

## Bury your hatchets

May 29th 2008

From The Economist print edition

### ...or grind your axes?

#### [Get article background](#)

DOES it matter if the European Union's top echelons include men who have done wrong in the past or who prospered under nasty regimes? Look round the table at the governing council of today's 27-strong union, and more than half the heads of government have experience of life under dictatorship—not all of them on the right side.

The EU has admitted young democracies before. In fact, nearly two decades after the fall of the Berlin Wall, the ex-communist nations have a longer period of free elections behind them than Greece, Spain or Portugal did when they joined in the 1980s. Often the effect has been positive, bringing in people who do not take freedom for granted. The union's current foreign-policy chief, Javier Solana, was an underground Socialist in Franco's Spain. The president of the European Commission, José Manuel Barroso, was an 18-year-old Maoist when revolution came to Portugal (and did his bit by setting fire to his university rector's car). The German chancellor, Angela Merkel, grew up in former East Germany, and no dark shadows were revealed when her Stasi files were made public.

In the first years after 1989 most of the ten ex-communist newcomers passed laws committing them to opening their secret-police archives, as was done in the former East Germany. Some countries went further, establishing "lustration" policies (the word comes from the Latin for ritual purification) that vetted senior public servants, politicians, judges and the like with the help of secret-service files. But such laws were often watered down or undermined, and results have been mixed.

Officially, the EU takes no interest in the political or moral records of national leaders as long as their actions do not breach the law. Prospective member countries have been ordered to reform their legal systems and create independent anti-corruption agencies. But the opening of secret-police files or the banning from office of ex-spooks has never been made a condition of EU entry. War criminals are different, with future membership for Croatia, Serbia and others formally linked to their governments' full cooperation with the international war-crimes tribunal for former Yugoslavia.

For citizens of the new member countries the dividing line between corruption and secret-police links is blurred. The oligarchs who benefited from the early years of privatisation were widely believed to have had, at the least, good links with the old regime's intelligence services.

What does all this imply for the EU? Some say nothing, arguing that after 20 years it is too late to revisit the past. The big fish, it is argued, ensured long ago that their files vanished from secret-police archives, and today's calls for lustration are mainly about score-settling and factional fights. Besides, who can be sure that the files had got things right?

One good argument against lustration is that the privatisation era is now largely finished. Former agents long ago turned their secret-police connections into wealth and forms of influence that do not involve public office and thus cannot be touched by lustration, says Georgi Stoytchev, head of the Bulgarian

Reuters



**The Kaczynskis got vetting**

branch of the Open Society Institute, a think-tank.

Others note that ex-communist countries are not the only ones to send bad men to ministerial gatherings in Brussels or to be slow to tackle the past. For example, it took more than 50 years for Maurice Papon, a French budget minister in the 1970s, to be convicted of organising the wartime deportation of French Jews. And there are well-established links between the Mafia and Italian politics.

### **A slow excavation**

Yet there is a hunger for greater transparency. In March four officials in the Czech interior ministry were asked to resign over links with the old secret police. The Czech press has recently developed a taste for combing the files of celebrities and entertainers. Generally, the Czechs made a pretty good job of opening their files. Shortly after Czechoslovakia split in 1993, the Czechs opened their archives to those who had been spied on and in 2003 published a list of 75,000 agents and informers. Thousands have been banned from public office under a lustration law.

In Slovakia, led by the autocratic Vladimir Meciar for much of the 1990s, it took until 2004 for files to be properly opened. Slovenia quietly "buried" its communist past after splitting from Yugoslavia, its foreign minister, Dimitrij Rupel, said last year, putting national unity ahead of examining past wrongs.

The Baltic states, as former parts of the Soviet Union, saw most of their KGB files vanish to Moscow, and there have been wrangles ever since about opening the bits left behind in Latvia, Estonia and Lithuania. A band of former KGB agents took Lithuania to the European Court of Human Rights, complaining about a law banning them from both public and private employment. The court conceded that although the public ban should stand, they should be allowed private-sector jobs.

In Hungary, it took until 2004 for a law to be passed to open the state security archives fully. Even then, it allowed names to be kept secret to protect modern-day "national security".

Poland's first formal lustration law, in 1997, was "very, very weak", says Andrzej Paczkowski, a governor of the country's Institute of National Remembrance, fuelling the public's suspicions that plots and shadowy networks were responsible for the ills of post-communist life, from high unemployment to botched privatisations. When the centre-right party of Lech and Jaroslaw Kaczynski came to power in 2005, those pent-up suspicions exploded. A new lustration law sought to vet as many as 700,000 Poles, including journalists, local councillors and high-school teachers. Its scope was sharply reduced by the constitutional court, but as many as 100,000 people are still being investigated.

In Romania it was not until 2006 that key Securitate files and a master index were handed over to an independent institute. This year the government had to issue an emergency decree to keep that institute open after a court judgment ruled its work unlawful and threatened to annul thousands of investigations already carried out.

The campaign to open files in Bulgaria has been equally laboured, says Hristo Hristov, an investigative journalist and author in Sofia. "Lustration is usually a popular topic among politicians when they are in opposition," he notes. Bulgaria's various spy archives have still not been handed over to an independent commission (implausibly, the government says it is still trying to find a building big enough). Names have trickled out, though. In March a parliamentary report said that one in five of all ministers in office since 1990 had a past as a collaborator with the communist secret services. Bulgaria's president, Georgi Parvanov, was named as a collaborator last year. He says he was approached to edit a book and did not realise he was dealing with spooks.

The passage of time may have helped. In Slovakia delays in opening the archives meant that the truth came out "at a moment when we could deal with it," suggests Mr Beblavy of the Slovak Governance Institute. It made the evil of that time "tangible" for a new generation. Those named as informers need not be hated, he says. But after reading someone's file, he adds: "It is very hard to respect them."

As far as the EU is concerned, the best argument for pressing on with opening communist archives in the union's newest members may be a back-to-front one. It surely says something troubling about the security services and politicians in a member country if they block the release of secret-police files from

a defunct dictatorship. And member countries now have to place much more trust in each other's security and legal systems than before, thanks to ambitious new EU instruments in the field of criminal justice. For example, a European arrest warrant issued by a judge in one country must be enforced more or less automatically in other EU nations. That requires a big leap of faith. Just how big is the subject of the next article.

Copyright © 2008 The Economist Newspaper and The Economist Group. All rights reserved.