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# LEGITIMATING THE DEMOCRATIC STATE IN POST-COMMUNIST ROMANIA: MEMORY AS A CULTURAL GOOD

## Abstract

The fall of the communist regimes in the East Central Europe can be seen as a momentous historical juncture for reclaiming the 'repressed' memories' during the past regime. The revolutionary changes of 1989, which mark a multifarious transition could trigger a different representation of the past. Long after regime change, the emergence of Institutes of Memory in most of the countries of East Central Europe, constitute a new empirical reality, which continues to be addressed within the framework of politics of memory, or transitional justice. In this paper, I propose a different theoretical perspective and focus on the case of Romania, given that issues of the past since December 1989 have been central to different actors at different levels. On the other hand, it is a case that can help understand the shift from the symbolic politics of the 90s, to memory production as a legitimating frame of the new democratic regime.

**Keywords:** memory production; legitimation; democratic regime; post-communist condition; cultural good.

## Introduction

The fall of a non-democratic regime it is considered to mark usually an inauguration of a new narrative and a novel understanding of the past, especially if that past is deemed to be deplorable. Nonetheless, such a perspective reflects a common-sense view of the reality of radical regime change, which expresses mostly a wishful thinking than an objective scrutiny of the conditions, factors, structures and processes. I would agree that a state of transition is fraught with uncertainty rather than of radical transformation. Henceforth, imposing a certain linearity and normative conceptualization of regime change and transformations by the book, restricts as I said the objective reality that goes against the common view of a calamitous event. This perspective has implications on how to grasp

theoretically the recent 'unfinished' transitions, or 'unfinished' revolutions or the resurgence of the past in considerably unexpected situation.

Here I am referring to a concrete experience, or better say of a concrete phenomenon peculiar to democratic regimes of the post-1989 transformations in East Central Europe. Attempts to deal with the legacies of the past regime have been legion in East Central Europe. It is a region that have experienced numerous ruptures and discontinuities between different forms of regime, societal upheavals and occupations. One could say that it is a region that has produced rather a lot of memories on the past, some of which are conflicting, contradictory while others are shared presumably by the whole society. Apparently, there exists a blessed coincidence between the concrete experiences of revoking the past, memorializing, commemorating the past and the surge of scholarly work on memory, or what is considered to be as memory studies, a research practice that vacillates between praxis and proper disciplinary boundaries and traditions. I explain later in the text, how innocuous yet self-serving and secluded such an approach can be. That is to say, certain phenomena cannot simply be explained by recurring to existing patterns of theoretical lenses.

It seems quite difficult to deny the centrality of experiences of the past across different generations and through time, during a particular non-democratic regime and after. A paraphernalia of actors, perspectives, understandings, and even sensitivities is present in such situations. Different social actors create their narratives on the past. The narratives can encompass a particular individual history or as it is generally called in the literature life-story that emerges from a silenced past, or it is re-fashioned according to new conditions. This dimension of narrating the past is articulated and presented via the medium of testimonies, oral histories. By way of analogy, and including some degree of theoretical sophistication, a narrative includes a coherent story at the level of a community that shares the same social position. However, what memory studies (to mean: politics of memory) has found interesting is the interlocking and interplay between narratives, social actors, official institutions, at a particular time in search for a reappraisal of hegemonic representation, or of reinstating the hegemony.

There exist a certain premise or a tenet in the scholarship on memory, which says that memory can reemerge, even when considered as foreclosed, after a long time and that is to be seen as normal. That makes no distinction between memories conceived under democratic regimes,

and those under non-democratic regimes. However, one can imagine that under conditions of external shocks, memories are provoked and become provoking. The above-mentioned premise reflects the condition or the feature of memories as being contentious. Thus, at issue within this area of research is not whether memories would re-emerge, albeit that might explain partly a phenomenon, but how do they re-emerge. The theoretical move is to talk about memory using a concept such as 'memory-formation' and to delineate this process. I do consider that the theoretical purchase of the term 'memory-formation' is evident.

The second premise of this scholarship is that of providing a skeptical stance on focusing on the official memory, or on the state as the central actor of coming up with a dominant narrative when explaining 'memory-formation'. This position cautions the researcher for not falling prey of one-dimensionality and as such of not granting hierarchy and priority to representations and discursive constructions of the past emanating from the state. By doing this inappropriate move, the researcher has made the memory field bereft of any plurality and contestation. This kind of epistemological caution is considered as a useful tenet of memory studies researchers. Nonetheless, I would say that this principle reflects mostly the ambiguity of the memory studies research caught between continuous attempts to refine theoretical frameworks when explaining concrete phenomena, on the one hand, and practical considerations of contestation, silencing, domination of different narratives on the past, on the other hand. Therefore, the skeptical position on any attempted hegemony on the past limits and informs the boundaries and understandings of doing memory studies research. This feature makes the memory studies approach less useful, and limited if one wants to understand processes of a different scope and of a larger scale. The fall of the state socialist regimes, mostly designated by the main actors of the revolutions of the 1989, and of lay people as well as communist regimes, has unleashed a dual processes of memory. On the one hand there was the emergence of narratives that centered around the themes of suffering, victims, and repression, which became dominant through time, and at the periphery was the narrative centered on nostalgia, mostly as a reaction to disillusionment from the protracted economic transition. These two narrative representations or strategies of the past albeit of the differences between them are the ones that engaged the past experience compared to other strategies such as forgetting.

Although I am aware of the plurality of representations of the past, nostalgia being one of them, the focus of the research is not that of addressing the emergence of nostalgic representations, or the failure of a hegemonic discourse that could not curtail nostalgia. It is mostly the depiction of the narrative of the communist regime as inflicting repression, suffering on its citizens, that of creating a cultural regress by cutting of the links with Western tradition, or that of an alienated ideology which has been articulated by social actors and institutional sites. Yet, there exist crucial nuances within this domineering articulated narrative. Different social actors, representatives of social groups, researchers, or activists emphasize different temporalities of the state socialist regime as more valuable to be understood, to be remembered and more importantly as more central to explaining the nature of the previous regime.

The recent phenomena of the establishment of Institutes of Memory, a generic name given to particular institutional structures autonomous yet part of the bureaucratic field of the state, provides the empirical basis for investigating the linkage between the legacies of the state socialist regime, and recent political or societal projects of memory construction. This has implications as well in the transformation of the legitimating formula of the democratic regime and its ideology. The process of dealing with the communist past, due to the emergence of these institutional sites, is of a different type compared to memory politics that remains confined within ideological, identity-building or political rhetoric on a symbolic level.

The aim of the paper is twofold. On the one hand, the intention is to reconsider the role of the legacies of the past regime in the process of dealing with the past. The second aim is to explain the process of institutionalization of memory, proposing a different perspective compared to politics of memory or transitional justice.

## **Practices, Materiality and Institutions of Memory**

Broadly speaking, one could conceive memory as understood through three different, sometimes overlapping perspectives. Acts of remembrance of past events or celebrations of the past are part of the understanding of social memory as a cultural practice reflecting a process of meaning making or narrative construction for a particular community or society. Emile Durkheim is credited to have linked commemorative rituals of pre-



modern societies as first and original instances of practices that maintain group cohesiveness.

Seeing the myth of origin as one of the most powerful means of establishing a community's unity also assumes the existence of connections between collective memory and institutions guaranteeing collective beliefs and identity. In early societies, it is the role of religion to express and affirm the shared beliefs and understandings that characterize a society.<sup>1</sup>

Durkheim seems to consider memory not only performed through practices of commemoration but also sustained or produced via social institutions, in this case religion. In modern societies he considers law and language as primary social institutions. However, the understanding of an institution is quite broad. One could make a distinction between social institutions and specific institutions, such as Institutes of Memory as particular institutional sites that have emerged at a certain structure and context of previous institutions dealing with the past or memory. Henceforth, rather than relying on the assumed function of Institutes of Memory, it is appropriate to scrutinize the process of their emergence and entrenchment, namely the presence of certain institutional recombinant practice or accumulation with previous organizations or institutions, and their link with traditional institutions in which memory is mediated such as museums, educational system, and social agents and the political class. It is a shared belief among researchers that issues of memory are interconnected with power.

Despite the broad understanding of power, such an approach has an analytical value, despite its underspecification sometimes.

Sociologists of memory have thus sought to specify at a more middle level how memory processes operate within specific social institutions. Here the quintessential sociological issues of power, stratification, and contestation are central.<sup>2</sup>

The nexus between collective memory and power relationships is one of the issues that sociological research has dealt with most.<sup>3</sup>

In order to respond to such exigency and commitment it is necessary to unravel how this link or interaction is being understood. As Susannah

Radstone claims, it is, generally understood in binary terms and more so as conflicting representations of memory.<sup>4</sup>

The intersecting point of representation and memory is that of identity. The type of public performativity of that memory is commemoration. Starting from a particular sociological perspective that take for granted group identities and group cohesiveness, the power and memory nexus is understood as a struggle between contestation of representations of the past at a given time. This type of argument is quite conducive to interest-based strategies of instrumentalizations of memory.

However, since identities cannot be taken for granted in the modern world, determining the content of the collective memory is a conflictual process. The collective representations of the social past are designed to give legitimacy to the society's beliefs and to inspire their projects, thus legitimizing the elites that represent them....The most important of these strategies, above all as regards the construction of national identity, are undoubtedly commemorative practices. These practices which include not only festivities and occasional ceremonies, but also monuments, exhibitions and museums, have been the focus of most sociologists' attention.<sup>5</sup>

If we consider, Durkheim's understanding of memory as a point of reference, then Jedlowski's perspective on memory as a process seems insufficient. Celebrations, festivities, museums and monuments are grouped under the category of commemorative practices. That might be the case for festivities or founding dates of commemorations, but considering museums as performing commemorative practices provides a restrictive view of this particular (social) institution of memory.<sup>6</sup> The other perspective is that of considering memory as expressed or manifested in certain materiality or localized in certain material formations.

A large body of cultural history has examined what Paula Hamilton has characterized as a cross-national 'memorial culture...characterized by the dominance of memory and commemoration as the prism through which we negotiate the past'. The focus of these historians is public commemoration and the active participation by large number of people 'doing the work of mourning and public remembering themselves...Alternatively, Alon Confino defined collective memory much more broadly, as the 'representation of the past and the making of it into shared cultural knowledge by successive generations in 'vehicles of memory', such as books, films, museums, commemorations an, and others'. In this definition every [material] representation of the past is potentially a form of collective memory.<sup>7</sup>

According to this perspective institutions are a vessel of containing the material representation of memory rather than as autonomous institutions pertaining to certain fields and of having their own effects or stakes in the game of 'memory work'. A more extreme version of this understanding of memory and institutions is given by Hewer and Roberts:

On the other hand, it could be argued that collective memory is located within the physical and technological spaces marked out by libraries, archives, museums, war memorials, street signs and the internet, sources from which the past is rehearsed and re-narrated in formal and informal social settings.<sup>8</sup>

A perspective that does not consider the dynamics of social memory as representations or enactments of certain narratives, and that does not consider institutions as material manifestation of memory or as functional practices of commemoration is provided by the juxtaposition and convergence of Radstone's conceptualization of memory as mediated and articulated, not just re-presented, Olick's and Robbinson's historical sociology of memory approach, and Bourdieu's theory of the cultural field. Radstone conceives of mediated memory in this way:

In what follows I want to offer a critique of this tendency by drawing attention to an aspect of memory that has been less emphasized in research on memory to date: that is the mediation of already-mediated memory discourses, images, texts and representations by the institutions and discourses that may be articulated. But a focus on memory's specific articulation within the public sphere will also raise questions not only concerning whether-and if so, how- varieties of memory texts, practices and discourses may be mediated, articulated, assimilated, incorporated or co-opted by the various institutions and domains of the public sphere, but also concerning whether there may be aspects of memory that are inassimilable by those diverse institutions.<sup>9</sup>

The memory of the period under the communist regime is not re-presented via public acts of remembrance such as commemorations of 1989 Revolutions, or of constructing monuments or fixing a date for the commemoration of the victims of the communist regime but it is mediated and articulated through the interaction of Institutes of Memory, the political field of power, and the adjacent cultural field such as the institutions that have or exert symbolic capital within the emerging memory field. The

stability and accumulative dimension of institutions, in this case Institutes of Memory, and their personnel makes the mediating aspect of institutions on memory more effective than the public acts of remembrance such as festivities or commemorations. The discipline itself, says Radstone, suffers from anti-institutionalist bias to put it this way.

Rather, the slippage in theory that leads from an initial questioning of binaries to a focus on only one side of the pair may have its roots elsewhere than in the retreat from the sheer difficulty of the theoretical enterprise that is prompted by questioning binaries. The reluctance to attempt to reconceptualize the binary inner world/outer world arises in part from a resistance in memory studies that has its roots not in academic theory alone, but in a memory politics that stretches beyond the academy.<sup>10</sup>

It seems that the memory studies research has been reflecting the perspective of dealing with the past memory as seen from the positions of the political class that has a stake on the monopoly to legitimize a certain 're-presentation' of the past.

Too strict an understanding of memory would preclude the actual process of the articulation of social memory. This is the suggested methodological and theoretical position of Olick and Robbins.

Instead of trying to fix conceptual distinctions theoretically, many scholars have called for a historical approach to social memory, one that sees such distinctions as emerging in particular times and locations for particular purposes.<sup>11</sup>

Furthermore, the suggestion is to consider memory as a sensitizing concept rather than a fixed operationalized term as it is generally done. Olick and Robbins go further than Radstone with regard to the institutionalization of memory or of institutional production of memory. "Methodologically, Olick (n.d) and Schudson (1992) suggest specifying the different institutional fields that produce memory such as politics and the arts...".<sup>12</sup> Despite the appropriate theoretical framework of overcoming the binary conceptualizations and of historicizing and sensitizing the practices of memory, Olick/Robbins' approach and Radstone's approach need to be complemented or corrected by Bourdieu's understanding of the cultural field and by his theoretical toolkit.

What could be seen as happening since the emergence of the Institutes of memory is a process of the production of cultural goods or symbolic goods such as memory of the past within certain conditions of existence and broader institutional framework.

The effects of the production of memory as a symbolic good is to be reflected in the reversal of symbolic politics from a contestation of different representations to a contestation over the monopoly of legitimate consecration and ultimately of the exertion of symbolic violence in the public sphere, with the intention of giving shape to a memory field. Hence a process of closeness, and archiving albeit of the assumed openness and lack of restrictions of access. If we operate by analogy which is at the same time relational, Bourdieu's depiction and explication for the conditions of emergence or existence of the cultural field, we could extend this framework to the emergence of the memory field in the post-communist countries due to the specificity of the institutional structures.

....the sociology of art and literature [memory] has to take as its object not only the material production [narratives, representation, materiality of memory] but also the symbolic production of the work, i.e., the production of the value of the work, or what amounts to the same thing, of belief in the value of the work. It therefore has to consider as contributing to production not only the direct producers of work in its materiality [social groups representing a certain memory] but also the producers of meaning and value of the work [memory] – critics, publishers, gallery directors and the whole set of agents whose combined efforts produce consumers capable of knowing and recognizing the work of art as such, in particular teachers (but also families, etc.). So it has to take into account not only, as the social history of art usually does, the social conditions of the production of artists, art critics, dealers, patrons, etc., as revealed by indices such as social origin, education or qualifications, but also the social conditions of the production of a set of objects socially constituted as works of art [works of memory], i.e., the conditions of production of the field of social agents (museums, galleries, academies, etc.) which help to define and produce the value of works of art.<sup>13</sup>

The suggestion by Olick and Robbins of considering memory as a sensitizing concept converges with Bourdieu's cautious remark of not aiming to perform practices of operationalizations of concepts which are actually constantly defined and at stake, such as memory.

The boundary of the field is a stake of struggles, and the social scientist's task is not to draw a dividing line between the agents involved in it by imposing a so-called operational definition, which is most likely to be imposed on him by his own prejudices or presuppositions, but to describe a *state* (long-lasting or temporary) of these struggles and therefore of the frontier delimiting the territory held by the competing agents.<sup>14</sup>

One could notice first, that by not attempting to fix definitions, in this case, that of memory, the social researcher while investigating the effect of the Institutes of Memory, would see it as a dynamic processes that includes contestation and convergence between different actors or agents. Second, one notices that the theoretical framework of instrumentalization is more a normative perspective than a sociological or analytical one, given that it considers that the political agents or those operating within the political field should not be operating or positioning themselves as they do! Henceforth, by considering the field as a site of contestation or struggle, and by considering strategies as not stemming from ulterior motives but as positions within the 'game' we could better understand the process of institutional memory production in East Central Europe, recently, not to reduce the institutional effects simply to a mirroring of pet political projects.

Probably, I would qualify this statement by saying that under conditions of weak institutional structures or constraints, the degree of ideological mirroring of the political projects of certain members of the political class is more probable. And lastly, this brings us to the play of the homologies between the fields, especially between the fields.

The field of cultural production produces its most important effects through the play of the homologies between the fundamental opposition which gives the field its structure and the oppositions structuring the field of power and the field of class relations. These homologies may give rise to ideological effects which are produced automatically whenever oppositions at different levels are superimposed or merged.<sup>15</sup>

Stated differently, the alliances, convergences, or divergences and contestations between different field need to be mapped out, which would 'shape' the institutional memory production diffused in the public sphere and has as outcomes a certain legitimation or ideological effect.

## **The Case of Romania: Institutionalization Path, Civil Society, Multiple-Temporalities**

The Romanian case appears to be quite appropriate to investigate the process of memory production with regard to the communist past. Paradoxically, the absence of a shared foundation of the new democratic regime and the absence of a shared narrative of the December 1989 events, among the political groups and among the civil society has provided memory politics a center stage. In this section of the paper I delineate the differences between the post-transition period on constructing and claiming different representations of the past and the practices of institutionalizing the memory of the past regime starting from 2005. This part of the paper shows the battles for consecration between different groups and institutions, as well as the shift in the legitimation formula of the democratic regime based on memory as a cultural product.

I delineate the processes of memory institutionalization at the level of bureaucratic field, in the case of Romania. In order to understand this process I discuss the antecedent conditions that precede the establishment of the Romanian Institute of Memory (a reductionist term for the sake of the argument). Together with describing the antecedent conditions I explain the more 'remote' causes that relate to regime transition and what I would call the partial effects or legacies of the transition of the post-communist condition. Briefly stated, antecedent conditions include the relation between state and civil society, previous existing structures (institutional or societal less entrenched ones) that dealt with the past, the composition or the typology of the social group involved through time. Legacies of the transition are seen as the nodal points of unresolved problems of transition as they are understood by the actors themselves, in particular those nodal points that resonate and whose effect has continued long after regime change. It appears that in some cases the legacies to be confronted are twofold: the legacies of the past regime (that of state socialism) and the legacies of transition. There seems to be a concern with the unresolved dilemmas of the post-communist condition, which is a reflection or an inertia of the unfinished transition, or revolutions.

A transitional justice approach would consider the current phenomenon according to the general template that stipulates certain set of strategies for accomplishing the transition from an authoritarian to a democratic regime. This set of strategies include : a) doing justice b) revealing the truth on the past c) recognition of the victims and those persecuted under an

authoritarian regime, d) symbolic measures. One could easily argue, within this framework, that the establishment of Institutes of Memory (which is a term used by the practitioners of TJ and of those working within these institutional sites) is a specific local response of post-communist states due to contingent and regime particularities of state socialism, within the broader universal model of truth-commissions and other ad hoc bodies or organizations.

I would say that this perspective is more indebted to a functionalist approach, and less sensitive to the embeddedness, or stability of a particular institutional site within a particular field (bureaucratic field) and the dynamics or consequences that follow. To be more precise, transitional justice perspective is quite useful when trying to explain why and how certain strategies of dealing with the past were chosen and what would be their effects in breaking with the past, as it is expected. It does help in identifying and delineating the main actors involved within the processes that they continuously and obstinately name (post)transitional justice. Nonetheless, it seems to be restrictive and less explanatory.

Romania belongs to those cases in East Central Europe in which no negotiated transition between the opposition and factions of the state socialist regime took place. This happening is mostly explained by certain scholars partly as a result of the absence of a clear and grouped dissidence, and partly as a consequence of the Stalinist aspect of the regime. It was the combination of these two factors that had an effect on the process of transition.

The events of December 1989, which remain disputed whether it was a genuine revolution, a transforming one, or a simple reversal of Ceaușescu (a coup d'état) without removing the structures and institutions of the past regime, produced a different configuration of actors. On the one hand there were the ex-communists like Ion Iliescu and Silviu Brucan who did not seem to question the communist ideology, still believing in the utopian dimension of socialism, but who opposed Ceaușescu and for doing so were marginalized during his rule. This group of people represented the so-called second or third layer of the nomenklatura of the previous regime.

A new organizational structure and leading structure appeared in the wake of the revolution, called the National Salvation Front. This organization in the beginning of its establishment included certain representatives of the public intellectuals, who were considered locally as dissidents of the regime of Ceaușescu. The National Salvation Front was not conceived of to be a political party, but soon it was transformed into



a political party, after the fissure and disagreement between Iliescu and the public intellectuals, who left NSF. It should be noted that regardless of the centrality of the events in Bucharest, the events of December 1989 have multiple-centers of societal action promoting and defending anti-communist strategies in the early days of the revolution. Among these main centers, were Timișoara, Cluj and Brașov.

The way the events of December 1989 happened in Romania provided a critical juncture in making possible a new configuration of actors, a different reconfiguration of the relation between the emerging power and civil society. One could argue that the absence of a shared understanding of what the events of December meant to the dissidents, to the new power structures, to the citizens created a political rift and unleashed a political struggle after 1989. On the one side were the public intellectuals, dissidents in cooperation with traditional anti-communist parties, which reemerged in 1990, and on the other side was what the opposition called Iliescu's regime, who was seen as the continuation of the past Leninist mentality and of following the past non-democratic practices. Under these conditions two main strategies or narratives of understanding the events, or if you wish discourses, appeared. The reformed communists, which obtained a landslide victory in May 1990, framed the events of December 1989 as a genuine revolution that put an end to Ceaușescu's rule and initiated the process of transition to democracy, its consolidation and to market economy. Thus, the legitimacy of the new regime was not based on a new reconsideration of the communist past of Romania, nor on a uni-linear temporality of the past regime as illegitimate and unpopular, but on the revolution of 1989. Regardless of the apparent contradictions between discourse and actual practices, the new power structures chose to stick to the narrative of revolution, political pluralism and consolidation of democracy. The communist past was barely articulated and discussed only as a reflection of nostalgia, or of a lost illusion.

The contenders and opponents of that particular narrative of the December 1989 events included anti-communist political parties, such as the National Peasant Christian Democratic Party and the National Liberal Party. These have been the traditional inter-war parties in Romania whose leaders were persecuted by the communist regime after the Second World War. Alongside these political parties were the individual dissidents of the past regime such as Mircea Dinescu, Doina Cornea, Radu Filipescu, representatives of the Timișoara Association, and December 21 Association. To these social groups and prominent public figures,

the new power structures lacked legitimacy. They considered the new governing power a regime, calling it Iliescu's regime. The revolution of December 1989, was considered unfinished given that it was not an anti-communist revolution as it was intended in the very beginning during the protests against the regime in Timișoara. It is during these first years after 1989, that one of the first civic initiatives was involved in promoting and sustaining the memory of the victims of the past regime, incorporating an anti-communist discourse.

In the first public statement of Civic Alliance, an important organization of civil society, which included in it the Group for Social Dialogue, the Timișoara Association, the Pro-democracy Association, and the Agora Society of Iași, one can discern the public discourse of civil society with regard to the past regime, the state-socialist regime's legacies, and the understanding of the transition.

An non-party forum... 'a linkage between associations and between people' this is how Civic Alliance is characterizing itself to the public. Civic Alliance aims to fight the new power instituted after 'revolution'. The battle against 'totalitarian structures' and 'political police' was the main objective of the intellectuals who founded this organization, seemingly when nothing has changed in the recent history of Romania.<sup>16</sup>

It seems that for the representatives of civil society, a break with the past regime entailed dismantling what they called totalitarian structures. In the first decade of the 1990s these debates and struggles have happened in conditions of absence of institutionalization of what later emerged as particular institutional sites, publicly supported and dependent on different factions of the political class. A politics of memory perspective that operates mostly with terms and analytical tools such as narrative, memory-formation, symbolic politics, inclusion/exclusion and official or counter-memory can explain to some extent what has happened during the 90s but less so what started to happen after the emergent of particular institutional sites that are part of the bureaucratic field and characterized by certain levels of embeddedness, structuration, stability through time and linkages with the previous regime's material legacies. There was an attempt by the representatives of the opposition, political parties and civil society organizations, to continue the revolution with other means. Surely, there was mistrust of the new power structures, due to their communist past, for not being real democrats albeit they were elected freely and the

elections were contested. Hence, even the emergence of political parties, and free elections did not constitute according to the political and civic opposition that the ruling government was legitimate.

Democratization was linked with and conditioned by the necessary response towards the state socialist past. This demand by the opposition included decommunization, lustration and condemnation of the communist regime. The legitimating framework and discourse of the civil society in confrontation with the political class in the 1990s has been evoked during the second decade, not only as a lamentable past or legacy of the transition, but also as competing memory to the strategy of forgetfulness. What seems more important, is that civil society, by exerting through the presence of public intellectuals, a symbolic capital in the public sphere, in terms of authoritative claim-making on the past, aims to change the discourse of power and partially transfers its discourse and narrative at the institutional level. The arrival in power of a coalition of center-right parties in 2004, provided the opportunity for the representatives of civil society, and other anti-communist organizations to put pressure for a break with the past regime.

It is in 2005 that the political class, or factions within the political class become responsive to the demands of civil society. It is at this time when groups of civil society ally with different factions of the political class, involving themselves in the new configuration of the field of power. However, the Romanian officials and representatives of the Romanian state in 2005 did not inherit a tabula rasa in issues of confronting non-democratic past of their country. In 2004 at the end of his mandate Ion Iliescu established the Institute of the Romanian Revolution, which indicates the understanding that the center-left in Romania had on the communist past. It seems that it clung to originating event of its power in December 1989, without addressing the whole communist legacy and the past regime. Another initiative of the center-left, and of Iliescu himself was to establish the Wiesel Commission on Romanian state's implication in the Holocaust.

The process of institutionalization of the memory of the state socialist past involves those features that are lacking in the case of the Wiesel Commission or the Institute of the Romanian Revolution. It should be mentioned that the environment in which the institutionalization emerges and is structured, is dependent on the social and political environment. More precisely, on the balance of forces between societal and political actors that bear an influence. Due to favorable internal conditions, the

removal from power of the center-left in 2004, civil society started to request from the new governing party to initiate a process of condemning the communist regime, and of distancing itself from the Iliescu's regime and its non-democratic practices. As a result of the internal competition within the center-right parties that between PNL (National Liberal Party) and the PDL (Democratic Party) on the monopoly of anti-communism and addressing the past, the President of the Republic entrusted Vladimir Tismăneanu (affiliated with the Group for Social Dialogue, a public intellectual and social scientists) to create the Presidential Commission for the Analysis of the Romanian Communist Dictatorship. This happened a few months after, Prime-minister Călin Popescu-Țăriceanu, belonging to the National Liberal Party took the initiative to establish the Institute for the Investigation of Communist Crimes following the proposal of its adviser Marius Oprea. Prior to being appointed as head of IICCR, Marius Oprea was part of a non-governmental Institute of Recent Romanian History (IRIR).

### **Consecrating Struggles on the Memory of the Past: Institutional Divergence and Legitimacy**

The Institute for the Investigation of Communist Crimes of Romania, did not inherit or use any previous existing structures, organizations or state agencies. In 1999, the Romanian parliament decided to create a particular structure that would take charge of the screening processes and the study of the Securitate archive. This autonomous structure, called the National Council for the Study of the Securitate Archive, seemed to produce a separate narrative and understanding of the past regime different from the narrative produced by IICCR, and later of IICCMER. The understanding of the past state socialist regime between these two competing institutions diverges due to different material basis on which the memory is founded. At CNSAS, the materiality on which the understanding or memory of the past regime is built is the archive of the Securitate. Whereas, at the IICCMER, the memory produced is a reflection of a different form of materiality: prisons of the communist regime that are considered to become memorials, forensic archeology with the intention to uncover the cadavers of people executed by Securitate, the archive of the activities and publications of the Romanian exile. The Institute for the Investigation of the Communist Crimes and the Memory of the Romanian Exile has been prone to political

influence and changes in its directorship. This is due to some extent of it being dependent on the government. There are two type of groups that have dominated the policies and the direction of the IICCMER through time. One of the groups includes (self-proclaimed) public intellectuals who proclaim liberal values and claim to be in position of neutrality, away from party politics.

This group of people are active civil society members, and critical of both non-democratic regimes that Romania experienced: fascism and communism. This group positions itself at the intersection of the educational and cultural field. They do possess a higher degree of symbolic capital compared to their contenders. The second group of people comprises historians, researchers who possess less symbolic capital rely. Their understanding of civic engagement is not based on the position of a public intellectual, as a claimant of universal truths and of universal or ideological values, rather of one of concrete attempts to provide a voice to victims of the past regime. On the other hand, due to their condition and their trajectory this second group has tended to bureaucratize more the profile of IICCMER than the first group. What I just delineated has repercussions on the consecration battles between different contending groups and configurations of representatives of political field, and civil society on the understanding and the discourse on the past. Situations of crisis of the 'legitimacy' of these type of particular institutions such as IICCMER or CNSAS help better understand the nature of the strategies for the monopoly on the past and divisive cleavages when trying to impose a convergent and domineering narrative. The removal of Marius Oprea and Dinu Zamfirescu from the directorship of the Institute in 2010 had unleashed a crisis and a fissure within the IICCMER.

The scandal at IICCMER has reached such levels and allegations that numerous supporters of Marius Oprea and he himself claim that the decision of the government to remove Marius Oprea has the intention to bury the investigations on communist crimes. In other words, the dominant idea is that the government aims to theorize the investigation of the communist crimes by transferring them into the library, so does Marius Oprea says and many others after him.<sup>17</sup>

The first group of public intellectuals is considered as not appropriate to fulfill a concrete task and obligation of which IICCMER was in charge of, the investigation of communist crimes. More precisely, this crisis that

happened in 2010 shows that there is a struggle about the legitimacy and monopoly to consecrate the proper understanding or narrative of the communist past. On the other hand, it shows the degree of politicization of the memory field, and political dependency of the Institute. What is at issue within these struggle of forces is the neutrality or claim-making regarding the protection and respect of the neutrality of the Institute.

## **Conclusion**

It is assumed that the condition of East Central European societies, which experienced a non- democratic regime such as state socialism, has always been that of post-communism. There exist a link to be made between the post-communist condition and transition, understood as a state of limbo, of uncertainty and change. The post-communist dimension of ECE societies can be observed by the importance that is given to ideology and discourses, and the continuous presence of transition. There is some grain of truth in this perspective, which is mostly due to the recurrence of problems that originate in the past, to be understood as state socialist past, and that are not completely over, even when a democratic regime change has followed. On the other hand the post-communist condition and perspective remains vague albeit fashionable. It seems to indicate the existence of a sort of cultural war waged between different representatives and proponents of how to understand the legacy of the past and how to go about completing the transition from state socialism to a democratic regime.

Probably it is time to dispute, to some extent, the utility of this framework and term being used with high frequency in the political science, history and transition literature. I would like to argue that the analytical value of this term that implies a particular understanding of a process is waning. In the very early stages of analyzing and understanding regime transformation in ECE there existed two broad approaches. One approach focused on the willingness of the political and cultural elites to transform the society by implementing a template of universal reforms, from a position of epistemological certainty and authority. This above-mentioned approach claimed that inherited structures, practices, institutional sites, are of less influence, and hence of less analytical value when explaining the transition to a democratic regime. There existed a certain revolutionary ethos that could make possible change at will,

due to the lack of legitimacy of the previous regime or due to favorable external conditions. However, one could argue that the time frame for understanding this perspective and how it emerged requires us to broaden the view. It requires an identification of the general debates that existed within the social groups that could exert influence or propose changes, and how the alliances were created.

Nonetheless, there is a fine distinction to be made between the articulation of certain discourses, policies and strategies on the verge of the radical transformation and the re-articulation of the same or somewhat different discourses and policies once the configuration of the actors and conditions changes long after regime change. Probably one could understand better the post-communist condition if the emphasis is not put on the ideational level but rather at a cluster of conditions, actors and practices that are part of the processes which happen at the level of regime, state and societal actors. To be more precise a strategy would be to disaggregate the post-communist condition into certain dimensions that pertain to a construction of the symbolic violence of the new democratic regime. For that, a close look at the conjunction of institutional trajectories, discursive representations underlying the narratives of the past, and the transformation facet of different traces of the materiality of the past regime, used for a different purpose nowadays, would do. The paper has tried to highlight the process in which a democratic regime aims to construct a new symbolic order.

One could pose the alternative explanation that stems from the theoretical approach known as politics of memory studies. It seems to me that this approach owns its emergence and episteme construction to the resurgence of memory as a social experience and later on as a valid category of analysis. This approach appears to be convincing when trying to explain certain phenomena that implicate political projects on the past, the influence and role of memory in political or symbolic battles. However it lacks the fine-tuned mechanisms of the micro-level effects of reproduction and stability. Representation, narratives and conflict among social groups are close to the empirical reality but they are not analytically anchored within a constrain of structures, and as such become rather fluid or not appropriate as tools.

This perspective has implications in understanding the transformations at the macro-level. It does explain the valence and the centrality of the politicization of the past as well as the conflicting representations between hegemonic/dominant narrative, and the less hegemonic narratives. I have

tried to indicate that including temporality as a valid dimension of looking at the so-called post-communist condition within the processes of dealing with the past, provides an added value to discuss theoretically continuities and discontinuities within different regimes. That is to say, considering actual divergences and conflicts regarding the representation of the past memories and the extent of politicization of this process would not provide a convincing understanding of the transformation of post-communist condition towards something completely new. Henceforth, the inertia of labeling the condition of new democratic states/regimes as post-communist has been mostly justified due to the incompleteness of reforms that make the new regime appear democratic and of having dismantled the command economy of the state socialist regime. I consider that the framework of 'transition to democracy' overlooks the phenomenon of legacies' effects on the democratic regime. To put it differently, the analytical tool of most use is regime and state rather than democracy and the transition from state socialism to democracy.

At another level of discussion, I have tried to explain the difference between a perspective such as memory studies approach that primarily looks at processes of memory formation and the perspective that explains not simply these processes and different forms of it, but also indicates a more macro- structural and temporal dimension of transformation in regard to the regime/state and the stability of institutions itself.



NOTES

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- 2 Olick, Jeffrey, K., and Robbins Joyce, "Social Memory Studies: From 'Collective Memory' to the Historical Sociology of Mnemonic Practices", *Annual Review of Sociology*, 1998, 24, 122.
- 3 Paolo Jedlowski, "Memory and Sociology", *Time and Society*, 2001, 10(1), 34.
- 4 Susannah Radstone, "Reconceiving Binaries: the Limits of Memory", *History Workshop Journal*, 2005, 134-150.
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- 10 Radstone, 140-141.
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- 12 Olick, Jeffrey, K., and Robbins Joyce, 112.
- 13 Pierre Bourdieu, *The field of cultural production*, (New York, Columbia University Press, 1993), 37.
- 14 Pierre Bourdieu, 42-32.
- 15 Pierre Bourdieu, 44.
- 16 Florin Mihai, "Alianța Civică, nucleul 'societății civile din România.'", *Jurnalul.ro*, November. 2010 (<http://jurnalul.ro/special-jurnalul/alianta-civica-nucleul-societatii-civile-din-romania-558977.html>).
- 17 Andreea Pora, "IICCMER: derapajele unui scandal", *Revista 22*, March 2010.

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