

SETTING THE HISTORICAL RECORD STRAIGHT: JUDGING THE ROMANIAN COMMUNIST PAST AGAINST THE BACKDROP OF POPULAR NOSTALGIC RESISTANCE

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Rezumat

Lucrarea de față examinează relația dintre regimul politic postcomunist și trecutul comunist, urmărind mai exact modul în care, după o perioadă în care actorii statali au recurs la strategii evitaționiste, trecutul comunist a fost până la urmă confruntat frontal în 2006 prin comisionarea de către președintele României a Raportului Tismăneanu în vederea condamnării oficiale a regimului comunist. Raportul Tismăneanu este interpretat ca fiind o tentativă sponsorizată statal de impunere a unei memorii oficiale a comunismului ca unică narativă „științifică” a trecutului comunist. Procesul comunismului, sfârșit prin condamnarea regimului ca ilegal și criminal pe baza Raportului Tismăneanu, este văzut ca alcătuind o strategie politică de legitimare a noii ordini democratice prin ruperea de trecut. Lucrarea analizează apoi conflictul latent existent între memoria oficială a comunismului codificată în narativa furnizată de Raportul Tismăneanu și memoria populară exprimată de o puternică nostalgie colectivă față de același trecut comunist. În concluzie, lucrarea sugerează că elitele politice și intelectuale anti-comuniste au câștigat bătălia asupra memoriei oficiale a comunismului, dar au pierdut războiul asupra amintirilor private ale fostului regim, puternic încărcate de sentimente nostalgice.

Cuvinte cheie: memoria colectivă, nostalgia comunistă, politicile memoriei, „comisia adevărului”, Raportul Tismăneanu, justiție tranzițională, procesul comunismului

Abstract

This paper examines the relationship between the post-communist political regime and the communist past, analysing how the communist past, after a period of time when the state agents resorted to eschewing strategies, was eventually confronted frontally in 2006 when the Romanian President commissioned what came to be known as the “Tismăneanu Report” in order to officially condemn the communist regime. The Tismăneanu Report is seen here as a state-sponsored attempt to impose an official memory of communism as the sole “scientifically” based narrative of the communist past. The trial of communism, ended with the sentencing of the communist regime as illegitimate and murderous based on the conclusions of the Tismăneanu Report, is seen as expressing a political strategy of legitimating the new democratic order by breaking off with the past. The paper then examines the latent conflict subsisting between the official memory of communism codified in the narrative delivered by the Tismăneanu Report and the popular memory expressed by a strong collective nostalgia towards the same communist past. The paper concludes by suggesting that the anti-communist intellectual and political elites won the battle over public memory of communism, but lost the war over private remembrances of communism.

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Keywords: collective memory, communist nostalgia, politics of memory, Romanian “truth commission,” Tismăneanu Report, transitional justice, trial of communism

Résumé

Ce papier examine la relation entre le régime politique post-communiste et le passé communiste, analysant plus exactement la manière dont, après une période dans laquelle les acteurs de l'État ont eu recours à des stratégies d'évitement, le passé communiste a finalement été confronté frontalement en 2006 lorsque le Président de la Roumanie a commissionné le «Rapport Tismăneanu» afin de condamner officiellement le régime communiste. Le rapport Tismăneanu est vu ici comme une tentative soutenue par l'État d'imposer une mémoire officielle du communisme comme le seul récit «scientifique» du passé communiste. Le procès du communisme, qui a pris fin avec la condamnation du régime communiste comme illégitime et meurtrière sur la base des conclusions du rapport Tismăneanu, est considéré comme l'expression d'une stratégie politique de légitimer le nouvel ordre démocratique en rompant avec le passé. Le papier examine ensuite le conflit latent qui existe entre la mémoire officielle du communisme codifiée dans le récit livré par le rapport Tismăneanu et la mémoire populaire exprimée par une forte nostalgie collective vers le même passé communiste. Le document conclut en suggérant que les élites intellectuelles et politiques anti-communistes ont gagné la bataille sur la mémoire officielle du communisme, mais ont perdu la guerre sur les mémoires privés de l'ancien régime, lourdement chargés de sentiments nostalgiques.

Mots-clés: la mémoire collective, la nostalgie communiste, la politique de la mémoire, «la commission de la vérité», le rapport Tismăneanu, la justice transitionnelle, le procès du communisme.

1. Collective memory in the context of transitional justice

The “third wave of democratization” (Huntington 1993) by which former authoritarian societies switched their political orientation towards embracing a democratic confession of faith left in its wake, amidst a wilderness of other difficulties inherent to the transitional process, the problem posed by the burden of their authoritarian past. One of the most burning questions requesting public attention in post-authoritarian times addresses the problem of managing the difficult legacy of the past: “How should [newly democratized] societies deal with their evil pasts?” (Teitel 2000, p. 3). As a rule, the abrupt shift from one political regime to another form of political organization (be it either by bloody upheaval, “velvet” revolution, or coup d'état) sets in motion a process of “coming to terms with the past” that sometimes takes the form of “transitional justice.” The notion of transitional justice refers to the set of measures, both judiciary and non-judiciary, by which societies emerged out of authoritarian political regimes confront their past, bringing it in the judicial, moral, historical, and interpretive firing line of the current socio-political order. Jon Elster (2004, p. 1) defines transnational justice as a form of “retrospective justice,” “made up of the processes of trials, purges, and

reparations that take place after the transition from one political regime to another.” The body of measures making up the procedural arsenal of transitional justice includes judicial prosecuting, establishing “truth commissions,” regulating the mechanisms of political participation and representation (especially by instituting lustration as a mean of blocking former members of the ruling elite from reaching the political power positions within the new regime), re-writing official history, opening access to secret files, material and financial reparations provided to victims of the former regime, as well as establishing new public symbols by changing streets names, erecting statues, building memorials, and devising commemoration ceremonies (see also Stan 2013, p. 1). Alongside judicial policies, a major component of transitional justice is “the politics of memory,” by which the new regime takes pains to recast collective memory along the interpretive lines sanctioned under the new political conditions. Collective memory, by which we refer to the retro-projective system of social representations promoted by the current socio-political order concerning its own past, becomes the subject of politically motivated actions within the context of transitional justice. In the aftermath of the regime change, the new political actors who launched the process of transitional justice also start a process of demolishing and reconstructing what can be called the “mnemonic order” of society (Rusu 2011), i.e., the social institutions and cultural structures responsible for cultivating, managing, and promoting collective memory.

2. The Tismăneanu report: historical truth by political design

Romanian society emerged out of the totalitarian captivity of the communist regime through the flames of revolutionary violence that broke out in the middle of the December 1989 events. Still shrouded in mystery, the events that took place in December 1989 suggest the transformation of a spontaneous revolt over a minor issue (the eviction of the pastor László Tőkés from his parsonage in Timișoara), which, magnetizing the chronic dissatisfaction of the population, rapidly developed into a full-blown anti-communist revolution (Siani-Davies 2006). Despite the spurts of violence (largely provoked by the brutal reaction of the communist repressive forces), the movement remained an “unfinished revolution” (Roper 2000), seized by figures coming from the second echelon of the Communist Party who achieved the remarkable double performance of thinning down the radicality of revolutionary claims while asserting themselves as legitimate leader of the movement. In these conditions of a “confiscated revolution” by the revisionist communists, who ensured by this move their control over the Romanian political life during the post-communist period, it is no wonder that from the moment of the regime change (December 1989) until the moment of the official condemnation of communism (December 2006) 17 years have passed. Precisely due to this firm grip

over the Romanian political means held by the former communists, the public claims for starting the “trial of communism” remained unanswered. The political domination of the inheritors of the former Communist Party, initially transfigured into the National Salvation Front (FSN), later split and metamorphosed into the Social Democratic Party (PSD) and the Democratic Party (PD), was responsible for systematically ignoring the civic claims requesting the state to reckon with the communist past. Although circulating in public arena from as early as 1990, benefiting from a large social support, these claims remained unsuccessful until 2006, when President Traian Băsescu, against a background of political conflicts, symbolically speculated and politically capitalized the “window of opportunity” of officially condemning the communist regime (see Abraham 2008, pp. 13-17 for the contextual details and political insides regarding the presidential decision to follow an invitation he previously eschewed). Simplifying to the extreme, it can be concluded that the decision to formally and officially condemn communism has been taken against the background of insisting claims made by civil society, but also in a political conjuncture from which T. Băsescu tried to gain an infusion of political capital.

In April 2006, president Băsescu appointed political scientist Vladimir Tismăneanu as coordinator of the Presidential Commission for the Study of the Communist Dictatorship in Romania. The task given to him was expressly formulated: “The presidential Commission for the analysis of communist dictatorship is made up as a response to President Traian Băsescu’s request of condemning the communist regime from Romania, on the basis of a rigorous and coherent document” (Press release, Romanian Presidency, April 20 2006). The “Final Report” had been written by the end of the year, and assumed by the Romanian president, who condemned the communist regime in the name of the Romanian state in the common session of the two chambers of the Parliament in December 18, 2006. By promulgating the condemnation of the communist past by the Romanian president, the post-communist Romanian democratic state tried to symbolically mark the breaking of the communist past as the decisive turning point in the democratic becoming of Romanian society.

The Final Report drawn up by the team coordinated by V. Tismăneanu comprises an analysis extending over 660 pages, prefaced by an “Introduction” where “The nature, purpose, and effects of the totalitarian communist regime in Romania, 1945-1989” are clarified, followed by the section setting the “Historiographical landmarks” of the Romanian communist regime. Next, the Report thoroughly analyses “The Romanian Communist Party” (Chapter 1), “The Repression” (Chapter 2), where the authors plead the case for proving the “communist genocide in Romania.” In this section, the analysis centers upon the institution of *Securitate* as Party instrument, and then maps out the “geography of repression” represented by the concentrationary system of the Romanian Gulag. Questions pertaining to “Society, Economy, Culture” are pooled together in the third Chapter

of the Report. This section discusses the planned economy, the process of collectivization of agriculture, the cultural and educational policies of the regime, the “ideological terror” by which the complete monopoly over the cultural life was established, and the pro-natalist demographic policy legislated in 1966. The Report closes down by a “Conclusion,” in which “the necessity of analysing, repudiating, and condemning the communist regime” is put forward (Report 2006, p. 628). The Report includes, in the appendix, the list of the nomenklaturists’ biographies, compiling a kind of *index infamis nominum* of the human protagonist made responsible for the crimes of the communist regime.

The Report’s sententious conclusion, already drawn prior to the beginning of the analysis¹, is that the communist regime was “illegitimate and murderous” (Report 2006, p. 638). The verdict of illegitimacy and criminality of the communist regime is the axial idea threading throughout the entire length of the historical exposition, the whole analysis being wrapped around this pivotal theme. The historical meta-narrative produced by the “truth commission” is structured upon the following frames: the beginning of the Second World War in 1939 put an end to “a relatively happy period” in Romanian history. Then, after passing through the sufferings of the war, the change of sides done by King Michael’s coup d’état of August 23 1944 marked “the beginning of the most dark epoch of the country’s modern history” (Report 2006, p. 158). Imposed by the force of Soviet tanks, and democratically legitimated by an electoral fraud, the communist regime has been, during its whole existence, an “occupation regime” (Report 2006, p. 168). “For four and an half decades, the Romanian state has been seized by a political group stranger to the interests and aspirations of the Romanian people” (Report 2006, p. 17), responsible for “raping the masses” as well for designing and executing a double genocide (one against “the biological fund of the nation,” the other as a “cultural genocide”). Cutting a long (hi)story short, this political group is blamable for “Romania’s tragedy under communism” (Report 2006, p. 19). Without specifying here all the other counts raised against communism, the conclusion of the Report deriving from these is straightforward: the communist regime was illegitimate and murderous, and the moral duty to condemn it is not only plainly evident but also imperative.

Highly vulnerable to substantial critiques coming from multiple attack angles (most of them grouped together in the volume *The Illusion of Anticommunism* [Ernu et al 2008]), the Report can be characterized as a paradoxical document: first, although announced as scientific research, the argumentation developed over the entire length of the analysis is driven by rather prosecuting intentions than analytic purposes. Its manifest accusatorial nature and the systematic scrupulosity

¹ The conclusion of the “illegitimacy and murderousness” of communist regime was already advanced to president Traian Băsescu by Sorin Ilieșiu in October 2005 in a “Report for condemning communist regime as illegitimate and murderous.” The counts raised in this document are reiterated in the Final Report published in 2006.

of identifying moral culprits responsible for the crimes of communism give the Report the quality of being an indictment rather than having the status of scientific document. Completely justified, Michael Shafir (2007) classifies the Report in the category of “memory,” rejecting its belonging to “history” due to its explicit moral content and accusatorial tone. This first paradox is further complicated by the fact that, although formulated as an *in absentia* indictment of communism (raising counts, putting the past on trial, followed by claiming formal condemnation of the communist regime), the language used in prosecuting communism abounds in poetic licenses, metaphorical formulations, and other expressive extravaganzas, all of these converging towards conceptual impressionism and semantic inflation. For instance, one of the *pièces des résistances* making up the conceptual armature of the Report is the notion of genocide used to describe the criminal acts of the communist regime to destroy the “biological fund of the nation” (Report 2006, p. 160). As a series of critics compellingly argued, the concept of “genocide,” as defined both in international jurisprudence and in academic literature, cannot be applied to the Romanian case (Shafir 2007). In sum, without mentioning all of its weaknesses, the Report is a document pretending scientific status ending up raising counts, ultimately condemning communism not on the basis of evidence presented in the aseptic language requested by the formal rules prevalent in judicial proceedings, but in a poetic language cast in a metaphoric style. Instead of trying to comply with the methodological canons of historical scholarship, the Report seems to be firmly rooted in the “lyrical-speculative paradigm” (Iluț 2009, p. 24).

The soundest critique, however, is pointing out the fact that the Report conformed to an express political command. The fact that the Commission had the objective of delivering a pre-concluded document in order to justify the official condemnation of communism is clearly revealed by the paragraph of the already mentioned Presidency Press release, which specifies that the President “wishes that this commission to draw up a ‘rigorous and coherent’ report, that would give him the opportunity to officially condemn the period of those approximately fifty years of communism in Romania” (Romanian Presidency Press release, April 20 2006). Resulting without a doubt from this statement is that we are dealing with the commissioning of historical truth by political command, as a basis for condemning a political regime. The major problem is that the sentence of the “trial of communism” had been already prejudged. The commission fulfilled its officially designated task, choosing to ignore all these profoundly disturbing issues, which throw doubt over the validity of the entire analytic endeavour of the Report, and also raise troubling questions concerning the general epistemic status of state-sponsored history: what is the epistemological validity of pre-concluded, politically ordered historical truth? Moreover, can the historian erect himself as moral instance and issue condemning sentences?

Following the line laid down by Leopold von Ranke as far back as the mid-19th century, continued by Max Weber with his postulate of “value-free” scholarship,

the answer to the previous question is a negative one: the sole moral duty of a historian *qua* historian is the epistemic integrity of his or her conclusions (Berger 1963)². “To history has been assigned the office of judging the past, of instructing the present for the benefit of future ages. To such high offices this work does not aspire: it wants only to show what actually happened,” this is what Ranke wrote as his methodological manifesto in the preface of one of his works (Evans 1997, p. 17). The “Rankean revolution” by which historiography gained a respectable epistemological status has been propelled by this imperative of not judging the past in the court of the present. This is not the case for the Tismăneanu Report. Although pretends to deliver the scientific truth of Romanian communism, the Report diverges greatly from the principle of moral abstinence. Moreover, the very idea of “truth commission” must be subjected to an intense critical scrutiny, since the desire to definitively settle a conclusion as the official truth by a state-sponsored commission is alien to the ethos of science, codified in what came to be known as “the Mertonian norms”: communalism, universalism, disinterestedness, and organized scepticism (Merton 1973). Establishing definitive and apodictic truth goes against the epistemic spirit of science. As early as Charles S. Pierce’s philosophy, the principles of tentativity and fallibility of human knowledge entered into the epistemic chart respected by all “communities of inquirers.” Ratifying provisory conclusions as definitive truth is the surest path towards dogma, as Karl Popper (1981) [1934] assures us, for whom only abrogations are possible in science, while ratification and promulgation go beyond the realm of science.

Assuming the Tismăneanu Report by the republic’s president in the name of the Romanian state and pronouncing the condemnation of communism in Romanian Parliament symbolized a turning point and a critical disjuncture in Romanian culture. It marked the rebalancing of the power differential in Romanian politics and culture regarding the legacy of communism. Two divergent narratives defined the main patterns of retrospection to the past: i) the conservative narrative, embraced by the post-communist political elite emerged from the ranks of the former unique party, in which the communist regime was depicted in positive tones (as the golden age of Romanian historical existence, the epoch of great technological and industrial achievements, and the age of national affirmation on the world scene); ii) the liberal counter-narrative, articulated by the anti-communist intelligentsia made up of the dissidents and victims of the former totalitarian regime, in which the communist past was painted in grave and gloomy dyes, as a tragic half of century of Romanian existence (Ciobanu 2009, p. 318). For more than 15 years from the overthrow of the communist regime, the conservative narrative dominated the public arena, politically sanctioned by the Party’s successors who mastered the pivotal power positions of Romanian politics and thus

² Peter Berger formulated this prescription referring to sociology and its practitioners in particular. I see no problem in generalising Berger’s principle to all members belonging to any “community of inquirers” who collectively aspire to reach truths.

also exerted control over the control panel of domestic culture. The contesting narrative, liberal in flavour, although circulated within public sphere as far back as from the aftermath of the revolutionary events (see the Proclamation of Timișoara from May 1990), remained overshadowed by the conservative version of the past in terms of political support and political leverage enjoyed in the hybrid field of Romanian politics and culture. The tactical rather than strategic move made by T. Băsescu by condemning the communist regime resulted in the reconfiguration of power relations. It officialised the liberal narrative while publicly discrediting the conservative perspective of the past. Within the context of the politics of memory in post-communist Romanian culture, the Tismăneanu Report and the public condemnation of communism signal the success of democratic and anti-communist forces in imposing the interpretation of communism as illegitimate and murderous within Romanian historical consciousness. In conjunction with the other concerted actions (the creation of the Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile [IICCMRE] as “historical prosecution office” in charge of researching the past in order to identify authors of crimes during the former regime and bring them to penal justice; the writing of a textbook on the history of communism in Romania; the plans for building a museum of communism and for instituting a commemorative day in the memory of the victims of communism, etc.), the officialisation of the Report symbolizes a tectonic movement within the Romanian mnemonic order: the overthrow of the conservative “truth regime” together with its entire discursive order and the establishing of the anti-communist “truth regime” where the master narrative of communism as illegitimate and murderous rules supreme, exercising hegemony over the interpretation of communist past (Foucault 1980).

The Report is meant to mark the rupture between totalitarianism and democracy by denouncing the Stalinist past, but it does it in a typical Stalinist fashion. One of the most recognizable hallmarks of the former totalitarian communist regimes was their scrupulosity in elaborating official historical narratives of the past. Perfecting a tendency specific to all state-sponsored histories, the communist regimes excelled at what James V. Wertsch (2004, p. 72) has called “the production of a univocal official collective memory.” Numerous readers of the Report pointed out the resemblances between the production of historical truth in Stalinist regimes and the way in which the authors of the Report contributed in creating a “one-sided single official historical narrative by suppressing all possible competing narratives and erasing inconvenient memories” (Ciobanu 2009, p. 316). More caustic, Daniel Barbu (2008, p. 77) signalled the similarity between the Report condemning communism and the “Party’s old reports.” They both conform to the same logic of imposing a single official interpretation of reality, in perfect harmony with the political spirit of the time. In sum, the Tismăneanu report, displayed as the singular and exclusive “historical truth” about communism, institutionalised a new state-sponsored official historiographical orthodoxy.

3. Popular nostalgia: collective yearning after the communist past

The trial of communism, ended with the condemnation of the former regime as illegitimate and murderous, was supposed to mark Romanian democratic society's break with its totalitarian past. Democratic becoming requires, in the Report's view, freeing of the burden of the communist past. As such, the Report was built upon the biblical principal "the (historical) truth will set us (politically) free." By openly reckoning with the communist past, through a critical self-introspection, the Report aimed at cutting the ties with the past as a pre-condition for democratic take-off and consolidation. Only that Romanian population continues to be intimately tied to the communist past through strong attitudinal bridges, expressed as collective nostalgia. Parallel to anti-communist elites' struggle to produce a paradigm shift in the official interpretation of the past, at the popular level, communist nostalgia was increasingly gaining momentum. As Romanian society was getting stuck in the slinky path of transition, occupational stability and job security, social protection offered by the paternalist state and socio-economic homogeneity appeared to the Romanians that took the hardest hit from the difficulties of post-communist life as good old landmarks lost in a current world marked by unpredictability and flagrant inequalities. The nostalgic reaction can be understood as an adaptive response of retrospective valorization of the past, in the context of a present perceived as degrading in comparison to the life in communism, difficult and ridden with shortages, but nonetheless predictable.

The anti-communist narrative developed by the Tismăneanu Report clashed into a passive but tenacious "nostalgic resistance" espoused by people whose lives were disrupted by the regime change and by the transformative transition that followed next. As revealed by the data presented shortly below, the Tismăneanu Report comes against the grain of a considerable part of public opinion, which, far from looking with condemning eyes towards the communist past, considers it a better alternative to the current transitional present.

The series of studies entitled "New Europe Barometers" (NEB), conducted between 1991 and 2004, offer a unique resource of statistical data in that it allow for examining longitudinally the attitudinal tendencies towards the communist heritage in the former communist societies of Central and South-East Europe (Rose 2010). Among the questions addressed in these surveys, one is of special interest to our purposes. Interviewees were first shown a vertical card with the following instructions: "Here is a scale for ranking how our system of government works. The top, plus 100, is the best; the bottom, minus 100, the worst. Where on this scale would you put the former Communist regime?" The answers to this question can be taken as discriminating between the category of nostalgic individuals (those who appreciate positively the former communist regime) and the category of "presentists" (those individuals who evaluate negatively the former regime). The answers collected for this question were coded in three generic categories: a) the

nostalgics (the respondents who gave positive scores to the former regime, scoring it with values ranging from +100 to +1); b) the neutrals (the individuals who scored the former regime with the value 0); c) the presentists (the individuals who gave negative scores to the former regime, scoring it with values ranging from 1 to 100). **Table no 1** presents the dynamics in time of the answers given to this question.

Table no 1. The evolution of Romanian public opinion regarding the appreciation of the former regime (N=7064)

| | The presentists (%) | The neutrals (%) | The nostalgics (%) | Total (%) |
|------|--------------------------------|-----------------------------|-------------------------------|----------------------|
| 1991 | 66,9 | 6,8 | 26,3 | 100 |
| 1992 | 55,6 | 9,0 | 35,3 | 100 |
| 1993 | 61,6 | 6,1 | 32,3 | 100 |
| 1995 | 60,8 | 13,1 | 26,1 | 100 |
| 1998 | 53,9 | 14,0 | 32,1 | 100 |
| 2001 | 31,4 | 13,6 | 55,0 | 100 |
| 2004 | 42,3 | 13,1 | 44,7 | 100 |

Source: author's calculation based on New Europe Barometers databases

If in the immediate aftermath of the Revolution of 1989 the balance clearly weighted in favour of the “presentists” (i.e. in favor of those who appreciate negatively the former communist regime) (67 versus 26 per cent), within two decades and a half the differential between presentists and nostalgics gradually balanced out, reaching in 2004 an almost perfect equilibrium (42 versus 44 per cent). In the long term, the observable tendency is that of a progressive revaluation of the communist past as we move away on the time axis from the moment of the overthrow of the communist regime. Data suggest an increasing retrospective appreciation of the former regime. In general, positive evaluations of the former communist regime (i.e. communist nostalgia) tend to amplify with time.

The fund of collective nostalgia towards the communist period and the intensity of the valuation of the former regime are revealed by other survey data collected during the last decade as well. For instance, the Public Opinion Barometers (POBs) that mapped out collective attitudes towards the communist past, especially the Romanians affinity towards the communist ideology, suggest similar results to the one reached by the “New Europe Barometers.” One question that has been repeatedly asked, so as to allow us to examine the diachronic evolution of the attitudes towards communism, is the following one: “In your opinion, communism was: a) a good idea, well applied; b) a good idea, wrongly applied; c) not a good idea.” Corroborating the results reached by POB surveys to the results reached by other studies conducted by IICCMRE, we get a picture of the dynamics of Romanian public opinion towards the idea of communism.

Table no 2. The dynamics of Romanian public opinion towards the idea of communism (N=10198)

| | A good idea, well applied (%) | A good idea, wrongly applied (%) | Not a good idea (%) | Don't know/No answer (%) | Total (%) |
|-------------------|--------------------------------------|---|----------------------------|---------------------------------|------------------|
| 2002 ³ | 12,2 | 40,4 | 38,7 | 8,75 | 100 |
| 2005 ⁴ | 9,8 | 35,7 | 42,9 | 11,5 | 100 |
| 2006 ⁵ | 12,2 | 41,5 | 34,1 | 12,3 | 100 |
| 2007 ⁶ | 8,6 | 36 | 38 | 17,3 | 100 |
| 2010 ⁷ | 14,5 | 45,5 | 28 | 12 | 100 |
| 2011 ⁸ | 18 | 43 | 25 | 14 | 100 |

Source: POB and IICCMRE surveys (see *infra* notes 3-8)

Data show without a doubt that the majority of population manifests affinity towards the idea of communism. In 2011, for instance, 61 per cent of the respondents appreciated communism as a good idea, while only 25 per cent classified it as a bad one. Without entering into sophisticated statistical analysis, it can be said without too many reservations that collective nostalgia is the dominant mode of relating to the communist past in Romanian society. In the words of the historian Adrian Cioflâncă (2010), “communism lost the battle with history, but, at least for now, not the one with memory.” This conclusion is strengthened by other survey data⁹, revealing that a considerable per cent of Romanian population do not support the Report’s conclusion on the basis of which the President pronounced the condemnation of communism. For instance, 31 per cent from those interviewed do not agree with the conclusion that the communist regime was illegitimate, while 42

³ The per cents represent the average values calculated from the two Public Opinion Barometers (POBs) realized in 2002, in June and October respectively. The June 2002 POB was based on a representative sample of 2212 respondents, with a margin of error of $\pm 2,3$ per cent at a 95 per cent level of confidence. The October 2002 POB was based on a representative sample of 2128 respondents, with a margin of error of $\pm 2,3$ per cent at a 95 per cent level of confidence.

⁴ POB May 2005, based on a representative sample of 1800 respondents, with a margin of error of $\pm 2,3$ per cent at a 95 per cent level of confidence.

⁵ POB October 2006, based on a representative sample of 1975 respondents, with a margin of error of $\pm 2,3$ per cent at a 95 per cent level of confidence.

⁶ POB October 2007, based on a representative sample of 2000 respondents, with a margin of error of $\pm 2,3$ per cent at a 95 per cent level of confidence.

⁷ The per cents represent the average values calculated for the two public opinion polls done by The Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile (IICCMRE) in September and November of 2010. The September 2010 IICCMRE poll was based on a representative sample of 1133 respondents, with a margin of error of $\pm 2,9$ per cent at a 95 per cent level of confidence. The November 2010 IICCMRE poll was based on a representative sample of 1123 respondents, with a margin of error of $\pm 2,9$ per cent at a 95 per cent level of confidence.

⁸ May 2011 IICCMRE poll, based on a representative sample of 1125 respondents, with a margin of error of $\pm 2,9$ per cent at a 95 per cent level of confidence.

⁹ September 2010 IICCMRE poll, see *supra* note 7.

per cent agree on the fact that in the aftermath of the Second World War, the communist regime seized power “by falsifying the will of the majority of Romania’s citizens” (the remaining 27 per cent responded “Don’t know/No answer”). The dissonance towards the Report’s conclusion is even higher regarding the criminality of the communist regime: the majority of 41 per cent do not endorse the idea that the communist regime was a murderous one, while only 37 per cent agree on this matter (the remaining 22 per cent do not pronounce in this regard).

Cioflâncă’s thesis, that communism lost the battle with history but not the one with memory, must be revisited. The Tismăneanu Report, as the culmination of the “trial of communism,” shows that communism lost the battle with *public memory*, i.e. that image or narrative of the past officialised in state documents, transposed into history textbook, materialized in memorials, statues, and monuments, and re-enacted by rituals of commemoration, anniversaries, and other ceremonial forms of bringing the past in to present. As shown by the data gathered by surveys that mapped out the attitudinal universe of Romanian post-communist society, communism has yet to lose the battle with *private memories* of those individuals who, disillusioned by democratic promises, cherish nostalgic feelings. Using a terminological distinction introduced by John Bodnar (1992), communism finally lost the battle with state-sponsored *official memory*, continuing to resist in the strongholds of *vernacular memory* (i.e. the social representations of the past circulated in the non-public space of family and within the individual’s lifeworld). The nostalgic resistance of Romanian population against embracing the official narrative of communism as criminal regime, although a passive resistance, reveals the attitudinal dissensus existing in Romanian society. It also highlights the anti-communist elites’ successful struggle to define public memory of communism against the majority opinion. Putting communism on trial, post-communist Romanian state succeeded in ruling by decree the official memory of communism as illegitimate and murderous, against the backdrop of passive popular resistance, expressed by the large collective nostalgia towards the same communism criminalized by the democratic political power. In Charles S. Maier’s terms, it can be concluded that in contemporary Romania we are dealing with a “state-mastered past” against the background of “unmastered memories” (cf. Maier 1998). It seems like Karl Marx and Friedrich Engels’ (2012, p. 33) [1848] famous sentence opening *The Communist Party Manifesto*, announcing that “A spectre is haunting Europe – the spectre of Communism,” turns out to be prophetic in the current Romanian society, quarter of a century after the breakdown of the communist order: indeed, a spectre is haunting contemporary Romania – the spectre of communist nostalgia.

4. Concluding remarks: Patterns of “settling the accounts” between the present and the past

This analysis cannot be brought to a close without situating the way in which Romanian society managed its totalitarian past within a comparative framework

that would highlight both the specificity and the similarity of Romanian solution in comparison to other available patterns of settling the account between the present and the past.

Post-totalitarian societies, be it post-war Germany engaged in the process of de-nazification or post-communist states emerging out of the totalitarian straps, are face with the problem of coming to terms with their pasts. Settling the accounts with the past seems to be a necessary stage in liberating from the burden of history that “weighs like a nightmare on the brain of the living” (Marx, 1978, p. 9) [1852]. However, as it will be shown next, confronting the past by putting it to trial is not the only option available to the political actors having the power to decide how the post-totalitarian social order will come to terms with its past.

The problematic legacy of the past can be managed in two totally different manners: 1) by an *evasive strategy*, based on “the politics of amnesia” and a “methodology of oblivion”; 2) by *confrontationist strategies*, which imply reckoning with the past by establishing some “politics of anamnesis” in order to recuperate and preserve memory of wrong doing committed during the former regime. Confrontationist strategies differ in terms of their angle of approaching the past. At least two such strategies can be identified: a) *mastering* the past, bifurcating in its turn into: i) criminalizing the past, and ii) demonizing the past; and b) *working through* of the past. **Table no 3** presents the forms and characteristics of the various patterns of managing the legacy of the past.

Table no 3. Patterns of settling accounts with the past

| The strategy of managing the past | The politics of memory | Specific patterns of managing the past | | Emancipation from the past is done by: |
|-----------------------------------|------------------------|--|-----------------|--|
| Evasive strategy | Politics of amnesia | Oblivion | Natural | Ignorance |
| | | | Programmed | Repression |
| Confrontationist strategies | Politics of anamnesis | Mastering | Criminalisation | Condemnation |
| | | | Demonization | Symbolic exorcism |
| | | Working through | | Critical self-reflection |

Source: author’s elaboration

The evasive strategy includes two specific ways of managing the difficult past: i) promoting amnesia especially through decreeing laws of amnesty by which the political elite tries to “burry” the troubled past in collective oblivion. Indicative of this is the case of post-authoritarian Spain in managing its Francoist past. Instead of reckoning with the dictatorial past that lasted for 36 years (from the end of the civil

war won by general Francisco Franco's "nationalists" against the "republican" communists of 1939 until his death in 1975), Spain's post-Francoist political elite opted for "institutionalizing oblivion" (Grosescu and Ursachi 2009, p. 49) put into effect by legislating a general amnesty. ii) facilitating natural forgetting, occurring with the passing of time and the biological extinction of the human carriers of the memories of the problematic past. This latter strategy was used in post-Soviet Russia, whose political elite systematically eluded confronting its past. In both cases, the post-totalitarian state faced with the problem of managing a difficult historical legacy resorted to "politics of amnesia" by which the coming to terms with the past is either postponed in hopes that the tensions of the past will defuse by naturally occurring forgetting, or oblivion is instituted by decree. During the first phase of post-communism, from the Revolution of 1989 until the Romania's acceptance in European Union in 2007, Romanian political elites used the evasive strategy and the politics of amnesia in dealing with the communist legacy. For more than a decade and a half after the collapse of the totalitarian system, the voices requesting the official confrontation with the communist past had no echo on the corridors of political power, populated largely by former members of the Communist Party converted to some form of social democracy or extreme-right nationalism. The most systematic struggles to recover the traumatic memory of communism was those of the victims of the former regime, expressed through detention memorialistic literature. Until 2005, more than 150 testimonial of detention experience were circulating in Romanian book market (Cesereanu 2005). There would be no exaggeration to talk about a real "memorialistic boom" experienced by Romanian culture, which continued to gain momentum until the literary struggles of the victims of the former regime were taken over by the Romanian state. In the moment that the President of Romania commissioned a condemnation report in 2006, Romanian state initiated the *glissando* from the evasive strategy towards a confrontationist strategy in managing its communist past. The option chosen was gaining *mastery* over the communist past by prosecuting, judging, and eventually sentencing it as illegitimate and murderous.

Mastering the past (*Vergangenheitsbewältigung*) implies official struggles to settling the accounts with the problematic past inherited by current society following the transition towards a post-totalitarian political order. The conventional way of mastering the past is by criminalising it in the framework of "transitional justice." The prototype of transitional justice is given by the Nuremberg trials organized in the aftermath of the Second World War by the Allies to judge the responsible for Nazi war crimes. The other way of mastering the past is more spiritual than judicial. The traumatic past is being demonized, considered to be possessed by occult forces, and the horrors associated with this past are attributed to the devil's work. The therapeutic solution for escaping from the grip of the evil past is to "exorcise the demons of the past" (Tismăneanu 2013a). Passages scattered throughout the Report depict the communist regime, its Marxist-Leninist

ideology, but also the key institutions of the totalitarian system as demonic. The authors of the Report conceptualize the civil society captive to the communist regime as the victim of a “diabolical” apparatus of repression (Report 2006, pp. 166-167). In the same demonic language, the communist regime is depicted as the embodiment of the “devil,” while the *Securitate* is described as a “diabolical organization” or “diabolical mechanism” (*ibidem*). If we add to all these the fact that the last book signed by the president of the “truth commission” is titled *The Devil in History: Communism, Fascism, and Some Lessons of the Twentieth Century* (Tismăneanu 2012), it becomes more clear the strategy of demonization of the past used to portray Romanian communism in the Final Report. Even more revealing is Tismăneanu’s insistence on the *ad litteram* understanding of his title reading “The Devil in History.” In a series of public statements, Tismăneanu repeatedly affirmed that “the devil in history” “is not a metaphor, it is the synthetic definition of reality” (Tismăneanu 2013b).

The Tismăneanu Report combined the two strategies of mastering the communist past (criminalization and demonization). Central to the Report was the idea that breaking the spell of the past can be acquired only by exorcizing the demons of the communist past. Consequently, Romanian communism has been historically, morally, ideologically, etc. condemned by the Report, as it has been portrayed more or less allegorically in demonic strokes as possessed by the devil. In the same time, the IICCMRE works at bringing to penal justice the human protagonists responsible for the crimes of the former regime. Romanian political elite chose to settle the accounts with the communist past by mastering it in two ways: first by criminalizing the past that resulted in its condemnation, and secondly, on a more spiritual level, by demonizing the former regime and subjecting it to a symbolic purification.

Mastering the past by criminalizing, judging, and condemning it is not the only way of settling the account with the past. “Working through the past” (*Aufarbeitung der Vergangenheit*), as an alternative to its mastering, implies a continuous critical self-examination of the past (Olick 1998, p. 548). In an address from 1959, Theodor W. Adorno (1986, p. 115) pleaded for approaching the Nazi past through a “serious working through of the past,” that would lead to “breaking of its spell” over the present “through an act of clear consciousness.” Adorno rightly point out that coming out of the shadow of the past can be done only by reflexively assuming the past. The question now becomes: has the Romanian state proceeded on the way of reflexive and critical working through of the past? The answer can be only a negative one. Romanian state opted for the strategy of confronting the past by criminalizing, judging, and condemning communism in a pseudo-judicial trial ruled by historians acting on political command. Instead of a *sine ira et studio* analysis, without hate and zealotry, the Tismăneanu Report passionately prosecuted the former regime, and eventually condemned it *in corpore* as illegitimate and murderous. Instead of critical examination, founded upon analytical sobriety and terminological precision, the Tismăneanu Report reflects

rather a revanchist passion to set the historical record straight. In contrast to the *a priori* condemnation of communism, politically commissioned by the Romanian President and delivered as expected by the Tismăneanu Report, the reflexive working through of the past implies abandoning manicheistic thinking (in which communism stands for absolute evil while non-communism stands for absolute good) and rejecting the binary logic that underpin it.

The paradox of Romanian collective memory regarding the communist past is that while democratic political elites and liberal intelligentsia struggle in the public arena to criminalize retrospectively the communist regime, for the majority of the population, still longing nostalgically after pre-capitalist times, communism continues to be taken as the standard of normality. Popular nostalgia after communism, fuelled by the social and economic difficulties of the present, complicates the process of managing the past, calling into question the legitimacy of the political-intellectual power elite to criminalize the communist period. With the institutionalization of the narrative of communism as illegitimate and murderous by presidential decree, anti-communist elites won the battle over memory in public arena. It remains to be fought the much more laborious campaign against popular nostalgia, this time not on the public sphere, but in the subjective front of private memories. Yet the anti-communist elites' major problem is that against the "red nostalgia" expressed by a large per cent of Romanian population towards the former regime the weapon of official decree is all but powerless.

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