

Konrad-Adenauer-Stiftung Blvd. Janko Sasakov 19 1504 Sofia

Lecture given on

“Deal with communist dictatorship in Germany and in Bulgaria”.

American University in Bulgaria

Blagoevgrad, 3 Dec. 2013

Marco Arndt

The examination and redefinition of the Communist Dictatorship is being served first to detect repressions, crimes and the abuse of power.

On the other hand the perception of the examination should be used to clarify the benefits of freedom that people have in a country under the rule of law. People often value freedom once they lost it.

Not least the examination of the political situation serves similar not to happen again. Which means the examination is not an end in itself.

In 1989 all the parties in Germany agreed, that examination and a public debate regarding the communist dictatorship in GDR are highly needed. That the SED (Socialist Unity Party of Germany) established a dictatorship was much obvious in those days than nowadays; perhaps it is, because the experience was still in memory and today crimes and repressions are covered for nostalgic past following the slogan: Everything was better in the old days. This nostalgia appeared in the middle 1990s. The statement: “After all, not everything had been that bad” was followed later by the question: “What was actually so bad?” However, today almost nobody wants the old situation back. So, this statement “What was actually so bad?” should be more accepted as a kind of defence of the personal lived life in a dictatorship, not as a defence of the communist system as itself. The situation should be similar in Bulgaria. Therefore the examination has to define very clearly between a dictatorship and its tools and the people who had to live in a dictatorship.

The crucial moment for the beginning of the examination was the opening of the Stasi files and other archives of GDR. The files revealed especially the secret agents of the system.

As a cut back of the past 25 years it can be pointed out that focusing mostly on the topic "Stasi" puts the Communist Party in the background. As a result the secret service is more or less unwillingly till this day the party's "sword and shield", as used in the old slogan, because the old SED stuff could hide even today behind the issue Stasi.

A few weeks ago we started in Bulgaria a survey about the historical knowledge among young Bulgarians. You can refer to the results visiting our webpage. They indicated that the nature of communism, the crimes and bondage are almost unknown to young people.

Germany is facing a similar situation, although the State and many organizations and societies, as well as schools inform intensely about the dictatorship and the issue is successfully integrated in classes.

Positively in the Germany study, however, was that 80% of young people recognized the difference between dictatorship and democracy.

In the end of 1989 the files of East Germany's Secret Service were confiscated from the Citizen movement relatively quickly, when people occupied the Stasi-buildings, at last even the headquarter in Berlin in January 1990.

A law about the use of the files has been adopted quickly and an authority to manage and administrate the Stasi-files was established. Its first superior was Joachim Gauck, currently President of Germany. In the GDR he was a rebellious pastor. There are totally about 170 km files.

The public administration staff - in other words the employees of the State -, were by 2006 automatically audited for collaboration with the Secret Service. Collaboration prevents the employment, although there was not a specific law, especially requested a termination because of Stasi-collaboration. It is therefore only a question of morals that former Stasi-collaborators are not allowed to work in senior and decision-making positions in public service. Therefore most of those, who had worked for the secret service, went after 1990 into business or established themselves as self-employed workers. Some, however, were elected as mayors; here the state has to accept the will of the voters. It was not punishable being a collaborator of the secret police or a member of the Socialist Unity Party of Germany it has rather been morally questionable.

Over the past 20 years more than 2 million requests for access has been submitted from private persons, who have been spied by the Stasi. They wanted to know the details in the files, who were spying them and what the Secret Service had on file against them and their families and about their life's.

In addition to the Secret Service-files the files of the party and the government have been also opened without the usual vesting period of 30 years.

After the German reunification in October 1990 the political elite on the territory of the GDR was changed: At the universities and schools teachers and lecturers who had been teaching Marxism and Leninism or who were close to the communists or the secret service were fired, all top positions in administration, police and military were replaced. Not a general of the National People's Army of the German Democratic Republic was assumed in the Federal Armed Forces and only very rarely a colonel. In judiciary Judges and Prosecutors have been replaced.

So far these high ranking civil servants of the GDR received from the Federal Republic a very good pension, which considers their position and so they are situated higher than the normal GDR citizen. Summarized, it may be said, the ex-elite was softly removed. This situation disappoints especially the victims, but puts the reunited country on the path of social peace. This agreement was rightly accepted even from the highest German courts.

All this was only possible, because in West Germany there were enough experts, who were able to fill the vacant positions in the East. Back then, West Germany had a population of 60 million, the GDR only 15.

However, many experts were reactivated from the retirement and lots of students, who have graduated the course, took the East German opportunity to launch a career.

JUDICIAL REDEFINITION

There were about 250.000 political prisoners in GDR between 1949 and 1989. After 1990 they could be rehabilitated lodging an application, because unified Germany has introduced suitable national laws. 170.000 victims have been subsequently free from any blame. They were vindicated. Everybody received a compensation of 300 euro per month of detention, a total of more than 660 million euro was paid.

Prosecution of the injustices that occurred in the former GDR started in the GDR era, because in March 1990 the citizens of the GDR have now elected a new government democratically. Charges were the breach of trust, electoral fraud, failure to prevent the perversion of justice and personal enrichment: Beginning in early December eleven of the 21 politburo leaders were arrested. Erich Honecker was arrested in January 1990, but a day after released because of sickness. His wife Margot, then Minister for Education, lives now in Chile and enjoys there her pension. Up to the Day of Reunification on October 3th, 1990 there were more than 100 judgments by the GDR courts. However, the independent justice in GDR didn't focus on serious crime such as murder, killings at the border, torture, failure to prevent the perversion of justice, deprivation of personal liberty. This should happen later in the courts of a united Germany. These courts indeed conducted more than 100.000 researches between 1990 and 2003. 10 years ago the chance of persecution of the injustices that occurred in the former GDR came to an end, because they were lapsed. The

yield was more than poor: only 1000 prosecutions, only 300 judgments, most of them on probation.

This was not due to the inability of the German Justice, but rather because the proceedings against the accused ought to be treated by the GDR-law. This means that German courts have to apply GDR criminal law, because of a judicial principal, that new laws could not be applied with retroactive effect. Nulla poena sine lege - no punishment without law - this is the basic principle. Let us say, the use of hashish would be legal in Bulgaria and you smoke every day a joint. So you should be assured that you will not be condemned, when a new government criminalized the next months the consumption of hashish. And because many deeds, classified as wrong to West German standards, remained legal to GDR law, most of convictions remained well below expectations. The consequence has been that the victims were disappointed, but the perpetrators were subsequently viewed as warranted. A "justice of winners", very often accused to German judges, however, is somewhat different.

INSTITUTIONAL REDEFINITION

More successful than the judicial redefinition was the institutional process of dealing with the communism. The German Parliament set up for years a commission, focused intensely on the history of communism in Germany. The result was 34 volumes with 30.000 pages!

Further, there are numerous memorials and museums, mostly former prisons for political prisoners such as the infamous prison in Berlin-Hohenschönhausen or the worse prison for women imprisoned in Hoheneck. Luckily the old equipment of the cells still exists, so visitors can obtain a realistic impression of the prison conditions. The groups are guided within the memorials, wherever possible, from former prisoners. About 180.000 young people visit in a year just Hohenschönhausen. Altogether, there are 700 places of memories, 80 of them are located in West Germany.

In 1998 the State established its own foundation named "Redefinition". The mission of the foundation is to support projects for studying communism. Between 1998 und 2011 the foundation supported 2400 projects; it spent 30 million euro during these 13 years.

So, the foundation has also co-financed our exhibition on communism in Bulgaria. It is a touring exhibition and was shown up to now in six Bulgarian cities. If you want to present it here, we can do that together in spring. And please have a look at the exhibition catalogue here. You can keep it and you can find a version as a PDF on our webpage.

Germany experienced first the brown than the red dictatorship and the combination is unique in Europe. This required early the conflict of the crime interpretation. The victims of Nazism and Communism entered into a direct competition.

However, I think that every dictatorship has its own story to be told; they can be of course compared and I am quite certain, that there is much conformity. But we shall not equate both dictatorships with each other. The crimes of Nazism should not be relativized; crimes of communism shouldn't be downplayed or trivialized.

SITUATION IN BULGARIA

Let us now look at the situation in Bulgaria. On September, 9 this year Sergei Stanishev said, that this day is a "bright day" for Bulgarian history. What he meant was the Red Army's intervention into and the conquest of Bulgaria in 1944 without a declaration of war and the followed establishment of the communist dictatorship. This occasion brought in Bulgaria even more bloodshed than in other parts of the Soviet Union's sphere of influence. In the early months thousands of Bulgarians were killed without trial. This generally involves members of the old elite as police directors, officers, priests and journalist's also. They were denounced as traitors, spies and fascists and later liquidated. The number of the murdered by the people's militia and mysteriously disappeared persons varies - depending on the information - between 18.000 and 30.000 people.

The so called "People's courts" started later their work. They were courts which were established specially for these political court procedures. They violated all the principles of the rule of law: Chief Prosecutors were not trained judges, but rather party activists. The accused did not have the opportunity to defend them, they didn't receive legal advice. Later their assets were confiscated and their families became victims of repressions. Until July 1945 more than 11.000 people must justify themselves before the People's courts, only 1.500 were acquitted.

The most important persons were put on trial in Sofia. The trial began four days before Christmas and was held in the ceremonial hall of the Palace of Justice and simultaneously was taking place in the Aula of the Sofia University. Accused were three Regents, three former Prime Ministers, 26 former Minister, 122 members of the last Parliament from 1940 and eight close advisors of the Tsar Boris. Overall 162 defendants were brought to justice. They appeared before the lay judges in prison uniform and made after several months of detention a very miserable impression. The verdicts of the court were announced on 1 February 1945. The court imposed one-hundred times the death penalty. The executions took place in the night of the 2 February. The condemned shoveled their own graves at the Sofia Central Cemetery at temperatures of about -19 degrees. Then they have to undress completely and were shot by machine-guns. The last words of Prince Kyrill were „Long live The Kingdom of Bulgaria! “. Today, a small commemorative plaque at the cemetery reminds of the crime.

It remains a mystery of Mr. Stanishev why the beginning of this dictatorship should be considered as a good event for Bulgaria.

However, it can be observed, that all Bulgarian governments from 1990 till today were hardly able to contribute clarification: There are no memorials, no publicly funded research institutes or research projects, not by the state supported discussions about communism, not film projects or museums, not commemoration ceremonies. In schools the issue is treating sidelined. Everything has been gathered in Bulgaria about communism, is based on the initiative of single persons or non-government organizations. So it is not surprising why the knowledge of young people on the recent history is very poor. And this ignorance is masked by stories told by the older generation, who in their turn don't want to devalue their life in communism and developed a nostalgic look of "the good old days" instead.

The only laudable exception was the in 2006 established "Commission for administration and disclosure of the Secret Police files" and the transfer of the files in an own archive. The associated law is one of the most enviable in Europe. The creation of the authority was based on a European Union requirement as one of the conditions for Bulgarians accession in 2007. During that time there are always new revelations concerning the cooperation of famous people with the Secret police, what makes more or less the establishment of such kinds of networks difficult for them. Until now more than 8.000 people have been uncovered as employees of the State Security. For example, it was a big disappointment in February 2012 when it became known that most of the metropolitans of the Church had been Secret police informants. However, nobody has drawn the necessary consequences from this situation. In all cabinets, with exception of the years 2011 – 13, ministers there were people with relations to the Stasi. This also applies for a third of the current parliamentarians from the Party of Ataka.

I am not surprised that the existence of the file-commission was recently put into question. In an interview for the magazine Monitor Mr. Stanishev explained some weeks ago, that for reasons of cost the files should be subordinated to the State Archive and the Commission should be dissolved. But such measures would result in a paralysis of the redefinition, because the Commission is responsible only to Parliament but the State Archive to the Minister of the interior. Moreover, since a few weeks the State Archive is managed by a former employer of the communistic State Security Service who became director there.

As you can see, the issue of the communistic past is not a closed episode, but the past is affecting and largely shaping the present. And this is because in 1990 there wasn't a real revolution, but only a change of the political system without any change of the old elites. The Bulgarian author Ilja Trojanov as a matter of fact also speaks about an "invented" or faked revolution. The elite, including many officers of the Stasi, have had enough opportunity to adapt to the new situation and to incorporate in the government apparatus, in the security sector and in the economy networks. The recent oligarchic structures are based mainly on this fact. The State Security

founded already in the eighties companies abroad, which helped to transfer money out of the country. After 1987 the government had lost the control over these companies; many of them went bankrupted after the deduction of the assets; where the money has gone is unclear until today.

Equally unclear is where the 2 billion US-Dollars of the Bulgarian national bank, extended in 1991 as loans abroad, remains. But these sums are working and acting till this day.

Aside the discussion concerning the influence of these networks in politics and economics, a feature of the functioning of these networks is the lack of qualitative criteria of professional advancement and success, for example for young people who do not have any connections to these circles; acquaintances are important instead. A remarkable example for this influence of the State security is the Ministry of Foreign Affairs, where the high percentage of Stasi-employees among the career diplomats and directors demonstrated the missing of a system couples career development and merits.

As a result no new elite has been established yet in the diplomatic service. This opposition against the principal of merit is one of the greatest problems facing the state administration in Bulgaria, but also the young private economics. This also explains why so many Bulgarians are pinning their hopes of overcoming this legacy on the European Union. The tensions between the old communist stuff and the still young business elite explain the protests in summer 2013. They are also an attempt to make a breakthrough of a career based on personal performance and knowledge instead of relations and power structures.

I hope that it will not take one generation more until communist past will be buried as a part of Bulgarian history.