions have come to the conclusion that the Central and East European experience has been rather different in relation to the impact of the nature of the regime change upon the democratisation process. McFaul, contrary to earlier analysts stipulates that revolutionary transitions in the fourth wave of democracy have actually produced the most stable outcomes. In turn, McFaul claims that the mode of transition that most frequently produced democracy was an imbalance of power in favour of the democratic challengers to the ancient regime.[6] When the distribution of power favours the rulers of the ancient regime, the outcome is autocracy, while countries which had a balanced distribution of power between the challengers and supporters of the old regime are still relatively unstable.[7]

The theoretical framework outlined above points that the experiences of Southern Europe and the post-communist world in terms of the re-

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[3] Dankwart Rustow "Transitions to Democracy: Towards a Dynamic Model" *Comparative Politics* 2 (April 1970).

[4] Terry Lynn Karl and Philippe Schmitter, " Modes of Transition in Southern and Eastern Europe, Southern and Central America," *International Social Science Journal* 128 (May 1991).

[5] Guillermo O'Donnell and Phillipe Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* vol.4 (Baltimore: Johns Hopkins University Press, 1986).

[6] Michael McFaul, "*The Fourth Wave of Democracy and Dictatorship,*" World Politics 54 (January 2002) p.222.

[7] McFaul, op.cit. p. 226.

lationship between the type of regime change and the subsequent transition vary. The analysis also indicates that the conclusions of academic literature with respect to the desired role of the elites and masses in regime change are different. Whereas earlier analysts considered mass mobilization as detrimental to the democratisation, studies of the post-communist transition have established a positive link between the mass movements and the prospect of democratisation.

The case of the Republic of Macedonia

The case of the Republic of Macedonia is interesting as a case study for examining the relationship between the type of regime change and the subsequent transformation due to its elitist regime change without a significant societal involvement. Analysts have concluded that no more than one percent of the Macedonian population was involved in the historical events in the beginning of the 1990s.[8] Macedonia did not have its own 'school' of philosophy, nor did it have any genuine dissidents who could dispute the legitimacy of the political order.[9] Hence, when the Yugoslav Federation disintegrated, Macedonia had no strong social structures independent of the state – structures which are prerequisites for the creation and maintenance of stable, democratic, political institutions.[10] As a re-

sult of this manner of regime change, there was no pressure on the political elites for a swift institutional transformation and no public break up with communism.

The lack of a dominant anti-communist discourse reinforced the already high level of legitimacy of the previous system in the eyes of the population, because of the establishment of the first Macedonian republic within the Yugoslav federation. The perceived legitimacy of communism allowed for a reticent approach towards the economic and political transformation. Moreover, the communist successor party the Social Democratic Union of Macedonia remained as the main government party in Macedonia as late as 1998. As Kitschelt argues, countries where the communist parties could not be challenged by an effective independent political organisation, often failed to embrace a full-blown reform program with a strong tendency to cling to the political-economic status quo.[11]

In light of these arguments, one can note that Macedonia has been one of the laggards in the processes of the triple transition. McFaul's analysis confirms this tendency, since in his typology of post-communist regimes Macedonia is classified as a partial democracy in which the balance of power between the ancient regime and the challengers was even or uncertain.[12] McFaul considers that the group of countries in which Macedonia belongs, i.e. so-called stalemated transitions, have produced most protracted and least conclusive transitions, opposite to what writers on the

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[8] Slavko Milosavlevski, *Istocna Evropa megu Egalitarizmot i Demokratijata* [Eastern Europe between Egalitarianism and Democracy], (Author's translation) (Skopje: Ljuboten, 1993) p.144.

[9] Gjorgji Ivanov, "The Power of the Powerless: Democracy and Civil Society in Macedonia" in Margaret Blunden and Patrick Burke ed. *Democratic Reconstruction in the Balkans*, Centre for the Study of Democracy, 2001.

[10] Ivanov, op. cit.

[11] Herbert Kitschelt, "Strategic Conduct of Postcommunist Successor Parties" in John Ishiyama and Andras Bozoki ed. *The Communist Successor Parties of Central and Eastern Europe* (New York: M.E. Sharpe, 2002) p.24-25.

[12] McFaul, op.cit., p.227.

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third wave of democratisations would have predicted.[13]

In addition, it is necessary to highlight that at the time of the regime change Macedonia did not fulfil Rustow's precondition for democratisation, which is territorial and national unity. As a result, while for the majority of countries of Eastern Europe, the post-1990 period signified the collapse of communism, in Macedonia the societal agenda was dominated by the dissolution of the Yugoslav federation.[14] Moreover, parallel with the economic, political, and social transition, Macedonia has been undergoing processes of state and nation building.[15] Since in 1991 Macedonia gained independence for the first time in its history, it is not surprising that the Macedonian political discourse centred on the creation of a state and a nation (contested in various manners from the neighbouring countries).[16] After independence, feelings of insecurity regarding national identity and state building were reinforced. Hall argues that societies undergoing nation-building processes "find themselves with politics of such novelty as almost to rule out the pos-

sibility of civil society."[17] Thus, during Macedonia's transition, the democratisation process was secondary to the state and nation building processes. Moreover, the post-communist discourse centred on nation and state building, with an evident lack of any anti-communist debates. This factor inevitably affected Macedonia's transition especially in terms of perpetuating the same political elites and minimising the significance of dealing with the past.[18]

Gonzalez-Enriquez identifies three reasons behind the lack of public interest in decommunisation: absence of organized political opposition, the high-level penetration of the party in society and the economic problems of transition, which intensified the importance of material concerns.[19] Macedonia fulfils all of the above outlined preconditions, as a country with continuous problems in maintaining opposition parties in Parliament, high level of party penetration in society and a difficult economic situation over the transition period.[20] The disillusionment with the transition has reinforced the lack of public interest and support for the processes of decommunisation. For example, access to the communist pe-

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[13] McFaul, op.cit., p.234.

[14] Ivan Krastev, "The Inflexibility Trap-Frustrated Societies, Weak States and Democracy," Available at <www.ned.org/reports/balkansFeb2002.html>.

[15] For more on state building in Macedonia see Zidas Daskalovski,"Democratic Consolidation and the Stateness Problem: The Case of Macedonia," *The Global Review of Ethnopolitics*, Vol. 3, no. 2, (January 2004); For nation building see also Zhidas Daskalovski, "Language and Identity: The Ohrid Framework Agreement and Liberal Notions of Citizenship and Nationality in Macedonia," *Journal of Ethnopolitics and Minority Issues in Europe*, Vol.1, 2002. Available at: <http://www.ecmi.de/jemie/download/Focus1-2002Daskalovski.pdf>.

[16] For a discussion see Andrew Rossos, 'The Macedonian Question and Instability in the Balkans,' in Norman N. Naimark and Holly Case, ed. *Yugoslavia and its Historians*, Stanford, (CA: Stanford University Press, 2002). Also Loring M.Danforth, *The Macedonian conflict*, (Princeton: Princeton University Press, 1995).

[17] John A Hall, "In Search of Civil Society" in John A Hall (ed) *Civil Society-theory, history and comparison*, (UK: Polity Press, 1995) p.22.

[18] For a contemporary analysis of Macedonian politics, see Duncan Perry, "Macedonia-finding its way" in Karen Dawisha and Bruce Parrot (ed) *Politics, Power, and the Struggle for Democracy in Southeast Europe* (Cambridge University Press, 1999).

[19] C. Gonzalez Enriquez, "Elites and Decommunization in Eastern Europe", in Jon Higley, Jan Pakulski and Wlodzimierz Wesolowski *Postcommunist Elites and Democracy in Eastern Europe* (1998).

[20] For a discussion on the role of the opposition and the party penetration in society see Simonida Kacarska "Political Parties and the state in the Republic of Macedonia – Implications for Democratic Consolidation" *Political Science Journal Issue* I/2008, see: <http://www.personal.ceu.hu/PolSciJournal/CEU_PolSciJournal_III_1.pdf>.

riod files was allowed for one year as late as 2000 and did not spark a major societal debate as in Eastern and Central Europe. Similarly, the lustration legislation was passed as late as 2008 and was not implemented until 2009 when the Commission for lustration commenced work

The lack of public pressure for decommunisation in societies as Macedonia raises two major concerns. First, as Welsh points, the absence of public pressure to revenge calls into question the common Western perceptions of the 'totalitarian nature' of the system and the causes for the collapse of the communist regimes.[21] In addition, the lack of public pressure can be a result of the general passivity of the post-communist population, derived from the legacy of communism. Second, the lack of public pressure for decommunisation is interconnected with the extreme penetration of the state in society during communism. One can also argue that the population was aware of the impossibility of punishing the all the persons associated with the previous regime, resulting in the low interest of decommunisation from the beginning of transition. In the case of Macedonia, due to the late adoption and enforcement of the lustration legislation, the impact of this law did not ultimately reach its expected aim of reconciliation with the past.

Conclusion

This paper has presented an analysis of the link between the type of regime change and the transition process in the case of Macedonia. The study has provided both a theoretical account of the relationship between the type of the regime change and the democratisation process and has examined the theoretical arguments on the case study of the Republic of Macedonia.

Major theories on the link between the type of regime change and democratisation have differing findings on this topic in the South European and post-communist transitions. Transitologists of the third wave of transitions considered pacting as the optimal type of regime change for a democratic outcome as it provides advantages to both the outgoing and incoming regimes. Analysts of the fourth wave of democratisation as McFaul have come to the conclusion that the imbalance of power in favour to the challengers of the outgoing regimes has a high likelihood to result in a democratic outcome. In addition, literature on post-communist transformations has indicated that revolutions and mass movements as the case of Poland have bred predominantly democratic outcomes.

The analysis of the case study of Macedonia largely fits in McFaul's typology of the post-communist systems. As a case where the balance of power was largely unclear and the transition process was elite led, Macedonia fits the profile of a stalemated transition. In the conditions of an elitist regime change, concerns over the nation and state building in the case of Macedonia have dominated the public discourse in the transition period, thereby sidelining the significance of the processes of democratisation and decommunisation. As a result, the common elements of the process of decommunisation, as access to the files of the

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[21] Helga Welsh, "Dealing with the Communist Past: Central and East European Experiences after 1990," *Europe-Asia Studies*, Vol. 48, (May 1996), pp 413-428.

communist period and lustration legislation came rather late in the transition process and did not have a significant impact on the democratisation of the Macedonian society.

Hence, the paper highlights the complex relationship between the type of regime change and the subsequent democratisation. The findings of the paper point to the importance of contextual differences in the case study of Macedonia and its lingering in the process of decommunisation. The conclusions of the study are beneficial for comparative purposes with the other countries of the Western Balkans, as the laggards in dealing with the past in post-communist world.

Резиме

Текстот го разработува влијанието на начинот на промена на режимот врз трансформацијата на Република Македонија во периодот на транзиција. Студијата тврди дека елитистичката смена на режимот во Република Македонија влијаела негативно врз реформите во текот на транзицијата. Анализата е базирана во литературата која ја обработува поврзаноста помеѓу начинот на промена на режимите и нивната демократизација. Притоа, текстот се базира на пишувањата како на аналитичарите од третиот бран на демократизација на земјите од јужна Европа така и на студиите за земјите од поранешниот комунистички свет. Осврнувајќи се на оваа литература, студијата укажува на различните искуства на земјите од Јужна Европа и поранешните комунистички земји по однос на врската помеѓу на промената на режимот и транзицијата. Теоретичарите кои го анализираат искуството на Јужна Европа, од една страна, укажуваат дека демократско општество најверојатно е да се развие од земјите каде што во моментот на промена на режимот се прави компромис помеѓу минатите и идните лидери. Од друга страна, аналитичарите кои го изучуваат поранешниот комунистички свет заклучуваат дека револуциите се начин на промена на режимот кој со најголема веројатност ќе развие демократија во транзицискиот период. Наодите од теоретската анализа се применети во случајот на Република Македонија, притоа заклучувајќи дека случајот на Македонија се вклопува во типологијата на Мекфол како оддолжена транзиција. Во македонскиот случај, во моментот на промена на режимот постоел нејасен распоред на силите помеѓу владејачките сили и застапниците на новиот режим. Дополнително, доминантната улога на елитите во промената на режимот во Македонија и непостоењето на консензус околу клучните национални прашања дополнително ја забавуваат демократизацијата на општеството. Како резултат, прашањата на градење и нација и држава доминираат со општествениот дискурс, наспроти прашањата на демократизација и справувањето со минатото. Преку анализата на случајот на Република Македонија, текстот го актуализира значењето на контекстуална анализа на различните земји од пост-комунистичкиот свет.

Клучни зборови: *пост-комунизам, транзиција, промена на режим*

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How many Europes? Thoughts on the Western Balkans

Norma Osterberg

Introduction

The events of 1989 seemed to be the end of a divided world split into the capitalist and Socialist camp, democratic and authoritarian countries and into the free and the not free world. Fukuyama´s thesis, that because of the global triumph of civilised liberal democracy there will be an emergence of a non-conflictual world-civilisation illustrates the euphoria of scholars and practitioners in the 1990s.[1] But twenty years after the system change, post-Socialist Europe has become one of the most differentiated regions in the world,[2] with constitutional democracies in Central Eastern Europe, autocratic systems in the Belarus, Moldova and Russia and defective democracies in South-eastern Europe.[3] However, even the countries of one and the same region, i.e., the Western Balkans - which are the focus of this article - are not homogeneous and are particularly interesting, as their development apparent-ly stagnates within the grey zone between dictatorship and democracy and the results of these developments are not yet clear.[4] Instead of a unique development of all countries, neighbouring countries are drifting apart. There is not only the division into the Europe of the fifteen countries and the others; one can watch a division into multiple Europes. The paper aims to illustrate this process by the example of two countries, developing in different directions: Albania and Croatia. The focus will be on the results of reform efforts in these two countries during the past twenty years.

Embedded and defective democracies

As mentioned above, the dichotomy of autocracy versus democracy is far away from painting a picture of reality in the democratisation processes in the post-Socialist countries. Most of these electoral democracies are diminished subtypes of democracies called 'defective democracies' and not necessarily transitional regimes. The root concept of defective democracies is the idea of an embedded democracy consisting of five interdependent partial regimes, which make democracy sta-

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[1] Francis Fukuyama, *Das Ende Der Geschichte: Wo Stehen Wir?* (München: Kindler, 1992).

[2] Jeffrey S. Kopstein and David A. O'Reilly. „Geographic diffusion and the transformation of the post-Communist world." *World Politics* 53, no. 1 (2000), 1-37.

[3] Wolfgang Merkel, "Plausible theory, unexpected results: The rapid democratic consolidation in Central and Eastern Europe." *Internationale Politik und Gesellschaft*, no. 2 (2008), 11-29; Frank Bönker, Timm Beichelt, and Jan Wielgohs, „Kulturelle Determinanten postsozialistischer Gesellschaftsentwicklung." *Berliner Debatte Initial* 15, no. 5/6 (2004), 4-12.

[4] Wolfgang Merkel, "Embedded and defective democracies." *Democratization* 11, no. 5 (2004), 33-58.

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ble. The central aspect is the electoral regime that guarantees free and fair elections, elected representatives, the passive right to vote and universality. As a precondition for elections, the regime of political liberties is the second part of a vertical accountability besides the electoral regime. The political liberties of communication and organisation include the elements of freedom of speech and opinion, the right to assemble and protest, the right to political organisation, as well as free distribution and reception of information and freedom of the press. The third regime - civil rights - protects individuals or groups from the tyranny of the majority. Existence and access to citizenship are basic conditions, such as protection of life, freedom and property and equal access and treatment by the law. Whereas the guarantee of civil rights protects the single person from the state's infringements and vertical accountability periodically controls the government, the forth regime of horizontal accountability preserves self-perpetuation and averts the abuse of power by checks and balances between the legislative, executive and judiciary bodies. The last partial regime, effective power to govern, points out whether either the elected representatives have the sole power to govern or any strong veto players like the military, police or organised crime. The described internal embedding is accompanied by various external factors like socio-economic ones, which support or hinder democracy.[5]

Classification of the Albanian and Croatian cases according to the subtypes of defective democracies

The subtypes of defective democracies are thought of as types of differences with hypothetic characteristics. To this extent, they are ideal types, which do not occur in reality. The subtypes are benchmarks within the range of the real existing defective democracies. Since most defective democracies are hybrid forms of the subtypes, Albania and Croatia are also not to be clearly classified as one of them. Depending on which partial regimes of the embedded democracy are damaged, we classify it closer to one given type of defective democracy.

Figure 1:
Subtypes of defective democracies

Impaired partial regime	Impaired dimension	Type
A and B	Vertical legitimation and control of power	Exclusive democracy
C D	Dimension of the rule of law and the liberal constitutional state	Delegative illiberal democracy Antiliberal illiberal democracy
E	Effective power to govern	Domain democracy

Source: Aurel Croissant and Peter Thiery. "Defekte Demokratie. Konzept, Operationalisierung und Messung." in *Demokratiemessung. Konzepte und Befunde im Internationelen Vergleich*, ed. Hans-Joachim Lauth, Ulrike Liebert and Gert Pickel (Opladen: Leske+Budrich, 2000), 89-112; Wolfgang Merkel et al. *Defekte Demokratie. Band 1: Theorie* (Opladen: Leske + Budrich, 2003), 68.

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[5] Wolfgang Merkel, "Embedded and defective democracies.", op. cit., 36.

Exclusive democracy

This subtype is characterised by the damage of partial regime A, the electoral regime, and B, the political liberties. Exclusion points out to the question as to how far the citizens can participate in the process of decision-making and voting.

The democratic deficits of Albania in the electoral regime and the regime of civil liberties are closely connected to its weak statehood. This leads to incorrect elections and the inability of the state to protect the civil liberties of the citizens. It was most obvious during the civil war of 1996/97 caused by the breakdown of pyramid games,[6] but it has been permanently smouldering since 1991. Since that time, not a single election has been held without organisational deficits. Manipulations have been sometimes quite open, as in the parliamentary elections of 1996[7] or tolerated through the by-passing of the formal rules by informal ones such as in the elections of 2001[8] and 2005.[9]

In Croatia, a defect in these regimes persists as well. The Croatian citizenship for the majority of Serbs, who lived on the state territory of the former Yugoslav Republic of Croatia, is still refused by the new independent state. But the electoral law is connected to citizenship, so that without citizenship there is no right to vote. In addition, the Croatian Serbs are still economically, culturally and socially discriminated. Therefore the civil rights of those Serbs who hold Croatian citizenship holders are also de facto limited. These ethnically motivated strategies of exclusion have been further invigorated by the institutions and proceedings of the political system during the last years and ended up in the tyranny of the majority.[10] The continuous autarchy of HDZ and President Franjo Tuđman between 1990 and 2000, the polarisation of society according to the Croatian-Serbian ethnic cleavage, additionally invigorated by the semi-presidential system and nationalism, drove to extremism and violent destabilisation of the political system[11]– and finally to war.

Illiberal Democracy

The classification of a system as an illiberal democracy indicates defects in the partial regimes C political rights and D horizontal accountability. Liberal democracies are integrated in arrangements of the rule of law. Delegative illiberal democracies show deficits in the horizontal accountability and checks and balances.[12] In particular, presidential systems tend to become a delegative illiberal democracy. They tend to self-destruction under populist agitating, quasi-plebiscitary legitimated presidents, who are ditched to the

6   Hans Krech, *Der Bürgerkrieg in Albanien 1997: Ein Handbuch* (Berlin: Köster Verlag, 1997).

7   Michael Schmidt-Neke, "Die Albanischen Parlamentswahlen vom 26. Mai 1996: Geburtsstunde eines autoritären Systems?" *Südosteuropa* 45, no. 8 (1996); Miranda Vikkers and James Pettifer. *Albania: From Anarchy to Balkan Identity* (New York: New York University Press, 1997).

8   Michael Schmidt-Neke, "Die Normalität als Ereignis: Die Parlamentswahlen in Albanien 2001." *Albanische Hefte* no. 3-4 (2001).

9   Michael Schmidt-Neke, "Parlamentswahlen 2005 in Albanien: Gespaltene Linke überläßt geeinter Rechter die Macht." *Südosteuropa* 53, no. 3 (2005).

10   Ivan Šiber and Christian Welzel. "Electoral Behavior in Croatia." in *The 1990 and 1992/93 Sabor Elections in Croatia*, ed. Ivan Šiber, (Berlin: Edition Sigma, 1997), 80-102.; Nenad Zakošek, "Political Parties and the Party System in Croatia." in *The 1990 and 1992/93 Sabor Elections in Croatia. Analyses, Documents and Data*, ed. Ivan Šiber, (Berlin: Edition Sigma, 1997), 34-49.

11   Wolfgang Merkel, et al. *Defekte Demokratie. Band 1: Theorie.*, op. cit.

12   Aurel Croissant and Peter Thiery. "Defekte Demokratie. Konzept, Operationalisierung und Messung.", op. cit.

horizontal control of power in their action.[13] If the political stakeholders do not have liberal experiences, the principle of the-winner-takes-all takes effect and the political competition becomes polarised. This phenomenon became obvious in Albania under the presidential rule of Sali Berisha, as well as in Croatia under the rule of President Tuđman. In Albania such tendencies still persist, even though the legal framework of the political stakeholders at the polity level became narrower after the experiences of 1996/97. Albania exemplarily stands for parliamentary systems which could develop proneness to delegative defects, as in the case of presidential systems.

This is particularly likely to happen if the presidential party simultaneously holds the parliamentary majority and parliamentary opposition is not to be expected; the presidential range of power broadens and checks and balances become eliminated. By limiting proactive rights of participation like agenda seeking or decrees, the president's ability to avoid control by the parliament grows. These instruments of presidential expansion of power strengthen due to a number of factors, primarily if the state of emergency is not sufficiently defined. In the case of Croatia, there are a number of instance that illustrate such aspects. Tuđman extended his presidential power by additional laws and avoided the parliament by institutionalising special decision-making bodies. The parliament became reduced to an "assent-machine" and was completely ignored during war. Even though the state of emergency never became pro-

claimed, Tuđman governed as if it were the case, even without ex-ante or ex-post ratification by the parliament.[14] Central principals of liberal democracy became violated during this time. Also the constitutional court in its function to correct failed until the Zagreb crisis in 1995 because of the lack of qualification and independence.[15] In Albania as well, the president dominated the parliament during the presidency of Berisha[16]. He had the rights of legislative initiative, to propose a referendum and to govern by decrees, even outside the state of emergency. Because of the accordance of the presidential party PDSH with the parliamentary majority, most of them became ratified. De facto, the parliament became active only if the president did not feel responsible himself.[17] The climax of this development was reached in the context of the constitutional referendum in 1994.[18] Berisha tried to install himself as an all-powerful president by a new constitution and violated various principles of checks and balances on the way to the referendum.

Secondly, the instruments of presidential expansion of power become stronger if the stakeholders and the society are lacking liberal traditions and their political culture is affected by ap-

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[13] Wolfgang Merkel, et al. *Defekte Demokratie. Band 1: Theorie*., op. cit., 276.

[14] Nenad Zakošek, "Das Politische System Kroatiens." in *Die Politischen Systeme Osteuropas*, ed. Wolfgang Ismayr (Opladen: Leske+Budrich, 2004) 639-79.; Antja Helmerich, „Kroatien unter Franjo Tuđman. Plebiszitärer Autoritarismus hinter demokratischer Fassade." *Südosteuropa* 53, no. 2 (2005).

[15] Friedbert W. Rüb, *Schach Dem Parlament! Regierungssysteme und Staatspräsidenten in den Demokratisierungsprozessen Osteuropas* (Wiesbaden: Westdeutscher Verlag, 2001).

[16] 1992-1997

[17] Wolfgang Stoppel, "Rechtssystem." in *Albanien. Südosteuropa-Handbuch Bd VII*, ed. Klaus-Detlev Grothusen (Göttingen: Vandenhoeck & Ruprecht, 1993), 243-88.

[18] Michael Schmidt-Neke, "Albanien vor einer neuen Wende? Das Verfassungsreferendum und seine Konsequenzen." *Südosteuropa* 44, no. 1/2 (1995).

athy, passivity and low respect for formal rules. Extralegal efforts or populism will find support more easily under those circumstances.[19] The Albanians however, limited Berisha's effort to expand power by dismissing the referendum. But no open protest against the regime happened in spite of the open manipulation of the elections of 1996 with increasing restrictions of press freedom and freedom of opinion, open tolerance and cooperation with organised crime, for instance. Only with the breakdown of the pyramid-systems, when the individual was affected personally in these matters, namely loosing all savings, people stood up against this government.

Finally, weak parliaments and weak organised interest groups support the presidential expansion of power as well. In the Croatian parliament, as mentioned above, there was no opposition between 1990 and 2000. This was caused by the HDZ majority itself and by the decreasing influence of any kind of parliamentary opposition,[20] because of the specifically closed political culture during and after the war. Similarly, the Albanian opposition was and still is no reliable factor. While the opposition could exert influence on the constitution-referendum, it failed in various other situations because of insuperable polarisation and frequent parliamentary boycotts by the opposition party.[21] Organised interest groups are relatively weak in both post-Socialist societies, but in Albania even weaker than in Croatia. But in Croatia, be-

sides the strong labour unions, (non) civil organisations, like the war veteran associations, are powerful.[22] In the years between 1992 and 1997 Albania, and during the time of 1990 and 2000 Croatia, demonstrated the defects of democracy of delegative character. However, both countries have made effective corrections on polity level since then.

Anti-liberal illiberal defects occur if the access to law and the treatment before the law is unequal and the jurisdiction is discriminating, if the democratically legitimated government does not respect or can not guarantee civil and human rights and the liberal rights of freedom. These factors apply to women in Albania and to the Serbian minority in Croatia. Here the basic principles of citizenship are violated and the constitutional containments are insufficient (Merkel 2003).[23] To some extent, the basic liberties, human rights, rights of freedom and civil rights are limited as well for all those Albanian citizens who live under the scope of the Canun customary law[24] and who suffer from unequal treatment because of endemic corruption. Also, in these cases the Albanian state can not or does not want to enforce its monopoly of power to protect the citizens and to guarantee their rights. If societies dispose only weak developed rule of law and constitutionalism, the danger of tyran-

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[19] Merkel, Wolfgang, et al. *Defekte Demokratie. Band 1: Theorie.*, op. cit.

[20] Nenad Zakošek, "Das Politische System Kroatiens.", op. cit.

[21] Constitutional Watch. "A Country-by-Country Update. Albania." *East European Constitutional Review* (2002), http://www.law.nyu.edu/eecr/vol11num3/index.html.

[22] Petr Kopecký, "Civil society, uncivil society and contentious politics in post-Communist Europe." in *Uncivil Society? Contentious Politics in Post-Communist Europe*, ed. Petr Kopecký and Cas Mudde, (London/ New York: Routledge, 2003), 1-18.

[23] Merkel, Wolfgang, et al. *Demokratie. Band 1: Theorie.*, op. cit.

[24] Stephanie Schwandner-Sievers, "Zur Logik der Blutrache in Nordalbanien. Ehre, Symbolik und Gewaltlegitimation." *Sociologus* 46, no. 2 (1996).; Natalie Ammann. *Zwischen Polizisten, Dorfältesten und Mafiosi. Eine Studie zu Handlungsstrategien bei Konflikten am Beispiel Nordalbaniens* (Zürich: Argonaut, 2003).

ny of the majority or the danger that a democratic legitimated executive will govern arbitrarily is relatively high.[25] A strong tendency of tyrannical governance can be observed under the presidential rule of Berisha and Tuđman and additionally, the tyranny of majority in Croatia during that time.

Furthermore, the root causes are much more differentiated. While the limitations of the basic rights and freedoms in Albania are based on socially fixed structures of power like the traditional social order and the Canun, as well as the resulting cultural rootedness in clientelist structures[26], in Croatia problems of statehood and nation-building are the cause for the discrimination of the Serbian minority. In addition, the operational capability of the judiciary is in both countries limited, even though to a different extent. In Albania, the non-transparent procedure of appointment and promotion of judges leads to a lack of qualification and independence of the judiciary and therefore to legal uncertainty. In Croatia, the main problem is the immense backlog of cases, which at one point reached 1,600.000.[27] Additionally, a great number of today's judges have been appointed during the Tuđman time while the appointment was to a hight extent motivated by political and nationalistic factors. The unequal treatment before the law and the hindered access to law for certain groups are congruent with the limita-

tions of the basic rights and freedoms. Supplementary, endemic corruption comes into play in Albania and to a certain level in Croatia as well. The imperative of equity by rule of law becomes violated by corruption, which in Albania affects all areas of life. Even fighting corruption itself is not taken seriously by the political stakeholders, but rather becomes an instrument to remove political enemies and place their own clientele into profitable positions.

Domain democracy

This subtype is characterised by damaging the effective power to govern through veto players. Several policy areas or parts of the state territory can become withdrawn from the democratic legitimated representatives. The hazard of establishing military regimes such as in Asia or Latin America does not threaten Southeastern Europe. To apply this subtype to the Western Balkans, the theory has to be expended to the internal ineffectiveness of state governance, which can also deform building, exercise and control of power. In Albania, the main risk is a state which is not able to implement its norms and rules to the whole state territory. Its stakeholders themselves undermine the formal rules and they protect organised crime and benefit from their gains. As the riot of 1996/97 showed, the laissez-faire policy towards organised crime and commercial enterprises at the border and to legality could lead to a breakdown of the state and therefore to the breakdown of the effective power to govern. Serious damage has more or less been averted in the last twenty years, but stabilty has been permanently en-

[25] Wolfgang Merkel, et al. *Defekte Demokratie. Band 1: Theorie.*, op. cit.

[26] Stéphane Voell, *Das Nordalbanische Gewohnheitsrecht und seine mündliche Dimension* (Marburg: Curupira, 2004).; Stephan Hensell, *Die Willkür des Staates. Herrschaft und Verwaltung in Osteuropa* (Wiesbaden: VS Verlag für Sozialwissenschaften, 2009).

[27] European Commission for the Efficiency of Justice (CEPEJ). "European Judicial System. Edition 2006 (Data 2004)", http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2006/CEPEJ_2006_eng.pdf.

dangered since the end of the Socialist dictatorship, depredation and exodus.[28] The revitalisation of customary law was the answer to the vacuum of power wich stands still today in competition with state rule.[29] Spoils system in the administration, police and judiciary leads to biased, badly trained officials and this again leads to insufficiencies of institutions. In reaction to ineffectiveness, the population falls back to a kind of self-administration. For a long time and still today, this self-administration dominates besides the formal institutionalised rules because of its specific history. Traditional self-administration still survives in the form of customary law and is an alternative to state power in parts of the country and shapes the values and the moral concept which are rather traditional than modern. In Croatia, the Catholic Church and the war veterans associations had a strong potential to intervene during the war and the rule of Tuđman. Both are closely intervowen with the national movement and the HDZ and could provide outlasting requirements and could therefore influence polity.[30] Still today, they are strongly represented interest groups,[31] despite the fact that they have never been a veto player.

Summary

Albania is a defective democracy of illiberal delegative shape through the enduring primacy of executive authority, the lack of judicial independence and endemic corruption. Particularly in the context of weak statehood, it bears antiliberal elements as well as the potential hazard of a domain democracy. The barrier to autocracy has been exceeded only in 1996/97. At this point, massive violations within all partial regimes have taken place. The majority of deficits are rooted in the wide acceptance and distribution of the informal values in the Albanian society. Looking at the transformation process since 1991, the Albanian conflict with state institutions which presupposes a modern society becomes obvious. The traditional values again caused inequality inside the society, whereas the right to self-determination and proprietary rights of women are limited[32] and personal networks have a stronger relevance than qualifications or rules and everyone, including the accountable stakeholders, are orientated towards self-enrichment instead of public wealth. Summarily, there is an estrangement of the state caused by weak statehood.[33]

The Croatian state was founded on the basis of exclusion. By limited access to the Croatian citizenship and hence the limitation of the right to vote, the Serbian minority is excluded. To this day, the Croatian government has not yet corrected this defect and instead of demonstrating the political will to do so, they will run out the clock. Even if the political liberties of

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[28] Stéphane Voell, *Das Nordalbanische Gewohnheitsrecht und seine mündliche Dimension.*, op. cit.

[29] Stephan Hensell, *Die Willkür Des Staates. Herrschaft und Verwaltung in Osteuropa.*, op. cit.

[30] Mirjana Kasapović, "Electoral Politics in Croatia 1990 - 2000." *Politička misao* XXXVII, no. 5 (2000).

[31] Wolf Oschlies, "Kroatiens "Europäische Perspektive": Ökonomisch und politisch zweifelhaft. Soziopolitisches Porträt nach dem positiven EU-Avis." *Südosteuropa-Mitteilungen* 44, no. 2-3 (2004).

[32] Robert Schwanke, "Wirtschafts- und Sozialentwicklung Albaniens vor und nach dem Jahr 1912." in *Südosteuropa-Jahrbuch, Band 9, Die wirtschaftliche und soziale Entwicklung Südosteuropas im 19. und 20. Jahrhundert*, ed. Walter Althammer, (München, 1969) 192-210.

[33] Claudia Eicher and Timm Beichelt. "Albanien: Zwischen Anarchie und Demokratie." in *Defekte Demokratie. Band 2: Regionalanalysen*, ed. Wolfgang Merkel, et al. (Wiesbaden: VS Verlag für Sozialwissenschaften, 2006), 40-40.

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the Serbs never have been officially re-
stricted, while faced with ethnic cleans-
ing and the turnout of this minority, this
factor loses its relevance. The illiberal
shape of the Croatian political system is
also linked to the Croatian nationalism
and the war against Serbia and its own
Serbian minority. The civil rights of that
minority are violated to this day. Dur-
ing wartime, in this context, an antilib-
eral defect developed. Nationalism and
war legitimated Tuđman's authoritari-
an manner of government. Under his
rule, all checks and balances became
suspended and all power was concen-
trated in his hands. Most weakness-
es, such as the limited independence
of the judiciary and partly the political
corruption are the result of the serious
mistakes of this time. The delegative
defects established between 1990 and
2000 are still present today.

Conclusion

In the status-quo analysis of the po-
litical systems of Albania and Croatia
many common features become visi-
ble. In both countries there have been
massive violations in all partial regimes
of the embedded democracy in the first
years of the democratisation process.
In both countries these developments
have been primarily tied to a leader
with strong personality. Both countries
temporarily crossed the border to au-
tocracy and in both of them these de-
velopments could have been corrected
by the overthrow or death of this strong
leader. Nevertheless, developments in
both countries have taken a different
course. Croatia could make enormous
advancements in democratization in
the last nine years and could complete
the consolidation of its polity; this can

not be said about Albania. In fact, the
democratization of the political system
remains static since the rebuilding of
state authority after 1998 and is noth-
ing more than rhetoric of democratisa-
tion. Both PSSH and PDSH consolidated
the impression of Albania as a pseudo-
democratiser.[34] The assumption based
on the analysis is that contrary to Alba-
nia, the general basic norms and pref-
erences of the Croatian society are not
directed versus the principles of de-
mocracy. If the conflict concerning na-
tional identity and ethnical affiliation
were not still a central theme, Croatia
could be included in the group of lib-
eral democracies. The success of the
nationalism in Yugoslavia in the 1980s
and 1990s was based on the dissatis-
faction of the population with their eco-
nomic situation and on the other hand,
discrimination, insufficient state struc-
tures and manipulative fear of the pop-
ulation are causes for conflicts in mul-
tinational states.[35] Following this idea,
Croatia is on the right way to complete
the democratisation process success-
fully. The removal of past and present
defects simultaniously removes the hu-
mus of the causes for defects. This may
mean that in Croatia, the problem can
be solved at the macro-level, the lev-
el of institutions, while in Albania. the
micro-level of individuals seems to be
crucial.[36] As a study of the impact of ex-
ternal democracy promotion illustrat-

[34] Judith Hoffmann, *Die Integration Südosteuropas. Die De-
mokratisierungspolitik europäischer Organisationen in Al-
banien* (Baden-Baden: Nomos, 2008).

[35] Florian Bieber, *Nationalismus in Serbien vom Tode Titos
bis zum Ende der Ära Milosevic* (Münster- Hamburg-Ber-
lin-Wien-London: Lit Verlag, 2005).

[36] The concrete connections to the performance in the tran-
sformation process is an issue for further research. This
question will be elaborated in the author's PhD thesis in
preparation at Humboldt-University Berlin, with the work-
ing title *Causes for the Success and Failure of the De-
mocratisation Processes: Albania and Croatia as Two Case
Studies.*

ed, external democratisation failed in Albania because of the low state capacity. Its impact was limited to the formal level, but could not reach the informal level of stakeholders behaviour.[37] These restrictions are rooted in the dependence of social capital of a society and the neo-patrimonial shape of Albanian structure of rule. In the Albanian society, the bounding social capital dominates the bridging social capital.[38] These structures are characterized by little generalized trust, by cooperation based on clientelism and corruption and by little participation.[39] The vicious cycle is closed because the missing effectiveness of the state, triggered by the neo-patrimonial governance, negatively affects the evolution of social capital. Without social capital that supports democracy, the political institutions remain *Potemkin villages*. For a successful democratisation processes, the congruence of social capital and political institutions, of actors and structure is required, as they always affect each other.[40]

The main conclusion for all practitioners of external democratisation is to recognize the well-known fact among scholars concerning the diversity of the transformation processes of the third wave countries as illustrated in this article. The consequence for future EU integration is that the focused approach to only create and support institutions will prove to be wrong, if weak statehood and the absence of political will, as in Albania, come together. These steps should be accompanied with classical modernisation projects to establish the necessary congruence of social capital on the micro-level and institutions on the macro-level. Otherwise, the European Union loses credibility while watching silently flawed elections, corruption, clientelism, crime and lawless economy. As the European Union is the main stabilization factor for the Western Balkans, a territory with certain states and national identities which are still fragile, these possible dangers should be taken into account in future policy and decision-making.

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[37] Judith Hoffmann, *Die Integration Südosteuropas. Die Demokratisierungspolitik europäischer Organisationen in Albanien.*, op. cit.

[38] Robert Putnam, *Bowling Alone. The Collaps and Revival of American Community* (New York: Simon&Schuster, 2000).

[39] Robert Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993).

[40] Norma Osterberg, „Erfolg und Scheitern von Demokratisierungsprozessen. Die Notwendigkeit der Kongruenz von Sozialkapital und politischen Institutionen." in *Arbeitspapier Nr. 98: Modernisierung in Ost- und Ostmitteleuropa? Dynamiken innerstaatlichen und internationalen Wandels. Beiträge für die 16. Tagung Junger Osteuropa-Experten*, ed. Forschungsstelle Osteuropa (Bremen, 2008), 21-26.

Резиме

20 Години по промената на системот, постсоцијалистичка Европа стана еден од најразноликите региони на светот, со уставна демократија во Централна и Источна Европа, автократски системи во Белорусија, Молдавија и Русија и дефективни демократии во Југоисточна Европа. Се чини како да постои поделба во Европа. Целта на текстот е да го прикаже овој процес преку примерот на двете земји кои се развија во спротивни насоки, Албанија и Хрватска. Тежиштето ќе биде ставено на резултатите од напорите за реформи во овие две земји во минатите дваесет години. Додека хрватскиот политички систем е речиси консолидиран, албанската држава е сѐ уште слаба, неделотворна и реформите се ограничени на формално и реторичко ниво. Големиот јаз присутен меѓу овие земји и општо разликите кои постојат во Европа ја ставаат во опасност целата стабилизација на регионот. Токму поради тоа европските организации мораат да ги прилагодат своите стратегии на различното ниво на развој во одделните земји. Помошта дадена на институциите и поддршката за воспоставување на формалните правила не значат поеднакво прогрес во секоја земја поединечно.

Лустрација во Република Македонија – Во пресрет на имплементацијата на Законот за определување дополнителен услов за вршење на јавна функција

Марјан Маџовски

1. Лустрацијата, еден од процесите препорачан на патот кон Европа на сите некогашни комунистички земји, најчесто е дефиниран како „отстранување на опонентите на демократијата и на оние кои ги кршеле човековите права во поранешниот режим".

За поборниците на овој процес, предметот на лустрацијата не е комунистичката партија ниту системот, туку соработката со тајната полиција, конкретно утврдена како конкретна одговорност за кршење на човекови права. За нив, лустрацијата е процес на расчистување со минатото, а не бавење со минатото, а нејзината цел е да ги зацврсти демократските столбови во транзициониот период, додека институциите не станат доволно силни ефикасно да ги вршат своите надлежности. Една од нејзините цели, според нив, е да се спречи повторувањето на оние нелегални механизми на контрола на политичкиот систем. За да биде праведна лустрацијата не смее да се разбира како политичка чистка – таа секогаш е правна мерка, и се спроведува внатре во правните рамки, како законска мерка – израз на парламентарната волја. Во лустрационата постапка важно е да се почитуваат човековите права за оние за кои се утврдува дали ги кршеле човековите права. Покрај тоа, треба да се

обезбеди судска одбрана за оној за кого е утврдено дека ги кршел човековите права. Времетраењето на лустрацијата секогаш е временски ограничено.

Важен аргумент на поборниците за спроведување лустрација е и вмрежената солидарна поврзаност на лицата на кои се однесува, а кои се закана за нормалното функционирање на демократскиот систем. Притоа, спроведувањето проверка на лицата пред да заземат јавна позиција може да биде корисно во спречувањето уцени или обвинувања кон тие лица што може да има дестабилизирачки политички последици.

Позитивните ефекти од легално спроведена лустрација можат да се очекуваат во политиката, јавната администрација, спречувањето на корупцијата, економијата, судството и цивилното општество. Успешното моделирање на лустрациониот процес подразбира и истовремено простување и помирување кое води кон ослободување на вредносните товари од минатото и фокусирање на заедничката енергија кон ефективно справување со прашањата и проблемите од сегашноста.

2. Политичките елити во Република Македонија во изминатиот транзиционен период не покажаа спремност за соочување со минатото. Практично, не се отвори ниту академска,

ниту политичка расправа за потребата од лустрација како средство за справување со комунистичкото наследство, ниту се направи стручна проценка на успешноста, ефикасноста и корисноста на имплементирањето на оваа мерка во останатите источноевропски држави во процесот на декомунизација на нивните општества и интегрирање во Европската Унија. Во овој контекст треба да се спомене дека определен позитивен поттик за разбивање на дотогашната „громогласна тишина" по ова прашање и „гласно размислување" и дебата за целосно отворање на овој сложен процес, дадоа двете Резолуции 1096 и 1481 на Парламентарно собрание на Советот на Европа, од 1996 и 2006 година, за мерките за напуштање на наследството на поранешните комунистички тоталитарни системи и со повикот да се направи преоценка на историјата на комунизмот и на сопственото минато. Временски гледано, непосредно по донесување на втората резолуција од 2006 година се пристапи кон иницирање на македонскиот Закон за лустрација и дебатата поврзана со неговото донесување.

И малубројните опоненти на лустрацијата се согласни дека најдобриот метод за соочување со минатото е по пат на донесување закон. Нормативното регулирање обезбедува рамки во кои процесот ќе се движи и заврши, ги превенира можните злоупотреби и ги гарантира правата на засегнатите лица во однапред утврдена постапка. Во оваа насока се движи и концептот на, условно речено, македонскиот модел на лустрација кој почетно со себе го носи и капиталот на донесено законско ре-

шение со највисок можен политички консензус со вградени гаранции кои би спречиле евентуални злоупотреби на процесот.

Првиот легислативен исчекор на планот на соочувањето со последиците со минатото е направен во мај 2000 година, кога до Собранието на Република Македонија беа доставени два закона со кои требаше конечно да отпочнат овие процеси. Законот за постапување со досиејата за лица, водени од Службата за државна безбедност, беше донесен на 5 јули 2000 година (Сл. весник на РМ бр. 52/2000). Заедно со него, на 8 јуни 2000 година беше доставен и Предлогот за донесување Закон за утврдување на соработката на лица носители на јавни функции со органите на државната безбедност со Предлог на закон. Но, овој закон стигна само до надлежните комисии на Собранието и за него во тој момент очигледно немаше доволна политичка волја да се донесе. Иако се очекуваше дека со носењето на Законот за отворање на полициските досиеја во 2000 година конечно ќе се отвори процесот на декомунизација на општеството, тоа не се случи.

Во средината на 2002 година беше донесен Законот за правата на прогонуваните и затворените лица за идеите на самобитноста на македонскиот народ и неговата државност и на членовите на нивните семејства (Сл. весник на РМ бр. 61/2002), кој во 2005 година претрпе измени и дополнувања.

Декларацијата за извинување на жртвите на режимот од 1945 до 1990 година, донесена од Собранието на 7 април 2006 година на предлог на Либералната партија, не предизви-

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ка широка расправа. Напротив, прво наиде на отворен отпор и отфрлање, а откако беше донесена видливи беа обидите да се маргинализира.

Законот за лустрација, односно Предлогот за донесување закон за определување дополнителен услов за вршење на јавна функција, беше доставен од предлагачот, пратеникот Стојан Андов, на 14 декември 2006 година (бр. 4712/1). Собранието на 26-тата седница во средината на февруари го разгледа и усвои предлогот за негово донесување. Предлогот на законот (во второ читање), предлагачот го достави до Собранието на 11 април 2007 година.

Во периодот по усвојувањето на првата фаза од законот се одвиваше широка јавна расправа со изнесени за и против ставови и аргументи околу потреба од донесување на ваков закон. Генерално забелешките се однесуваа на задоцнетиот тајминг за воведување лустрација во македонското општетсво, спроведливоста на вкупниот процес поради демократско-институционалните слабости на системот. Беа изнесени и конкретни забелешки за решенија во законскиот текст. Истовремено заеднички беше потенцирана потребата во Предлог законот да бидат вградени сите гарантни механизми за да спречат евентуални манипулации и последици од нив. Во оваа насока, во законскиот текст беа вградени повеќе решенија, како во опфатот на примена на законот така и во делот на гарантните механизми. Такви се дополнувањата со кои во законот се опфаќаат и налогодавците и корисниците на информациите од тајните соработници; гарантните решенија за начинот на избор и составот на

Комисијата за верификација на фактите; периодот на опфатот на законот и категориите лица и сл.

Со извесно доцнење Собранието на Република Македонија на 22 јануари 2008 година со висок степен на усогласеност на текстот на законот меѓу пратеничките групи (без воздржани и против) го донесе Законот за определување на дополнителен услов за вршење јавна функција.

Законот, сè уште незаживеан, во мај 2009 година, на 50-тата седница на Собранието, повторно со висок консензус, претрпе едно практично техничко новелирање предложено од пратеници од повеќе пратенички групи, а иницирано и од членовите на Комисијата (Сл. Весник на РМ бр. 64/2009). Станува збор за измени и дополнувања со кои се утврдува ротирање на секои шест месеци на членовите на функцијата претседател и заменик претседател на Комисијата за верификација на факти, по пат на нивен избор на секои шест месеци од страна на Комисијата за прашања на изборите и именувањата на Собранието. Исто така, прецизирано е професионалното извршување на функцијата член односно претседател и заменик претседател и, во таа смисла, и неспоивоста со вршење друга функција. Дополнително, со прифатен амандман на пратеникот Оливер Шамбевски е продолжен периодот на времетраење на Законот на 10 години сметано од денот на изборот на составот на Комисијата за верификација на фактите.

Конечно, кон крајот на јули 2009 година Комисијата за верификација на фактите донесе две одлуки со кои практично од први септември 2009 година отпочнува имплементациja-

та на Законот. Првата одлука се однесува на содржината и формата на писмената изјава утврдена во член 6 од Законот за определување дополнителен услов за вршење јавна функција и елементите кои треба да ги содржи писмената изјава (Сл. весник на РМ бр. 93/2009), а со втората одлука се известува за датумот од кој почнува да тече рокот за поднесување на заверена писмена изјава (Сл. весник на РМ бр. 93/2009), односно доставувањето на заверената писмена изјава во периодот од 1 до 30 септември 2009 година од страна на претседателот на Републиката; пратениците, претседателот и потпретседателите на Собранието; претседателот и членовите на Владата и градоначалниците на општините и на градот Скопје.

Во меѓувреме, пред Уставниот суд на Република Македонија се доставени неколку иницијативи за оценување на уставноста и законитоста на Законот за определување дополнителен услов за вршење јавна функција во целина и посебно член 5 став 1 точка 7 во делот на: „судија на Уставниот суд на Република Македонија“ и член 10 став 3 во делот на: „претседател на Републиката“ (Реферат У.бр. 42/2008 и У.бр. 77/2008). Иницијативите се доставени од страна на Јонче Цветковски од Скопје; Фондација „Институт отворено општество – Македонија“ – Скопје; Стамен Филипов од Скопје и адвокат Панче Докузов од Скопје. Спорењето се однесува на следново: дали има уставен основ за донесување на Законот и дали има ретроактивност во примената која уставно не е дозволена? Исто така, се спори дали обврската за давање изја-

ва заверена пред нотар дека лицето кандидат за вршење на јавна функција или носител на јавна функција не соработувал со органите на државната безбедност, како услов за вршење на јавната функција, е неопходна за утврдување на посебниот услов или, пак, условот се утврдува од страна на Комисијата за верификација на фактите, поради што барањето на изјава од лицето за тие факти се сведува на изјава за осудуваност или неосудуваност, што значи повреда на достоинството и моралниот интегритет на граѓанинот, заштитени со Уставот. Понатаму, дали законската определба дека посебниот услов за вршење дејност се однесува и за претседателот на Републиката и за судиите на Уставниот суд значи повреда на уставни одредби со кои се утврдуваат условите за избор на лица на овие функции и сл.

Уставниот суд на седницата одржана на 27 мај 2009 одлучи да организира подготвителна седница, која согласно член 29 од Деловникот на Уставниот суд се организира „заради разјаснување на фактичката правната состојба по оддели предмети во секоја фаза од постапката“. На подготвителната седница се повикуваат учесниците во постапката, стручни органи и организации и научни и стручни работници, што ќе ги определи судот.

Во иницијатива на Фондацијата „Институт отворено општество Македонија“ (ФИООМ) до Уставниот суд, се наведува дека немало уставен основ за донесување на оспорениот Закон, поради што тој бил неодржлив во уставниот поредок на Република Македонија. Во овој контекст треба се наведе негативниот став на ФИ-

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ООМ кон Законот уште од неговата подготовка и донесување. Имено, непосредно по влегувањето на Законот во Парламентот во втората фаза, до пратениците со свои две реакции се обрати извршниот директор на Фондацијата. Во првата реакција тој искажува задоволство што во образложението на Предлог законот неколку пати се спомнува регионалниот проект „Разоткривање на скриената историја: Лустрација во земјите од Западен Балкан", но, според него, верзијата на Предлог законот значително заостанува зад овие стандарди и, всушност, претставува закана за човековите права и слободи.

3. Основа на Законот за лустрација претставува некршењето или неограничувањето на основните права и слободи на граѓаните од политички или идеолошки причини на лице кандидат за носител или носител на јавна функција, кое за да го исполни дополнителниот услов не треба да е евидентирано во досиејата на органите за државна безбедност како таен соработник или како наредбодател односно корисник на информациите од тајниот соработник. Лустрацијата треба да биде спроведена од Комисија, составена од членови со висок морален интегритет, избрани од Собранието со висок степен на усогласеност.

Периодот на опфатот на законот е од донесувањето на Декларацијата на АСНОМ за основните права на граѓанинот на Демократска Македонија на Првото заседание на АСНОМ на 2 август 1944 година до денот на влегувањето во сила на Законот. Со Декларација на АСНОМ, Македонија е проектирана како демократска, плурална, пазарно ориентирана држава со заштитена приватна сопственост, во која високо се почитуваат етничките и човековите права и поединечните слободи како: слобода на вероисповедта, слобода на совеста, говорот, печатот, собирањето, договорот и здружувањето односно повеќепартискиот систем.

Донесениот Закон е систематизиран во седум глави. Во првата е опфатено основното прашање што го уредува Законот: определувањето дополнителен услов за лице кандидат за носител или носител на јавна функција и за работи од јавен интерес и други дејности на правни лица. Исто така, се уредуваат основањето и надлежноста на Комисијата за верификација на факти и постапката за верификација на факти пред Комисијата и пред судот за утврдување несоработка или соработка со органите на државната безбедност и правните последици од таквата соработка. Во втората глава е регулирана обврската за поднесување писмена изјава, а во третата е уредено основањето и надлежноста на Комисијата за верификација на факти. Во четвртата глава е уредена постапката за верификација на фактите пред Комисијата и упатувањето на понатамошна судска постапка на лицето кое и понатаму ги спори податоците. Во петтата глава е уреден дополнителниот услов за работите од јавен интерес и други дејности на правни лица. Во шестата глава се предвидени санкции за поттикнувачите и извршителите на прикривање, замена, бришење, додавање, уништување или неовластено објавување на податоци поврзани со соработка на лицата со органите на државната безбедност. Седмата глава содржи преодни

и завршни одредби поврзани со секретаријатот на Комисијата.

Мора да се напомене дека при изготвувањето на Законот авторите значително се раководеа од препораките од погореспоменатиот регионален проект „Разоткривање на скриената историја: Лустрација во земјите од Западен Балкан“, финансиран од ЕУ и УСАИД, во кој во рамките на БТД – Балканска доверба за демократија – Проект на германскиот Маршалов фонд, а со партиципација и на Фондацијата „Институт отворено општество – Македонија“ (ФОСИМ) меѓу останатите странски невладини организации.

Станува збор за следниве препораки за законодавството за лустрација, процедурите и спроведувањето: а) Треба да се изготват и донесат сеопфатни закони за лустрација таму каде не се донесени: Хрватска, БиХ, Македонија, како и Црна Гора; б) Примената треба да го вклучува не само периодот до 1990 г., туку и периодот до донесување закон за слободен пристап до јавните информации; в) Веднаш по донесувањето на законите за лустрација треба да се проверат и носителите и кандидатите на одредени функции, при што законите треба да содржат прецизен список на овие функции; г) Главниот критериум на проверка не треба да биде претходна државна или партиска позиција од висок ранг, туку конкретната вклученост во прекршување на човековите права; д) При изготвувањето вакви закони, парламентите треба да организираат јавни расправи во кои ќе бидат вклучени невладини експерти од академскиот свет, граѓанското општество и организации на жртви-

те; е) Истражните процеси (проверката) треба да бидат направени од страна на независни комисии, формирани од надлежните јавни органи, кои треба да ги проверуваат досиејата на лицата кои се кандидираат за јавна функција; ж) Независната комисија која става вето на носителите и кандидатите за јавните функции, треба на парламентот да му ги открие сите информации содржани во досиејата што покажуваат нивна вклученост во прекршување на човековите права; з) Носителите и кандидатите за кои се најдени информации дека ги прекршувале човековите права треба да се дисквалификуваат од јавната функција за одреден временски период, во процедура дефинирана со закон; ѕ) Владите треба редовно да понесуваат извештаи за спроведувањето на законите до парламентот.

Проектот, во кој учествувале повеќе од 150 експерти од регионов, требало да придонесе за подобрување на дебатите за законодавството и за процедурите за лустрација, пристапот кон досиејата; да ја зајакне правната и политичката свест за значењето на справувањето со минатото; да презентира конкретни препораки за лустрацијата во земјите од Западен Балкан итн. Но, предвидениот придонес проектот го нема извршено во Република Македонија, сè до иницирањето на законодавната постапка за донесување лустрациски закон.

4. Донесувањето на Законот за лустрација не гарантира и успешна имплементација на лустративниот процес, особено затоа што во македонското општество примената на законската регулатива (и во целина

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и во зависност од областа) се соочува со недоследности, искривувања и недостаток на ефикасна парламентарна и судска контрола. Процесот е сложен во политичка и во општествена смисла и претставува легално соочување со минатото со што се воведуваат конкретни консеквенции на отстранување од јавните функции на повеќе категории лица опфатени со Законот. Од своја страна, имплементацијата на Законот е поврзана и со запазувањето на зацртаните рокови предвидени во Законот кои меѓусебно се зависни и, се разбира, со обезбедувањето основни услови за работа на избраните членови на Комисијата. Во оваа насока, на почетокот на имплементацијата на Законот можат да се констатираат определени пречекорувања на роковите поврзани со изборот на членовите на Комисијата поради објективни околности и незапочнување на предвидените законски дејствија поврзани со необезбедени услови за работа (финансиски средства и недостаток на екипирање со стручна служба). Брзото надминување на пречките за имплементацијата на Законот, кои не се од објективна природа, треба да ја потврди декларираната спремност во јавноста и кај клучните политички субјекти за успешното спроведување на лустрациониот процес.

За да може Комисијата за верификација на фактите да функционира, се разбира, потребни се соодветни финансиски услови, материјално-технички и просторни, кои се предвидени во преодните и завршните одредби на Законот како обврска на Владата. Во ребалансот на Буџетот на РМ (разгледан на 59 седница на Собранието одржана на 3 јуни 2009 година) од претставниците на Владата биле прифатени 6 амандмани, меѓу кои амандманот бр. 07-1954/43 поднесен од група пратеници, со кои се предлага еден милион денари наменети за формирање на посебен раздел: Комисија за верификација на фактите, преку реалоцирање и издвојување од планираните расходи во Разделот 02001 – Собрание на РМ. Практично, значајно е што со амандманот (средствата од еден милион денари останаа исти и тие не се доволни за нејзино работење) Комисијата за верификација на фактите се одвојува од Собранието и добива свој раздел во Буџетот. Со друг прифатен амандман од пратеник беа обезбедени дополнителни шест милиони денари што би можело да ги задоволи почетните услови за работа.

5. Досегашниот сублимиран преглед на порелевантните настани поврзани со лустрациониот процес во Република Македонија немаше амбиција да навлезе во споредба околу дилемите за усвоениот лустрационен модел и издржаноста на решенијата на кои се потпира ниту, пак, во разгледување на индициите поврзани со факторите и околностите кои би можеле да предизвикаат застој или амортизирање на патот на овој започнат процес. Претстојната имплементација на Законот за лустрација конечно ќе даде јасен одговор за степенот на подготвеност на македонското општество (во целина и по сегменти и субјекти) за спроведување на процесот на лустрација и од кои сè претпоставки зависи нејзината спроведливост. Исто така, ќе се види и дали решенијата во За-

конот за определување дополните-
лен услов за вршење јавна функ-
ција се конзистентни, гарантираат
превенција од прекршување на сло-

бодите и правата на граѓанинот и ги
обесхрабрува можните злоупотреби
на овој процес.

Abstract

The political elites in the Republic of Macedonia did not express readiness during the transition period to discuss and face the past and its influence over the democratic processes, up until the debates about the adoption of the Law on Lustration. The Macedonian model of lustration implies a legislative decision adopted with the highest consensus with inherent guarantees that would prevent potential abuses of the process.

The foundation for the Law on Lustration is the non-breaching or the non-limiting of the basic rights and liberties of the citizens from political or ideological reasons of an entity candidate for a bearer or office-bearer; these persons, in order to meet the additional conditions, should not have been recorded in the files of the organs of state security as secret collaborators or as persons who have issued orders and have used the information provided by the secret collaborators. Lustration is enforced by a Committee separately elected by the Parliament. This complex process of legal confrontation with the past would remove a number of categories of persons from the public functions.

However, the adoption of the Law on Lustration does not guarantee a successful implementation of the lustration process. The rapid overcoming of the obstacles related to the implementation of the law that are not objective in nature should confirm the declarative readiness in the public and with the key political subjects for a successful enforcement of the process of lustration.

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Резолуција 1481 на Парламентарно собрание на Советот на Европа, 2006 година – повик до сите комунистички и пост-комунистички партии во земјите-членки кои тоа досега не го сториле, да направат преоценка на историјата на комунизмот и на нивното сопствено минато, јасно да се дистанцираат од злосторствата направени од тоталитарните комунистички режими и недвосмислено да ги осудат;

Декларација за извинување на жртвите на режимот во периодот од 1945 до 1990 година, Собрание на Република Македонија од 7 април 2006 година;

Закон за постапување со досиејата за лица водени од службата за државна безбедност (Сл. весник на РМ бр. 52/2000);

Предлог за донесување Закон за определување дополнителен услов за вршење јавна функција – предлагач пратеник Стојан Андов, поднесен на 14.12.2006 година (бр. 4712/1);

Декларација на Антифашистичкото собрание на народното ослободување на Македонија – АСНОМ за основните права на граѓанинот на Демократска Македонија на Првото заседание на АСНОМ на 2 август 1944 година;

Одлука за содржината и формата на писмената изјава утврдена во член 6 од Законот за определување дополнителен услов за вршење јавна функција (Сл. весник на Република Македонија бр. 93/2009);

Одлука за објавување на известување за датумот од кој почнува да тече рокот за поднесување на заверена писмена изјава (Сл. весник на Република Македонија бр. 93/2009);

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The celebrations and the symbolic geography of the West Balkans

Todor Kuljić

The sociologist E. Zerubavel is right to claim that the most spectacular side of the collective memory is the calendar, i.e., the collection of the celebrations that the society uses to commemorate important events. The calendar itself holds the conventional "mainstream story" that the collective memories create (Zerubavel 2000). Its most striking entries are the brightest periods of the groups' collective pasts. With the institutionalization of the celebrations, the annual cycle of remembrance is enhanced. The celebrations aim towards social cohesion of the individual memories, since the imposed collective memories direct the population's attention to the same events in the past.

Celebrations can commemorate great political transitions (the prohibition of monarchy in Brazil), as well as religious (the introduction of Christianity in Ireland), and social (the abolition of slavery in the Bahamas), as well as various liberations: the liberation of Albania from Italy in 1944, the Serbs from the Turks, the Croats from Yugoslavia, etc. The general commemoration of these important dates helps create the historical charts from a conventional zero-point. The collective memory is closer to the factual rather than the structural history. It represents the visible, formal, symbolic, socially integrative, organizational part of history, while the oral history, the daily history and the class history are the inner tissue of this symbolism. With the organized collective memories "the empty history", the discrete "non-eventfulness", the everyday life and the daily routines are neglected to the benefit of the new invented beginnings. The long-lasting peace in the Balkans between 1945 and 1991 as if by rule, appears less significant than the short "liberating wars" (1991-95), and the "new national saviors" are more important that the anonymous builders from Tito's period of peace. It is not just that history interferes with politics, but it is nevertheless reinvented. In the culture of memories there is restoration going on, not revolution, since the old values of nationalism, religion and capitalism have been renewed. A new past has been introduced as the present requires. The frame of memories covers national interests. From this new perspective, Tito's Yugoslavia is seen as Croatian dungeon and Serbian illusion. The interests of the new elites organize oblivion as well. Everything that is not useful to the ruling class falls into oblivion. Only a useful past is accepted. We are witnessing a new *damnatio memoriae*, new organized oblivion by the victors who write a new history. The weapons used in the civil war

of the 1990s became the new altered image of the past. The demolition of the decreed Communist historiography has made room for the restorative strike of nationalism and religion. The space of the new Balkan states is distinguished by new churches and monuments and secured by new festivals and celebrations.

Each calendar of celebrations is a symbolic expression of the selective and reinvented history. The greatest internationally famous calendar star is Jesus, particularly after the 1989, when the religious holidays in the former Socialist countries became the basis for the new confessional identity. The calendar, as a collection of national holidays, represents a selective national collective past. It is quite clear that a single date could be a symbol of wider processes: the birth of Martin Luther King is a symbol of the fight for civil rights in the USA in the 1950s, 25 May has long been not just the veneration of Tito's cult through his birthday, but a symbol of the ideological and the cross-national integration of the young people. Each calendar of celebrations makes an effort to condense symbolically a thousand years of history into a selected overview of socially integrated dates.

We are talking, however, of the scarcely detectable monitoring that the ruling groups impose over the alterable collective memories. i.e., of determining strategically important ratios between the selected important events and the ocean of non-eventful time. The wide mainstream of the invented history approach (with its key figures such as Hobson, Connerton and Zerubavel) has shown in various ways that the ritualistic remembrance and commemorations help remember only what the ruling group holds important. Although calendars can commemorate concepts beyond time and political ideas (Labor Day, Mother's Day), they still often serve the communities to impose political values. Holidays as institutionalized remembrance dates remind us not only of the events we need to remember, but also when and how to remember. The ruling groups decide on the sustainability of the memory, on the introduction of new holidays into the calendar and the removal of old ones. Therefore, a single event could represent a holiday to one group, while to another, a symbol of defeat which should be forgotten. The Serbian conservative nationalists, for instance, claim that 20 October 1944 was the date of the occupation - not liberation of Belgrade, as the antifascists claim. There are similar debates regarding Germany and 8 May 1945.

In the liberation culture of the West Balkans, the commemoration of the uprising is a peculiarly significant symbol. The uprising is a founding date, a start, a zero-point of liberation; therefore, its symbolism is closely related to the justifying of the elite, the ethnic identity of the people and the regional interests. As it seems, celebrations have become an intriguing issue when after the Cold War the attitude towards the past has come into focus of many researches and when the political symbols of Socialism were demolished (Richtman Augustine 2001). The new state policy required new symbols from the past. New holidays symbolized the radical breakup with the past. The revision of the calendar of holidays and celebrations, which occurred with a sig-

nificant degree of re-clericalization, did not encompass only the international holidays such as the New Year, and 1 May – the international Labor Day.

The experience of Croatia during Socialism shows that the nationalistic tensions had already been present in the calendar. This republic was always divided between two important dates which commemorate the Croatian Uprising Day against Fascism: during the Socialist period the official date was 27 July 1941; however, there was a counter-date celebration of 22 June 1941. Apparently, 27 July was the Day of the general Uprising of the Serbs in Bosanska Krajina and Croatia against the *ustash* crimes of 1941 and a joint holiday of both the Socialist Republic of Croatia and Bosnia and Herzegovina. However, until 1948, 22 June was not a counterjubilee, but an even more important date, while 27 July, the day when Lapac, Srb and Drvar were liberated, was an imposed event (Roksandić 1995). The partisan squad of Sisak was established on 22 June 1941; however, this date had never been official, although it served as a counter-anniversary. The tension between the two dates was revealing the fact that the Croats, although most of them members of the Communist Party of Croatia, had not been part of the partisan movement during 1941 and 1942, while most of the Serbs were. Therefore, the commemoration of 22 June as a national Day of the Uprising against Fascism has always been a demonstration of the national powers in Croatia. Thus, in 1970, the Sisak anniversary was a central *ustash* celebration, while 27 July was the official celebration date, particularly popular among the Serbs. The status of the commemoration of 22 June

changed completely after the suppression of the "Croatian Spring". For several years the "Vjesnik" newspaper did not commemorate this date. It was after Tito's death that the Sisak anniversary came back into focus. The Sisak partisans were gaining popularity and therefore, in 1990 27 July was officially abolished, and 22 June appointed as the Day of the Croatian fight against Fascism in the light of "all-Croatian reconciliation" (Roksandić 1995). Today Croatia has the greatest number of religious holidays: 6 January – Three Kings Day; Easter Monday – the second day of Easter; 15 August – Assumption of Mary; 1 November – All Saints Day; 25-26 December – Christmas holidays. The other public holidays include 22 June – Day of the Antifascist Resistance; 25 June – Statehood Day; 5 August – Victory and Homeland Thanksgiving Day. In Croatia, the state policy for national symbols was most radical with the commemoration of the centennial strife for an independent state and the eternal importance of this state. The reintroduction of the Catholic "religious holidays" into the state calendar, stronger than any other proclamation, has confirmed the tendency of the new government to establish the Croatian state as the stronghold of Catholicism. The symbolism of the state holidays has washed away the great rhetoric of equality among all citizens regardless of their religious or national affiliation, as recorded in the Constitution (Richtman Avguštin 2001).

Serbia has been introduced to its radical version of celebrations only recently, in 2001. Since then, both state and religious holidays are celebrated, while holidays such as St. Sava's Day (the day of spirituality) on 27 January

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and Vidovdan on 28 June (commemoration of the Kosovo Battle) are celebrated as working days. According to the Law on State and Religious Holidays adopted in July 2001, the newly included state holidays are the Visitation – 15 February, as Statehood Day (The First Serbian Uprising Day), the first day of Christmas – 7 January, as well as the Easter holidays from Good Friday to the second day after Easter. This law entails the celebration of 7 July (The Uprising Day from 1941) and 28 May, the day when Milošević abolished the autonomy of the provinces. In Bosnia and Herzegovina the national holidays are the Statehood Day of the Republic of Bosnia and Herzegovina, 21 November (Day of the Signing of the Dayton Agreement), Independence Day on 1 March, and the Serbian Day of the Republic – 9th January. Montenegro celebrates 13 July as its Statehood Day (the same date from 1878 when Montenegro was given independence at the Berlin Congress, and the same date from 1941, when the fight against the Italians started, as a lead-on to the revolution, which allowed Montenegro to regain its statehood within federal Yugoslavia). Slovenia celebrates its national holidays such as Statehood Day on 25 June and Constitution Day on 23 December (when the results from the referendum for an independent state were announced), while the Macedonians celebrate their national holiday Ilinden – 2 August. Besides the aforementioned celebrations, there are numerous religious festivals that gained the status of state holiday. The ethno-anthropologist Dunja Richtman Avguštin thinks that the holidays do not only regulate the official memory but the rhythm of the daily life.

Through the holidays the ruling circles impose values and influence everyday life in general.

In simple terms, the calendar of celebrations is an example of the planned shaping of the rhythm of time, not a spontaneous attitude towards the past. Unlike the constructivists, who primarily conduct researches on the spontaneous influence that groups have on memory, Connerton and Zerubavel point at the political-manipulative character of the calendar that determines remembrance. There are examples everywhere. When the president Barre died in 1991, Somalia stopped celebrating the coup d'etat that brought him to power in 1969. In 1990, Hungary stopped celebrating the liberation from Fascism in 1945, which was brought forth by the Red Army, and at the same time Tito was removed from the calendar of collective memory in Yugoslavia. The state uses the calendar of celebrations to impose values from the past and direct the political socialization. The most important event among the national holidays holds the status of a turning point. It represents the "zero point", the beginning of the true history: political (the abolition of monarchy in Brazil), socio-political (Socialist revolutions), religious (introducing Christianity in Ireland), social (abolition of slavery in the Bahamas). The zero point marks the re-invented or redefined "authentic" beginning of the events: Day of the Confederation (1291) in Switzerland, Canada Day (1867), National Day in Romania (1918), or in the United Arab Emirates (1971), Republic Day in Yugoslavia (1943). Out of 191 countries, whose calendars were part of Zerubavel's research, 139 celebrate as a national

"birthday" the moment they became independent (Zerubavel 2003). As we can clearly notice, the creation of the national state is the most important event in the collective memory.

Therefore, we can recognize a specific pattern in the structure of the national memory, as well as the values of the national history that the state emphasizes through the annual cycle of holidays. The "dense periods filled with events" are selectively extracted from the "void" where nothing apparently happened. Commemograms record the amplitudes of events that are remembered, as islands in the empty non-eventful sea. In Haiti, the period between 1803 and 1805 is packed with events, in Uruguay 1825-1828, in the Philippines 1896-98, in Turkey the whole of 1923 is celebrated as the year of the republic, and in Libya it is the period between 1969 and 1970, when the western forces gradually started abandoning the Libyan military bases, while the Yugoslavian Communists officially remembered the dates from the revolution period between 1941 and 1945, etc. In the non-Socialist countries there are two types of celebrations: religious holidays from the distant past and political holidays from the more recent past. Both threads are extracted from the unmarked, "empty" history (Zerubavel 2003). Today only nine countries celebrate as national holidays events between 680 and 1492: Bulgaria (introduction of the Cyrillic script in 899), the Czech Republic (the birth of the Slavic culture around 860 and the sacrifice of Jan Hus 1415), Slovakia (the birth of Slavic literacy), Spain (the revelation of St. John 899), Hungary (the rule of Istvan 1001-1038), Lithuania (the cor-

onation of the great Duke Mindaugas in 1240), Andorra (the treaty between France and Bishop Urgel 1278), Switzerland (the establishment of the Swiss confederation in 1291), India (the birth of guru Nanaka, the founder of the Shiva order in 1469). So, from the commemogram's point of view, a time period of more than a millennium is an empty age with most of the countries (Zerubavel 2003). Besides, there are global supra-state religious holidays that change less than the national. The connection between the calendar celebration and the actual event is quite often symbolic (the dates are altered or the events are invented). With the symbolic extraction a single calendar can represent many years of history. The calendars of Socialist regimes did not only remind people of the monumental history of classes, but stirred the hopes for a society of equality and wellbeing without conflicts. Equally pathetic, the calendars of capitalistic countries celebrate their own democratic turning points, stirring hopes of equal chances and ascension towards the high elites.

It does not need a whole lot to notice that the dates do not represent real turning points in the past, or the length of the historical processes. However, as in every culture of memories, due to symbolic and political reasons, there is an apparent necessity to reduce long important transitional processes down to a single event, and the complex asynchrony of events is rendered to a single date. In reality, these are longer and more complex events than what the turning-point date denotes. Was Hitler's coming to power inevitable with the fall of the great coalition in March 1930, or with the elec-

tions of the Reichstag in September 1930, or after the meeting between Hitler and Papen on 4 January 1933 (Schieder 2000)? Was the breakup of the Socialist Federal Republic of Yugoslavia inevitable after the 8th session of the Central Committee of the Serbian Communist Union in October 1987, after Tuđman's victory of the elections in the spring of 1990, or after the decision of the Socialist Republic of Germany to recognize Croatia's independence in December 1991? The denotation of various years as turning-points is conditioned by the different memory focuses, i.e., the selection of different contents around the priority date as part of the historical memory. However, a single date can encompass different selection of memories: 7 July was for a long while the Day of the Serbian Uprising against Fascism, which was abolished with the explanation that it represents a date (in 1941) when Serbs started a fratricidal war.

More important than the recognition that the dates render history shorter or that they inadequately represent the real turning points from the past, is the warning that after establishing the new dates, perception always changes, as well as the explanation of the overall preceding period. The years of 1918, 1933, 1945 and 1989 represent the most important turning points in the German history. In Yugoslavia, the turning points are similar to those in Germany: 1918, 1941, 1945, and 1991. The context of defining the age depends on the chronology framed within these turning points. When a certain period is demarked between 1914 and 1945, it represents a different interpretation of the past from the period between 1917 and 1945. The

former represents "the Second German thirty-year war 1914-1945" (R. Aaron, F. Fischer), while the latter suggests that the Germans were extracted from the "European civil war between 1917 and 1945", as E. Nolte claimed. Similar dilemmas can be seen with the chronology of the Yugoslav developments. Does the classical chronology (1945-1990) represent the existence of the multiethnic federation of the totalitarian age, having in mind that the revolution for the left wing was in 1945, while for the right wing in 2000? Various tuning points give various definitions of the past.

We should also mention that the turning points are not monumentalized in the same way. There is a whole set of names denoting these turning points: revolution, breakup, overturn, cut, crossroad, the semantics of which suggesting that this breakup put an end to one age, while another began. There are even stronger words such as defeat and crash. These involve the idea of triumphalism. The turning point is clearly emphasized in the idea of revolution, although this term is exaggeratedly applied to denote various changes: 1789, 1917, 1933, and 1989, red and dark revolutions, national and social revolutions. The semantics of these turning points is not unimportant, since it matters very much whether Hitler's victory will be interpreted as a revolution, overturn or restoration (Schieder 2000). In the same way, the anticipated admission of the Balkan states in the EU will stir up a new assessment of the civil war that took place in this region between 1991 and 1995. Each new overturn imposes a different picture of the past since it interprets the historical whole in a different way. Be-

sides that, as Connerton points out, "raising a wall between the new beginning and the old tyranny, means remembering the old tyranny". Without establishing a new zero point, the old age would become dim sooner, and the negative contrastive dark background that this new present requires would fade. In general, cultural memory becomes more important the more we "cut off" the past and interpret it as different from the present. Moreover, then the negative side of the past becomes more important (as a counter foil) and part of the apologetics of the present. For instance, the more Communism is presented as totalitarian, the more our present is seen as normal. And the greater the number of victims of Communism, the more was the authentic past unjustly suffocated by the Communists. In this way, the blueprint for creating a useful dark past and introduction of new celebrations becomes clearer today.

We should always keep it in mind that the determined turning points and holidays mirror the official monumental, and not the real everyday past. Therefore, the structural history that monitors the development processes with different rhythms recognizes the striking "overturn" symbols as a temporary flash of some profound currents. In the USA holidays, celebrations and parades cherish the memory of the selectively determined events from the past: they emphasize the Puritan heritage and the Independence War, and not the massacres and the genocide over the natives in the brutal colonization of the Wild West. Of course, the calendar of celebrations in the USA does not allow any hint to the "primitive accumulation of capital" and the geno-

cide behind the glorious discovery of America. When Columbus got ashore, there were 10 million native Americans north of Mexico, who were decimated to about 1.5 million in a period of only one and a half century, due to genocide and disease (Zinn 2003:16). The Spanish conquistador Cortez, in a similar way, devastated the Aztec civilization in search for gold, as part of an endeavor financed by merchants and landowners, under the auspices of the Roman Catholic Church. The monumental American history cannot rely on shadows (the genocide over the natives) but on glory (the famous Declaration of Independence and the military victories). Countries invent glorious pasts in order to enhance patriotism, conceal the governmental violence and justify the state's expansion.

2.

It is easy to notice that the ruling groups in various environments use the same methods to develop strategies for integration of the diverse ethnic population. Imagination is limitless in politics. The Canadian geographer Osborne has demonstrated how the Canadian elites, parallel to creating the constitutional mechanisms, reshaped the past to the aim of integrating the loyalty of the periphery. Just like everywhere else, the monumentalizing of the national history went through reinventing and denoting symbolic topography as well as strengthening the identity through commemorations: selective past, monuments, and festivals (Osborne 2001). Each politician knows that the wider the support of the nation for the significance of the core event from the past (1776 for the USA, 1066 for England, 1389 for Serbia), the easier the homogenization of

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the collective memory and mobilization of the masses by the reconstruction of the traumatic, heroic or the sacrificial context of the national past. If the past is divided, and if there is not a unanimous attitude regarding its core importance, then the political applicability of the past weakens. In Socialist Yugoslavia, the course book system was federalized; each republic had their own history course books, while the Albanians in Kosovo used the history course books from Albania. In multiethnic Yugoslavia it was not easy to modulate the past; therefore, the individual national histories had to be cleansed from the powerful national hatred and balance the various nationalisms from the past. This was done by the Communist Union of Yugoslavia. Moreover, the modulation of the past is an important component of the unification of Europe even today.

However, it is not only the images of the past that are modulated, but also the places of remembrance are well planned. In this way, monuments, churches and names of streets have an exquisite symbolic significance and serve as spatial coordinates of belonging. We could clearly tell who wants to remember what and why by analyzing these symbols carefully. In Bosnia and Herzegovina, ever since the 1990s, the national space of the Serbs, Croats, and Bosnians are demarked with churches. We are witnessing a new symbolic restorative strike. People create new places of memory, relate their own national identity with them, justify their right to the location by inventing traditions within the most complexly invented ideological creation – that of Christianity. In such a way, a specific community is distinguished by the

places of memory, and then the individual history of the people is integrated in the individual geography of the people. Moreover, these places became sacred, indispensable to the identity. The choreography of the government is placed within the reinvented national and religious history and fitted within the imaginary geography. This task was to be carried out in the 1990s by the para-historiography that emerged all across the Balkans with its two main genres: autochthonism and martyrology (Marković 2004:55). If my nation is the oldest and therefore the major victim, then it is easy to emotionalize and normalize all means of reparation. Following the aforementioned genres, the para-historiography was quite successful in activating and emotionalizing the past during the civil war in Yugoslavia of the 1990s.

In the political use of the past, the geographical names are the necessary complement to the "myth" of the leader and the founding of the state and the nation, as well as the "myth" of the "continuity of the national identity" as well as the "continuous national fight" for freedom and liberation from the alien dominance and occupation. The examples in the Balkans are still fresh. The new Slovenian founding place of memory is *Gosposvetsko polje* (Zollfeld), where their medieval kings were crowned, although this place was used with the same purpose by the Celts, the Romans and the Carolingians.. The Duke's Chair in Herzogstuhl is one of the most important legal monuments in Europe, since the Dukes of Carantania here conducted their legislative work. The Slovenians adopted it in the 1990s as their founding place of memory for their own statehood (Mekina

2001). However, in the case with Slovenia we are not talking about a liberation myth with the pantheon of heroes, but a culture that gained the epithet of "the pillar of Slavic culture", and the poet France Prešern (the author of the current national anthem "A Toast") became the key national figure.

The places of memory are not only sanctified but also re-sacralized. All hegemonies of new celebrations create a cumulative resistance and recruit potential personal undertakers from the vast array of unrecognized victims. In such a way, the main street in Banja Luka has changed several rulers' names in the course of the 20th century. It was called the Emperor's Road, which changed into Ante Pavelić Road in 1942, to become Maršal Tito Road in 1945. Today it bears the name of King Peter I Karađorđević. The figure of a "warrior", "legendary fighter" and the "bloodshed", along with the name of the ruler constitutes the "heroic code" of the monumental past. In doing this, the recollection of the past can go deeper or not. If, for instance, the idea is to show the civilized life, then the thesis of the "Serbs as the oldest nation" is put forth, and when the goal is to emphasize the character of a victim, then Kosovo is mentioned as a Biblical sample of a fortified victim in defense of Christianity, the modern time statehood is emphasized through the thesis of the uprisings recognized as "Serbian revolution", and the opposition of the leftists through the constructed *chetnik* Fascism. The attributes "first" and "greatest" qualify the pioneer fighters for the "fatherland's nation" or the central places of sacrifice.

The attempt to qualify Draža Mihajlović as the "first European guerilla", Jasenovac as the "greatest Serbian underground city", and general Nedić as the "father of Serbia" represents efforts to establish a new national zero point in some of the hot spots of the collective memory.

Inventing or reinterpreting the places of sacrifice should be distinguished from the justified emphasis of their general moral message. No matter how necessary is the latter, we should be very critical of the former. The memory is disputable when different groups interpret in various ways the meaning of an important event. Auschwitz, which is located in Poland, is a sacred place for the Jews and the Polish. The Polish reduce the implication of the Jewish casualties in Auschwitz, while the Croats minimize Jasenovac. For the Polish, Auschwitz represents a synonym for the suffering of the Polish people, while for the Jews it is the most significant symbol of the Holocaust. For the Serbians, Jasenovac is a place of the genocide against their own people, while for the Croats it is an extortion of recognition for the crimes that nationalists conducted against Serbs, Croats, Jews and Roma people. The attitude towards the official strategic places changes as well: Tuđman ignored Jasenovac, and Mesić uses it in an attempt to satisfy the requirements of EU, by facing the past. The instrumentalized Serbian version of Jasenovac (which reached the figure of about one million Serbian casualties) has strengthened the Serbian nationalism at the end of the 20th century; however, at the same time, it has caused the construction of the counter-memory. Bleiberg and Kočevski Rog are the new anti-Fascist Croatian and Slovenian, as well as *chetnik* places of memo-

ry. There are cases when the old crime scenes cannot be replaced, but can be given another meaning. The places of sacrifice are, namely, cleansed from the unwanted frames from the past. Jasenovac has been converted to a place of the nationalized Croatian anti-Fascism, although the anti-Fascist movement in Croatia, at least until the capitulation of Italy, was conducted mostly by Serbs, due to the *ustash* threat. At the same time, as part of the new global culture of memory, Croatia attempts to present itself as a protector of minorities with the official commemorations in Jasenovac. While the memory of the victor justifies the existing, the memory of the defeated demands revenge and is inclined towards a revision of the existing.

Tensions are thus getting stronger, since with both parties the places of memory represent the core of the moral and political argument. Auschwitz is still a key argument in the scholarly, as well as ideological and political debates regarding Fascism in Germany, Hiroshima is instrumentalized in various ways in the political life of Japan and similarly, Jasenovac and Bleiberg are politicized in the Balkans. It is easy to notice that the neuralgic places of

memory represent a condensed history, which can be easily summed up in a parole to stir the emotions of the masses. The Holocaust was a symbol of the modern technology's destruction, the fight against neo-Nazism and drawing a line, and then justifying the Gulf War in 1991, as well as the bombarding of Yugoslavia in 1999. Bleiberg has become an anti-Fascist "argument" in the Balkans, then an anti-Serbian obverse to Jasenovac and a symbol of anti-Yugoslav sentiments. Quite visible are also the various ways of instrumentalizing the places of mass suffering. When we recollect a place of a major crime or when we use the place as a metaphor, the emotional component of the argument is enhanced and is placed under the pressure of the moral absolutism. With this, only those who are not disgusted and do not join the condemning community are suspicious. Regarding mass graves (particularly the national ones) there is no debate by default, while worldwide, the recognized status of a victim secures a political capital to the nation. Even today, the question as to who was the executioner and who the victim during WW2 in the Balkans is not the same. The past is a powerful weapon.

Резиме

Прикажани се нови празници и нови споменици во новите балкански држави по Студената војна, пред сè во Србија и Хрватска. Во ослободителната култура на Западниот Балкан одбележувањето на востанието е необично важен симбол. Востанијата се оние нулта часови кога започнува ослободувањето и се тесно поврзани со оправдувањето на владеењето на старите комунистички и новите националистички елити. Новите празници на Балканот го симболизираат радикалниот расцеп со комунистичкото минато. Ревизијата на празниците е окарактеризирана со реклерикализација и ренационализација. Новата, најчесто

измислена географија на симболите, треба да покаже дека нацијата е длабоко вкоренета во минатото. Во Србија и Црна Гора радикална-та ревизија на празниците и симболичната географија настапи дури во 2001-та, по падот на Милошевиќ, а во останатите поранешни југо-словенски републики во почетокот на 1990-тите.

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Post-Communist transition and the myth

Anastas Vangeli

Introduction

One of the main characteristics of post-Communism is the high value of irrationality in the public deliberation. To name a few examples: Macedonia's, Croatia's and Ukraine's post-Communist experience was marked by the processes of redefining of the origin of the nation, based on the myths of their pre-Slavic roots or different cultural code[1]. The Serbian public discourse is dominated by myths of the paranormal and conspiracy theories[2]. In Hungary, but also in many post-Soviet republics, myths inspired re-burial of dead bodies[3]. In Romania, the Church became the key political factor as the myths of divine authority seem to have their own resurrection[4]. In Poland, the Christian conservatism reaches new heights. In the Baltic countries, the ethnic Russians are victims of the anti-Soviet myths. In Russia, there are new authoritarian tendencies emerging as the post-Communist reforms just nurture corruption and intolerance[5].

Of course, there are many other examples, even multiple examples for each case. Still, the common denominator for all these cases is the effect of the irrationality and myths as an important political factor.

All this has somewhat deeper roots that are going to be the subject of interest in this paper.

Namely, the societies that we refer to as post-Communist have many different experiences; however, the one thing they have in common is that almost all of them had never been perceived as a legitimate and equal part of the liberal-democratic world order[6]. They can be even perceived as a counter-part of the "West", a perception that can even lead to an Orientalist understanding of the post-Communist context[7].

Assuredly, the fall of Communism itself was not a single condition for

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[1] See Krzystof Wroclawski, "Croatian, Macedonian and Ukrainian national ideas of their ethnogeny" in Jolanta Sujecka, ed., *The National Idea as a Research Problem* (Warszawa : The Polish Academy of Sciences, The Institute of Slavonic Studies, 2002), 241-253.

[2] See Srđa Pavlović, "'Mirror, Mirror on the Wall...' Prophecies, Horoscopes, and the Politics of the Paranormal in Serbia (1992-2000)", *Spaces of Identity* 1/2001.

[3] See Katherine Verdery, *The Political Lives of Dead Bodies : Reburial and Pos-Socialist Change* (New York : Columbia University Press, 1999).

[4] Lavinia Stan and Lucian Turcescu, "The Romanian Orthodox Church and post-Communist democratization", *Europe-Asia Studies*, Vol. 52, No. 8 (Dec., 2000), pp. 1467-1488.

[5] See Nina L. Khruscheva, "Cultural Contradictions of Post-Communism: Why Liberal Reforms did not Succeed in Russia", Council of Foreign Relations, 2000.

[6] Maybe a few countries, like Slovenia or Slovakia, can be singled out as successful examples of transcending post-Communism, but even they still experience some of the problems of their post-Communist legacy; for example, Slovenia got involved into a border dispute with Croatia, and Slovakia still has not managed its minority issues.

[7] For an in-depth analysis see Judy Butt, "Introduction: Defining Central and Eastern Europe" in Stephen White, Judy Butt, Paul G. Lewis (eds.), *Developments in Central and Eastern European politics 4* (Duke University Press, 2007), pp. 1-20.

those societies to be considered on par to the "Western" ones. When the Communist regime fell, the world from the other side of the Iron Curtain was stuck in an economic wreck, unstable state institutions and cavernous uncertainty. That is why, in fact, that part of the world was labeled as "post-Communist"[8]. Those societies were still supposed to go through the processes of transition and democratic consolidation in order to prove that they are advancing towards the ideals of a typical western-type liberal democracy.

And most of those countries got engaged into the process of re-shaping the society and achieved various results. However, almost two decades after the fall of the old regime, the "post-Communist" stamp, but also the "post-Communist" perception, still persist, although part of the post-Communist countries are well integrated in the European Union and the NATO[9].

Yet, what is the starting point in this paper is that the involvement into the processes of transition, and the fulfillment of the economic and political criteria imposed by the "West" was proven not to be enough for a society to depart from the post-Communist discourse. The economic transformation and the democratic consolidation are surely important for the structural changes and the advancement of the society, yet the spirit of post-Communism is extended beyond the structures; it

is the very political culture of the post-Communist societies that is based on ideological thinking and myths, that is the point of difference between them and the "West"[10].

Therefore, this paper is going to critically examine some of the aspects of the manifestation and of the reasons for the mythologization of post-Communism.

Myth and post-Communism: Some theoretical grounds

Before proceeding further on with the analysis, the author necessarily has to clarify the usage of the term *myth* in this paper. The category of myth and the mythological itself is a very vague and ambiguous one, and has been a reference point for many concepts in various fields of social sciences in humanities[11].

Myth itself is usually considered to be an extended narrative or a dynamic process of narration. Furthermore, it is a referential or auto-referential narration, or as Levi-Strauss puts it, "the elements of mythical thought lie half-way between percepts and concepts"[12]. For Mircea Eliade, the myth is essentially a story that answers questions about the origin of things and their purpose; it does not need to be historically accurate, but it needs to be appealing to the community[13]. Among the lat-

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[8] Post-Communism is a very broad concept. However, it is the only concept that can include both the Post-Soviet and Post-Yugoslav experiences, together with the Central European ones, in contrast to the ones of Western Europe.

[9] However, some authors have proposed that 2004 was the year when post-Communism ended, because that was the year when ten post-Communist countries joined the EU. In the same manner, the term "New Europe" is being used as a reference to these countries. See Andras Bozoki, "The End of Post-Communism", speech, 24.09.2004, available online at http://www.wilsoncenter.org/topics/pubs/MR306-Bozoki.doc, last accessed 10.08.2009

[10] See George Schöpflin, "Ideological thinking and post-Communism", *Nations, Identity, Power: The New Politics of Europe* (New York : New York University Press, 2000), pp. 99-128.

[11] Some of the best known authors from various disciplines that have dealt with the category of the myth (from different perspectives) are Sigmund Freud, Carl Gustav Jung, Ernst Cassirer, Claude Levi-Strauss, Mircea Eliade, Raoul Girardet, Eric Hobsbawm, Anthony D. Smith, etc.

[12] Claude Lévi-Strauss, *The Savage Mind*, (University of Chicago Press, 1966), p. 18.

[13] See Mircea Eliade, *Myth and Reality* (Harper & Row, 1968).

er authors, Christopher Flood, building mostly upon Sorel's and Cassirer's definitions of myth between reason and emotions, discusses the capacity of myth for political mobilization, since it is a complex narrative with its own structure, yet flexible enough to adjust to any given reality[14].

One of the most systematic and relevant studies on myths is the one done by George Schöpflin. In his essay "The Functions of myth and a taxonomy of myths" he says that the functions of myth can be related to the self-definition and "identity transfer" within a community, the communication between the masses and the elites, the tendencies to simplify the complex reality and search for excuses for certain failures, to resonating political decisions, and providing cognitive delimiting in a given society[15]. His taxonomy, on the other hand, distinguishes several types of myths: myths of historical rights to a territory, myths of redemption and suffering, myths of unjust treatment, myths of election and civilizing mission, myths of militaristic values, myths of rebirth and renewal and the myths of foundation[16]. Of course, his work is not to be taken for granted; many of the functions and the types of myths Schöpflin offers converge and overlap. Still, his insights lead to a certain extent towards the development of a concrete methodology in the analysis of myths.

Another important point implied especially in Schöpflin's analysis is the relation between the myth and nationalism. Although political myths can be instrumentalized for various purposes (in terms in ideology and interest), the grand national meta-narratives are those that can provide a correlation among various myths with various functions. For example, the Communist myth can be the one of simplifying the complexities and resonate political decisions, but it fails to answer some of the crucial questions, such as that of self-definition. Similarly, many conspiracy myths can serve as excuses for political failures, but will not provide answers for other questions. Somewhat different but yet incomplete is the myth that can be derived from the liberal discourse; it provides everyone with the right for the quest of their own roots, but will not necessarily give a straightforward answer.

The nationalist myth, on the other hand, can often be all-encompassing and address all the dilemmas in a society. Through its triadic structure and the transcendence attributed to it, the nationalist myth helps a community to discover its origin, the reasons for its present situation (usually not a satisfactory one) and also provide an agenda for the future[17].

Despite that, the term *myth* still seems to be vague and very fluid. One important question that can be raised here is the following: what is so special about its relationship with post-Communism? The parallels between post-Communist political and political myths are here drawn simply because post-Communism is a modern phenomenon, and myths are one of the main symbols of the Modernist context.

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[14] Christopher Flood, *Political Myth* (Routledge, 2002).

[15] George Schöpflin, "The Functions of myth and a taxonomy of myths" in Geoffrey Hosking and George Schöpflin (eds.), *Myths and nationhood* (London : C. Hurst), pp. 19-35.

[16] Ibid.

[17] See Matthew Levinger and Paula Franklin Lyttle, "Myth and mobilization: the triadic structure of nationalist rhetoric", *Nations and Nationalism* 7 (2), 2001, pp. 175-194.

One of the basic premises about post-Communism is that, in fact, it is a struggle for modernity, or it is simply modernity in the making. Although it can be argued that the crisis of Communism was in fact a crisis of modernity and post-Communism can be described as a post-modern text, it has been proposed that the fall of Communism did not happen because of its inability to transcend modernity, but to merely establish it[18]. And the political myth is a modern phenomenon, an inevitable fragment of the establishment of every modern context.

A further theory that relates the myth with the problem of modernity of post-Communism is the one offered by the already quoted Schöpflin. He basically argues that the relationship of the failed modernity (both pre-Communist and Communist) and the dynamics of the collective identifications during "crises" of meanings" are the very frame of the post-Communist politics[19]. As he proves, it was the myth-symbol-ritual complex and the ideological thinking that have been producing the norms while the structures of the system were failing to deliver the desired modernity at the end of the Communist and during the post-Communism era as well. Referring to the late years of development of the post-Communist countries (the period when the EU accession got on the agenda), Schöpflin predicts that still, the imposed norms of the West might not be fully internalized in the post-Communist societies, and that the incompleteness of

modernity might be perpetuated instead of overcome. That kind of situation is, according to him, a crisis of meanings[20]. That is why it is to be expected that political legitimacy in the post-Communist context is not just to be sought in the institutions; but also in the myth because the myth determines all the meanings that otherwise seem unclear[21].

Another important aspect for determining the place of the myth in the post-Communist context is certainly the role of the political, but also the intellectual elites. The intelligentsia was an important pillar of the Communist establishment; the intellectuals also played an important role in the transformation of the former regime and of the molding of the new one, and in many cases, there was a continuity in their position both before and after the change. Two important authors that deal with this matter are Vladimir Tismăneanu and Siniša Malešević[22]. Tismăneanu, similarly as Schöpflin, argues that the uncertainty

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[18] Larry Ray, "Post-Communism: post-modernity or modernity revisited?", *The British Journal of Sociology*, Vol. 48, No. 4 (Dec., 1997), pp. 543-560.

[19] George Schöpflin, "Identities, politics and post-Communism in Central Europe", *Nations and Nationalism* 9 (4), 2003, pp. 477-490 and George Schöpflin, "Ideological thinking and post-Communism", op. cit.

[20] Tismăneanu terms it "moral crisis of post-Communism". See Vladimir Tismăneanu, Fantasies of Salvation : Democracy, Nationalism, and Myth in Post-Communist Europe (Princeton, N.J. : Princeton University Press, 1998), p. 154. Similarly, Flood builds upon Girardet's assumption that "the birth of the political myth occurs at the moment when social trauma develops into psychic trauma. Its origin lies in the private intensity of anguish or uncertainties (…)", as quoted in Flood, op. cit., p. 79.

[21] See also Cosmina Tanasoiu, "Post-Communist political symbolism: New myths – same old stories? An analysis of Romanian political mythology", *The Romanian Journal of Political Sciences* (01/2005), pp. 111-128. The author states the following "In post-Communism, the functions of the myth are twofold: covering the ideological vacuum and facilitating transition. Post-Communist societies have lost their known system of references, and traditional ideologies and political dichotomies that cannot account for the world around" p. 115.

[22] Another author that builds upon Tismăneanu's premises and on Mircea Eliade's theories is Ionut Isac. He basically argues that the whole concept of post-Communism is a concept of mythology, yet he identifies the intellectuals as the most responsible for the endurance and the debunking of myths. See Ionut Isac, "The intellectual inheritance of Mircea Eliade: Some aspects of political mythology in post-Communist societies", *Studia Universitatis Babes-Bolyai – Philosophia*, issue 1/2006, pp. 63-69.

of post-Communism is the perfect soil for raising political myths by the elite[23]. In his theory, populism is considered to be a significant condition of the post-Communist political discourse with regard to the plausibility of the national mythology, of creating the Other, but also of creating a glorious national self-portrait and always trying to find an alternative between the old Communism and the imposed Western liberal norms[24]. Malešević, on the other hand, writes about the *identitarian* intellectuals as key players in the spread of ethnic nationalism. Drawing on the Yugoslav experience, Malešević argues that the intellectual elite had been always allied with the dominant ideology (both in Communism and the post-Communism). As the dominant ideology after Communism seemed to be the identity, the work of the intellectuals has been closely related to the invention and the rationalization of identitarian myths[25].

The role of historical change

One important thing that cannot be omitted is that the turning point of the course of history in the early 1990s marked by the unlikely fall of the Communism has brought the rhetoric of the 'end of history' (as a history of the evolution of society) and 'the end of ideology' (as the end of grand ideas). Regarding the global discourse, it was not just a milestone of the establishment of the "new world order", but it was sup-

posed to be a triumph of the common sense of the West as well. The experimental utopia and the self-proclaimed Messianism of the Communist parties were to be left behind. That historical point was also expected to be a triumph of the capitalist rhetoric of free market over the rhetoric of the idea of universal welfare; it was seen as the spirit of individualism prevailing over the collective matrix, and it was the victory of the plurality of ideas and the opening of the public deliberation sphere over the domination of the sole grand narrative of the classless society. However, that great historical importance of post-Communist opening was quite opposite to the idea of the 'end of history', as the societies, especially the post-Communist ones, proved that the liberal-democratic form of government might not be the best and ultimate one as it had been thought before. And the key role in this story is assigned to the myth.

The only historical 'end' that happened with the fall of Communism was its own end and the end of the period know as the Cold War. However, the world started moving into a new era, with no less importance for the broad historical discourse. It was the era of the extensive (almost) world-wide globalization. The post-Communist transitions were in fact the sideways of globalization, or simply the first phase (or the preparatory one) for the opening of the market and the opening of the post-Communist societies, as well as their integration in the international (or transnational) institutions.

Speaking of the changes that were supposed to follow these processes, it can be argued that one of the most

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[23] Tismăneanu, op. cit.
[24] Ibid.
[25] Siniša Malešević, "Intellectuals and ethno-nationalist ideology " in *Identity as Ideology : Understanding Ethnicity and Nationalism* (New York : Palgrave Macmillan, 2006), pp. 185-204.

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sound expectations was that the new
globalized post-Cold War political con-
stellation would "spell the demise" or at
least the decline of the myth of the na-
tion, and weaken nationalism in gen-
eral[26]. However, the mythical thinking
and the nationalist sentiments were
proven to be a durable phenomenon
rather than a temporal state of the so-
cieties that can easily be transcended
or simply overcome. This claim is noth-
ing new, as many authors argued that
in the global era and the transnational
world order there is an evidently sig-
nificant role of the nation in the mod-
ern world[27], resurgence or rather re-
framing of nationalism[28], and that de-
spite all the complexity and inherent
contradictions, nations still "matter"[29].
Many of these arguments regarding the
longevity and importance of national-
ist sentiment were built upon the post-
Communist experiences in the last two
decades, ranging from wars and gen-
ocide to irredentist claims and the rise
of extreme right political factions, be-
ing quite contrasted to the expected
new order based on international or-
ganizations, common sense and tran-
snational cooperation. An important
asset for the durability of the nation-
alist tendency was, of course, the uti-
lization of the power of the myth, or
rather the power of the irrational com-

plex comprised of myths, symbols, rit-
uals and emotions[30].

The events of 1989 and 1990, be-
sides being the hallmark of several im-
portant changes mentioned above (the
triumph of common sense over utopia,
capitalism over welfare, individualism
over collectivism and the point when
the world went from the Cold War to
globalization) can also be interpreted
as a symbol of the triumph of the *logos*
of the West over the *mythos* of Com-
munism, the *logos* meaning something
perceived not just as more rational,
but genuinely more advanced[31]. Nev-
ertheless, the sole fact that the post-
Communist societies were entering the
phase of transition meant that contex-
tually, post-Communist societies had
not left yet the state of *mythos*, but
started moving out if it. The process
of transition, arbitrarily attributed with
the values of progress, resembled a
rhetoric of advancement from *mythos*
to *logos*, implying the *mythos* being
the very present tense of post-Com-
munism. As Buden argues, this tran-
sition was multifaceted - for instance,
it tended to be spatial (in terms of val-
ues) - from East to West, or temporal
- from the past to the future, as the
myth is something closely related with
the past and the *logos* is inherently fu-
turistic[32]. Moreover, it was an allusion
of physical movement from one envi-
ronment to another, no less imaginary

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[26] A reference to the idea of Hobsbawm that "the owl of Min-
erva which brings wisdom [...] is now circling round na-
tions and nationalism" in Eric Hobsbawm, *Nations and
Nationalism since 1780 : Programme, Myth, Reality* (Cam-
bridge : Cambridge University Press, 1992) p. 192.

[27] See Anthony D. Smith, "An ethno-national revival?" in *Na-
tions and Nationalism in a Global Era* (Cambridge, Mass. :
Polity Press, 1995), p. 51-85.

[28] See Rogers Brubaker, *Nationalism Reframed : Nationhood
and the National Question in the New Europe* (Cambridge:
Cambridge University Press, 1996).

[29] See Craig Calhoun, "Is it time to be post-national?" in *Na-
tions Matter : Citizenship, Solidarity, and the Cosmopoli-
tan Dream* (London : Routledge, 2007), p. 11-26.

[30] This claim is built upon the proposition of George Schöp-
flin that "there are certain aspects of our world that can
not be comprised by conventional rationality" (in "Ethnic-
ity and cultural reproduction" in *Nations, Identity, Power*
(New York : New York University Press, 2000), p. 79.

[31] Boris Buden, "Mythos und Logos des serbischen Schick-
sals" in Jans Becker, Achim Engelberg (eds.) *Serbien nach
den Kriegen* (Frankfurt a.M. : Suhrkamp Verlag, 2008),
p. 308-321. Quoted from the Serbian translation. <http://
www.pescanik.net/index2.php?option=com_content&tas
k=view&id=2944&pop=1&page=0&Itemid=106>, last ac-
cessed 12.04.2009.

[32] Buden, op. cit.

than the trip to the classless society was during Communism.

The trap in which all of the predictions about the future of post-Communist societies fell was that it was still expected that the demise of Communism would necessarily bring the demise of the mythomaniac state of mind and rapid adjustments to the norms of the Western *logos*. Yet, the myth was not simply the content of the Communist and later post-Communist mindset, it was the very shape of the collective unconsciousness, the *modus operandi* on the micro and the macro level. Communism was the content of the myth and later, post-Communism replaced it[33]. The old-new myth, in this sense, had to be associated with the image of movement discussed above. Its content used to be Communism with the ultimate goal of classless society. A new goal, or rather a destination was invented – the one of the liberal democracy, whatever it meant.

The myth between democracy and liberalism

What is important to remember is that it was practically the "late modernization" accompanied with the democratization process[34] that turned out to be a crucial factor in establish-

ing and maintaining the mythology as a political means[35]. Since the nation-state became the monopolistic form of political organization, the Communist empires had to be dissolved into multiple distinct nation-states and to undertake the processes of state-building and nation-building[36]. The egalitarian discourse had to be transformed into a liberal one, meaning that the equal brotherly communities had to adopt the logic of majorities and minorities[37]. The peoples had to become nations, and the people themselves had to turn into citizens. There was a massive shift in the social grouping, and a no less significant shift in the redistribution of power.

However, the liberal democratic complexity itself was even less narrating than Communism. The liberal-democratic ideal could just answer the general questions about the course of distant future and that is why the post-Communist societies needed an alternative eschatological discourse. The historical road the post-Communist societies were tracing had to be given a deep historical context of continuity and genesis, as contrary to the Communist rhetoric of change and dialectics, and as contrary to the uncertainty of the imposed transition. That is why Communism was perceived in a teleological manner, as one single event bounded in history that had happened,

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[33] A similar argument is introduced by George Schöpflin regarding the "ideological thinking" as the point of divergence between the West and the post-Communist societies. See Schöpflin, op. cit. 99.

[34] Another point that may not be omitted is the special relationship between demography and democracy, especially in the post-Communist context. Some of the key theorists of democratization, like Linz and Stepan, do recognize the relation between the demographic composition and democracy; their conclusion is that the higher the homogeneity of the population, the higher the prospects for democratization, and that demographic heterogeneity may be problematic through the process of transition. See Juan J. Linz and Alfred Stepan, "Stateness, nationalism and democratization", *Problems of Democratic Transition and Consolidation : Southern Europe, South America, and post-Communist Europe*, (Baltimore : Johns Hopkins University Press, 1996), pp. 16-37.

[35] Buden, op. cit.

[36] See Anthony Giddens, "The globalizing of modernity" in David Held and Anthony McGrew (eds.), *The Global Transformations Reader : An Introduction to the Globalization Debate* (Malden, Mass. : Polity Press, 2000). As for the issue of demography – the nation and state building in the post-Communist ethnically diverse countries was predicted to be a possible disaster. See Zbignew Brzezinski, "Post-Communist nationalism", *Foreign Affairs*, Winter 1989/90, pp. 1-25.

[37] Dejan Jović, "Fear of becoming minority as a motivator of conflict in the former Yugoslavia", *Balkanologie* vol. V n. 1-2, 2001.

lasted for a limited time and finished[38]. The post-Communist societies were now facing the shapeless present and the unforeseeable perspectives. The path they were supposed to take was the one of reason, the one of the logos; the Copenhagen criteria were, for example, simply said, the tyranny of the logos. The question raised here is how, in fact, the democratization process helped the myth gain so much in importance?

Myths, especially the ones dealing with the national self are a recognized pre-requisite for the democratization of society. Rustow, one of the most significant authors on democratization, has said that the first thing ("single background condition") a society needs to democratize is national unity, in terms of all fellow citizens sharing the same "vision" about the nation[39]. The same *vision* is a rather vague term and can easily transform into the same *myth*, since everything that is attributed as *national*, especially the notion of unity, is much dependent on myths. Sharing the same myth is one of the basic conditions of belonging to the same nation – hence, no myth means no unified nation, and no unified nation means no democracy.

Here we have to go back to some of the arguments derived from the theoretical analysis, too. Namely, democratization always happens after the collapse of an authoritarian regime, when the society faces what Girardet and Flood call trauma, or what Schöpflin calls crisis of meanings, or what Tismăneanu calls moral crisis. According to all of these authors, that is the

precise kind of situation that makes the masses identify with and internalize myths. The democratization process meant pluralization and a broad access to the public for various ideas. That is why some of the main political parties in the post-Communist era gathered around myths. Nationalism, radical religious beliefs and conspiracy theories got legitimized in such an environment.

When myths gain significance in a society, the elites, and especially the intellectuals, have more or less two choices: to debunk them (to become enlighteners) or to facilitate them (to become functionalists)[40]. In this paper, it has been argued that the post-Communist elites belong to the latter. That perhaps brings us to the key point about the democratization process as well.

The post-Communist countries, with the exception of just a few (Moldova and Belarus for instance), if not anything else, managed to establish a practice of free democratic elections. That itself was an important milestone in the transition towards the liberal-democratic ideal. However, a good portion of the political legitimating in the post-Communist relied on nationalist, conservative, or any kind of platform that had a lot to do with mythical thinking.

The deployment of myths in the public deliberation process can be an obstacle (or danger) for liberalism[41]. The danger comes not from believing in those myths, but from the function-

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[38] The perception of the Communist period as an event from the distant past also leads to developing nostalgic attitudes.

[39] Dankwart Rustow, "Transitions to democracy", *Comparative Politics*, April 1970, p. 352.

[40] See Pål Kolstø, "Assessing the role of historical myths in modern society", Introduction to Pål Kolstø, (ed.), *Myths and Boundaries in South-Eastern Europe* (London: C. Hurst & Co., 2005), pp. 1-34.

[41] See Arash Abizadeh, "Historical truth, national myths and liberal democracy: On the coherence of liberal nationalism", *The Journal of Political Philosophy*, Vol. 12, no. 3, 2004, pp. 291-313.

alism of the elites. As Abizadeh argues, it is not morally correct to utilize myths just to gain political support, because it is against one of the basic premises of liberal democracy, and that is the purity of the debate between different ideas for the perspective of the society[42]. By belonging in the camp of functionalists, the political actors do not belong to a party that fights for the ideas; they belong to a party whose only interest is the power struggle and thus in a way cheat the basic principles. That is probably the most important point about the myth and the liberal-democratic un-perspectives of post-Communism, and explains better the points of divergence between post-Communism and the "West"[43].

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[42] Of course, that kind of political legitimation is nothing exclusive to the post-Communist countries, but what makes the difference between the "West" and the post-Communist world in terms of the myth is the post-Communist excessiveness. See Buden, op. cit.

[43] This claim can be seen as being in line with Fareed Zakaria's classic essay about the rise of illiberal democracy. While Zakaria relativizes the relationship between liberalism and democracy, arguing that one society can be liberal and not democratic and vice versa, in this paper, along with Abizadeh's postulates, the emphasis is put on the failure of the illiberal post-Communist democracies to liberalize the social discourse. See Fareed Zakaria, "The rise of illiberal democracy", *Foreign Affairs*, November 1997.

Instead of a conclusion

The topic of post-Communism and the myth, although underestimated in the literature, seems to be inexhaustible. It is a very tricky one as well. The purpose of the insights offered in this paper is to raise new questions in various field of research. One such questions is whether the "West" had enough sensibility for the cultural authenticity of post-Communism. Stating that the democratization process was one of the crucial factors for perpetuating the post-Communist mythos leads to doubts if there was any other way possible. Its other objective is to be of use to members of the political and intellectual elite for better understanding of their potential to act for the cause of debunking or perpetuating post-Communist mythology.

— **Резиме** —

Текстот претставува нормативен осврт на поврзаноста помеѓу општествените промени кои ги донесуваат посткомунистистичкиот дискурс и концептот на политичкиот мит. Авторот поаѓа од премисата дека посткомунизмот е погодно тло за продир на митовите, затоа што претставува состојба на криза на легитимитетот. Врска која не смее да се заборави е и континуитетот на митот на комунизмот и на посткомунизмот; како и неизвесноста на транзицијата која само ја засилува потребата од митови кои ќе дадат одговор на животните дилеми. Уште еден аспект кој е покриен во текстот е интеракцијата на политичките, но и интелектуалните елити со создавањето и одржувањето на митовите.

Сепак, митот не е феномен кој самиот по себе значи политичка моќ. Еден од главните аргументи во текстот е дека процесот на посткому-

нистичката демократизација всушност е тој којшто обезбеди структур-
на можност за митот да успее како политичка платформа. Во исто вре-
ме тоа значеше пораз за либералистичката идеја; токму тоа е појдов-
ната точка на разграничување помеѓу „Западот" и посткомунистички-
те општества.

Освртот на посткомунистичката транзиција, пак, е изведен на едно
симболичко ниво; авторот пред сѐ е фокусиран на транзицијата како
навраќање на модерната, и како обид за преоѓање од митот кон „здра-
виот разум", но обид којшто, сепак, може да заврши како преоѓање од
еден мит во друг.

Клучни зборови: *посткомунизам, транзиција, мит, демократизација, модерна*

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Вацлав Хавел

Avtor

Кога би требало да се одвои една историска личност која би била симбол на борбата против комунистичките режими зад железната завеса тоа секако би бил Вацлав Хавел. Неговиот придонес кон создавање клима во Чехословачка, која доведе до падот на комунистичкиот режим на Густав Хусак во 1989, е немерлив, а ништо полесно не може да се измери и тежината на неговиот политички ангажман во посткомунистичка Чешка, но и неговиот придонес како цивилен активист, писател и драматург. Покрај ова, тој е и последниот претседател на сега непостоечката Чехословачка, но и прв претседател на Чешката Република, што го прави фигура со голем политички авторитет во Чешка, но и пошироко.

Како што и самиот истакнува во својата биографија, Вацлав Хавел е роден во богато семејство во Прага на 5 октомври 1936 година. Неговото семејство на младиот Хавел му создало непогоден амбиент за напредување под комунистичкиот режим, пред сè поради нивното силно антикомунистичко расположение и поврзаноста со политичките немири во Чешка во дваесеттите и четириесеттите години на минатиот век. Не му помогнало ни тоа што таткото на Хавел бил сопственик на предградието Барандов во Прага, а мајка му потекнувала од буржоаско семејство каде дедото на Хавел бил познат амбасадор и новинар. Буржоаското потекло го оневозможило неговото потполно школување, а комунистичката власт не му дала можност докрај да го заврши онака како што тој сакал. Средното училиште го завршил во 1954 година, но не бил примен на факултет од областа на општествените науки кои имал желба да ги студира, па морал да се задоволи со Економскиот факултет при Чешкиот технички универзитет во Прага, од кој се откажал по две години студирање.

Во 1956 се запознава со својата жена за која самиот изјавува дека секогаш му била една од главните столбови на потпора во неговата животна борба. Младата Олга Шплихано-

ва, инаку од работничко семејство, по осумгодишна врска ќе се омажи за Хавел и ќе одигра значителна улога во неговиот живот. Поради нејзиното потекло, на бракот силно ќе се спротивстави мајката на Хавел, но тој сепак се решава на брак со неа.

Покрај политичкиот активизам по кој е најмногу познат, Вацлав Хавел е надалеку прочуен и со својот литерарен опус. Иако со издавањето на своите дела имал поеднакви проблеми како и со своите политички ставови, тоа не го спречило да стане плоден автор и неизбежен дел од чешката литературна оставштина. Со пишување се бави од својата дваесетта година, а неговите први дела биле презентирани во театарот „Divadlo na zabradli", како што е *„Забава во градината"* во 1963 година. Покрај *„Меморандумот"* (1965), како реакција на Прашката пролет и настаните поврзани со неа, ја пишува и драмата *„Зголемена потешкотија во концентрирањето"* (1968) со која стекнува меѓународна популарност. Неговата литерарна и политичка кариера почнуваат да се испреплетуваат кога станува претседател на Клубот на независни писатели и член на Клубот на политички активни непартиски граѓани. Од 1965 година работел и во не-марксистичкото списание „Твар".

Својата политичка слава ја стекнува колку поради својот јавен ангажман против репресивната комунистичка власт толку и со своите драми во кои отворено ја критикувал апсурдноста на чехословачкиот режим. За време на инвазијата на советските трупи врз Чехословачка во 1968 година Хавел јавно ги коментирал драматичните настани на брановите на

Радио „Слободна Чехословачка" во Либерец. По Прашката пролет и нејзиниот крвав крај забранета му е театарската активност, што дополнително го провоцира да стане политички активен. Драмата *„Публика"* (напишана за време на неговото работење во една од прашките пивари), заедно со две други драми била дистрибуирана во *самиздат* форма во антикомунистичките кругови во Чехословачка, што придонело Хавел да стане антикомунистичка икона и стожерен лик и неформален лидер на дисидентското движење.

Кулминацијата на неговото политичко ангажирање се отсликува во издавањето на манифестот на *Повелбата 77*, напишан како одговор на затворањето на еден прогресивен чешки музички бенд од страна на комунистичките власти. Ова воедно го претставува и почетокот на една од најзначајните дисидентски групи, која ја формира заедно со Јан Паточка, Здењек Млинар, Јиржи Хајек и Павел Кохут. Самиот манифест претставува остра критика на комунистичката власт во однос на (не)почитувањето на човековите права и меѓународно преземените обврски на Чехословачка во оваа сфера. Одговорот на комунистичката власт бил повеќе од остар, а членовите на *Повелба 77* биле затворани, истерани надвор од земјата или под остар надзор на властите. Со цел да се прошири политичката активност, Хавел со неговите соработници го основа и *Комитетот за одбрана на неправедно прогонуваните (Výbor na obranu nespravedlivě stíhaných – VONS)* каде јавно ја објавува судбината на луѓето поврзани со *Повелба 77.* Поради своите политички ак-

тивности тој и останатите лидери на *Повелба 77* во октомври 1979 осудени се на петгодишен затвор. И покрај ова, двете дисидентски групации продолжуваат да работат на издавање извештаи во кои ги критикуваат властите за кршење на човековите права на граѓаните.

Иако *Повелба 77* никогаш не ја постигнала масовноста на *Солидарност* на Лех Валенса, нејзиното постоење било евидентно во прогресивните интелектуални чехословачки кругови. Попуштањето на стегите на советскиот блок во осумдесеттите години на минатиот век претставувало и шанса за *Повелба 77* која вршела сè посилен политички притисок во јавноста за смена на комунистичкиот режим. За време на чехословачката „Кадифена револуција" токму членовите на *Повелба 77* ќе преговараат за мирниот трансфер на власт и конечниот пад на режимот на Густав Хусак.

На 29 декември 1989 токму Вацлав Хавел ќе стане и претседател на Чехословачка изгласан од Федералното собрание. По првите слободни избори во 1990 година тој останува на претседателската функција. Пред самото распаѓање на Чехословачка, Собранието не го избира повторно за претседател токму поради отпорот на словачките пратеници. Иако политички ориентиран за сочувување на федерацијата на Чесите и Словаците, мора да ја прифати политичката реалност на распад на претходната држава, па затоа се кандидира за претседател во независната

Чешка Република и истите ги добива на 26 јануари 1993.

Иако со големи здравствени проблеми, Хавел ја завршува претседателската кариера во 2003 година. Наследен е од Вацлав Клаус со кој ќе имаат сериозни несогласувања околу економските реформи во државата. Хавел своето политичко влијание, за кое многумина тврдат дека е поголемо во глобални отколку во локални рамки, го користи за ширење на идејата за човековите права во земјите какви што се Куба, Белорусија и Бурма. Основач е и на Дагмар и Вацлав Хавел фондацијата која поддржува проекти од сферата на хуманитарното работење, здравството и образованието. Добитник е на многу награди и признанија, не само во својата земја туку и во глобални рамки.

Вацлав Хавел е веројатно една од ретките историски личности кои успеале да докажат дека перото е посилно од мечот. Од перото на Хавел се излезени голем број фиктивни јунаци кои биле алузија на не така фиктивните судбини на луѓето во неговата родна земја под комунистичкиот режим. И самиот силно репресиран од комунистичкиот режим, на своја кожа видел што значи слободата да се изгуби, а слободниот глас да се подјарми. Токму затоа е еден од најголемите гласноговорници на обете, за што посебно признание му оддаде и Френсис Фукујама, често повикувајќи се на него во своите дела.

Abstract

The text is a biography of Václav Havel, one of the most prominent intellectuals and dissidents of the 20th century.

Resolution 1481 (2006)[1]
Need for international condemnation of crimes of totalitarian communist regimes

1. The Parliamentary Assembly refers to its Resolution 1096 (1996) on measures to dismantle the heritage of the former communist totalitarian systems.

2. The totalitarian communist regimes which ruled in central and eastern Europe in the last century, and which are still in power in several countries in the world, have been, without exception, characterised by massive violations of human rights. The violations have differed depending on the culture, country and the historical period and have included individual and collective assassinations and executions, death in concentration camps, starvation, deportations, torture, slave labour and other forms of mass physical terror, persecution on ethnic or religious grounds, violation of freedom of conscience, thought and expression, of freedom of the press, and also lack of political pluralism.

3. The crimes were justified in the name of the class struggle theory and the principle of dictatorship of the proletariat. The interpretation of both principles legitimised the "elimination" of people who were considered harmful to the construction of a new society and, as such, enemies of the totalitarian communist regimes. A vast number of victims in every country concerned were its own nationals. It was the case particularly of the peoples of the former USSR who by far outnumbered other peoples in terms of the number of victims.

4. The Assembly recognises that, in spite of the crimes of totalitarian communist regimes, some European communist parties have made contributions to achieving democracy.

5. The fall of totalitarian communist regimes in central and eastern Europe has not been followed in all cases by an international investigation of the crimes committed by them. Moreover, the authors of these crimes have not been brought to trial by the international community, as was the case with the horrible crimes committed by National Socialism (Nazism).

6. Consequently, public awareness of crimes committed by totalitarian communist regimes is very poor. Communist parties are legal and active in some countries, even if in some cases they have not distanced themselves from the crimes committed by totalitarian communist regimes in the past.

[1].*Assembly debate* on 25 January 2006 (5th Sitting) (see Doc. 10765, report of the Political Affairs Committee, rapporteur: Mr Lindblad).
Text adopted by the Assembly on 25 January 2006 (5th Sitting).

7. The Assembly is convinced that the awareness of history is one of the preconditions for avoiding similar crimes in the future. Furthermore, moral assessment and condemnation of crimes committed play an important role in the education of young generations. The clear position of the international community on the past may be a reference for their future actions.

8. Moreover, the Assembly believes that those victims of crimes committed by totalitarian communist regimes who are still alive or their families, deserve sympathy, understanding and recognition for their sufferings.

9. Totalitarian communist regimes are still active in some countries of the world and crimes continue to be committed. National interest perceptions should not prevent countries from adequate criticism of current totalitarian communist regimes. The Assembly strongly condemns all those violations of human rights.

10. The debates and condemnations which have taken place so far at national level in some Council of Europe member states cannot give dispensation to the international community from taking a clear position on the crimes committed by the totalitarian communist regimes. It has a moral obligation to do so without any further delay.

11. The Council of Europe is well placed for such a debate at international level. All former European communist countries, with the exception of Belarus, are now members, and the protection of human rights and the rule of law are basic values for which it stands.

12. Therefore, the Assembly strongly condemns the massive human rights violations committed by the totalitarian communist regimes and expresses sympathy, understanding and recognition to the victims of these crimes.

13. Furthermore, it calls on all communist or post-communist parties in its member states which have not yet done so to reassess the history of communism and their own past, clearly distance themselves from the crimes committed by totalitarian communist regimes and condemn them without any ambiguity.

14. The Assembly believes that this clear position of the international community will pave the way to further reconciliation. Furthermore, it will hopefully encourage historians throughout the world to continue their research aimed at the determination and objective verification of what took place.

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ната трансформација во поранешни-
те комунистички земји, особено во
земјите на Југоисточна Европа. Таа
го употребува компаративниот нау-
чен модел во случаите на Албанија
и Хрватска. Нејзино поле на интерес
се демократијата, социјалниот капи-
тал, неопатримониализмот и клиен-
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